

**An introduction to Mr. James Anderson's Diplomata Scotiæ. To which is [sic] added notes, taken from various authors, and original manuscripts / By Thomas Ruddiman.**

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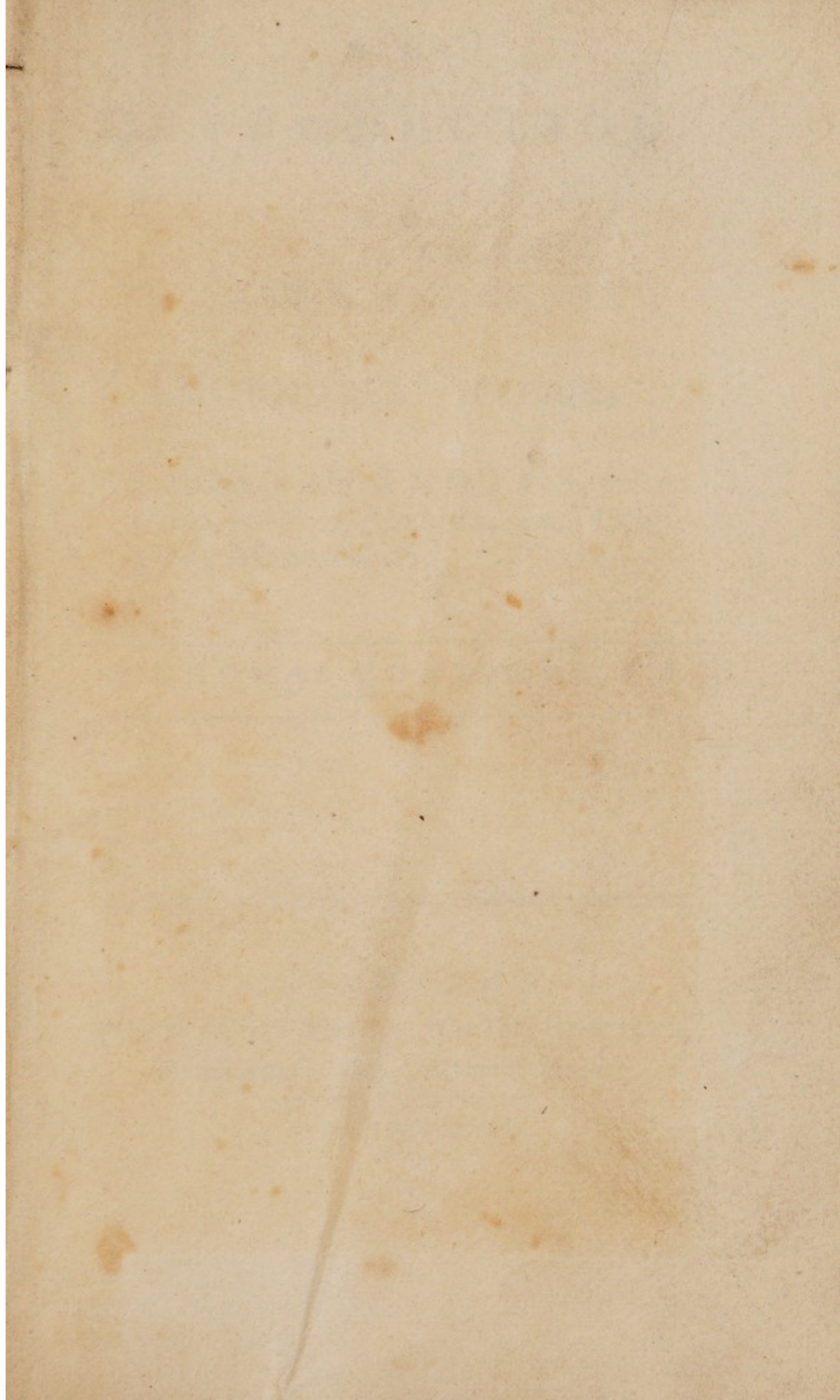
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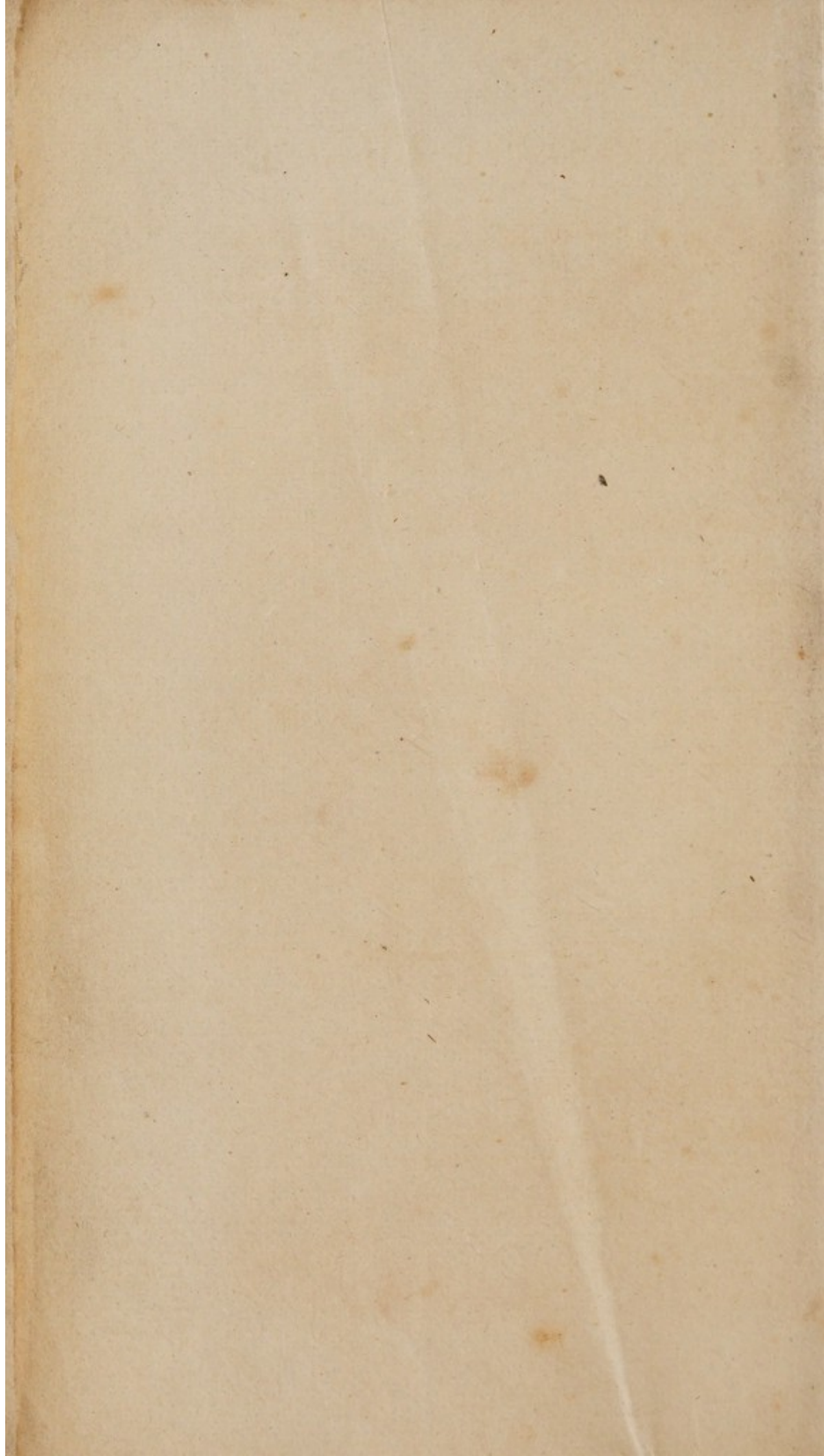


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I N T R O D U C T I O N

T O

Mr JAMES ANDERSON'S

Diplomata Scotiæ.

To which is added NOTES, taken  
from various Authors, and Original  
Manuscripts.

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By THOMAS RUDDIMAN, M.A.

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MDCCLXXIII.



THE HISTORY OF THE

ROYAL SOCIETY OF LONDON

FROM ITS INSTITUTION

TO THE PRESENT TIME

BY JOHN HANCOCK

ESQ. OF LINCOLN'S INN

AND JOHN HANCOCK

OF LINCOLN'S INN

PRINTED BY J. HANCOCK

AT THE SIGN OF THE

WINDMILL

IN ST. MARTIN'S LANE

1751



## A D V E R T I S E M E N T.

**T**HE following is a translation of a laborious, and much esteemed work, composed originally in Latin, by the ingenious and learned Mr Thomas Ruddiman; and, by him, prefixed as an Introduction to Mr James Anderson's *DIPLOMATA SCOTIÆ*, (of which it is explanatory,) a book of high price, exceeding scarce, and only to be found in the cabinets of the curious; which has made it less known than what it deserves. The editor has no occasion to expatiate upon the value of this performance, as that would be rather injurious to the memory of the author; whose writings have been so universally esteemed, that his name, alone, bears sufficient evidence of its worth: he shall only add, as it contains many particulars, which may contribute to rectify some erroneous



roneous opinions, which commonly  
 have prevailed, as to several histori-  
 cal facts ; and gives an account of  
 the antiquity of writings, value of  
 money, and prices of provisions in  
 Scotland, in ancient times ; the  
 knowledge of which appear, at  
 present, to be more than matter of  
 curiosity ; he therefore hopes, that  
 the present translation will not  
 be unacceptable to the public.

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P R E F A C E

T O

A N D E R S O N ' S

D I P L O M A T A S C O T I Æ :

B Y T H O M A S R U D D I M A N . M . A .

I.

**A**T length, gentle reader, is put in your hands, a work which has been framing with no less expence than labour; and which Mr James Anderson writer to the signet, had almost finished. It is much to have been wished for, that this celebrated gentleman, had been permitted to demonstrate the fruits and advantages that the public was about to reap from his labours. But since the Governor of all things thought otherwise, who called him from this world to higher things; it will be sufficient for me, who have undertaken the task of making a preface to another man's work, if I can explain, as clearly as possible, what was the design of the author in composing this work.

II.

To begin therefore, the cause of the performance, was similar to that which gave occasion to another of a like kind of this author; a deep rooted love for his country, which was all his life

A

fixed



fixed in his mind. For, in the beginning of this century, William Atwood, an Englishman, grasping at a vain reputation among his countrymen, renewed with a very bad and malicious design, a controversy long ago laid aside betwixt the kingdoms of Scotland and England; and with mighty, but futile endeavours, maintained, that the kings of Scotland were vassals to the kings of England: and in that book, produced our James Anderson as an evidence to support his fictions. He again, to wipe off this unjust stain from the name of a Scotfman, and at the same time, that he might free himself from the calumnies of the man, took up the pen against him; and, with a laudable endeavour, not only refutes the sophism, rather than arguments, of his opponent; but also, with the invincible weight of reason, has so demonstrated, that the power of the Scottish sceptre was free from every foreign yoke, that he seems to have put the matter at last out of all dispute, among the more reasonable part of the English.

This work of our author's was so acceptable to all his countrymen, but especially to the parliament of Scotland, that public thank and ample rewards were decreed him on that account. But the desire of promoting the honour of his native country did not confine itself within these bounds; for, while he refuted Atwood's book, it was necessary for him to turn over and discuss very many charters and public records of both kingdoms with the greatest diligence; by which he found many charters, and other instruments, which not only did prove the independent sovereignty of the kings of Scotland, but conduced to illustrate further the renown of the kingdom. The keenness  
of



of his inclination pushed him on, to set agoing a greater work, which would show to his readers, the honour and dignity of his native country Scotland.

But, he was not ignorant, that he was projecting a thing, not only difficult to himself, but also of greater expence, than his small fortune could allow ; he did not undertake the task, till he imparted the reasons of his design, first to his friends, and then to the states of parliament. To whom, our author's design appeared so useful and honourable, that having considered it diligently, they encouraged him to execute it with expedition ; having proposed to him no despicable reward.

### III.

You have now had, reader, the occasion and the beginning of this undertaking. The next thing is, to take a view of the several parts of the work, and what this gentleman resolved with himself to execute on each head.

At the first, it is probable, that Mr Anderson proposed nothing else, than to exhibit some specimens of charters granted by the ancient kings of Scotland, and by others, formed as like the writing of the original as was possible ; and on the opposite page, copies of these originals expressed in modern characters, all skilfully engraved on copper plate. To which, lastly, he subjoined the various characters, and contractions or abbreviations used in these times ; to facilitate the reading of all instruments of this kind. I believe the author at first, had settled this as the bounds of his undertaking ; but afterwards, partly induced by the thorough knowledge of the subject, partly by the



veneration he had for it, he subjoined the coins and medals, in place of an appendix.

## IV.

The first, and principal division of this book, contains a specimen of some select charters, granted or issued by the kings, or other principal men of Scotland, for three hundred or more years, that is, from the year of the Christian æra, 1094, to 1412, continued in regular order. That the author did not continue it beyond this last period, seems to have been chiefly on this account, that he perceived that the characters of the letters, and the whole form of writing continued of the same shape; at least, liable almost to no change, (which, however, he observed, had been changeable almost under each king in that more ancient period). As to what belonged to these later times, our author had enough of the seals of the rest of our kings, from James I. of Scotland to queen Anne, to subjoin to this part. He has added indeed one single charter of Mary queen of Scots, and of the dauphin Francis, her husband, afterwards Francis the II. king of France. But the reason of his doing this was, that in that charter, Francis and Mary stile themselves king and queen, not only of Scotland, but of England and Ireland: which thing, chiefly raised that most inveterate hatred, which nothing less than the blood of Mary could atone for to Elizabeth of England.

## V.

But, although our author has designedly refrained from exhibiting more modern charters; yet, that he has not gone farther back than Duncan

can



can II.'s time, is owing to the hard fatality of our affairs, not to his inclination; who, if he could have found any older or more ancient than those in the search, he would have represented them with fidelity.

After so great a length of time, it cannot by any means be defined with certainty, at what precise time the use of public or private instruments was first introduced among us. But the custom of neighbouring nations, among whom they were received for many centuries before, leave us no room to doubt, but the same custom prevailed among the Scots, long before the time of Duncan II. or Malcolm Canmore, his father. It is true, that Bartholomeus Germanius, a most ingenious searcher into these matters, is of opinion that, tho' Mabilon exhibits these for genuine, which are under the Mero-vingian and Caralo-vingian line of the kings of France, are nevertheless forged; yet, he does not deny, that the custom of writing public instruments was received in the sixth century. And the reverend George Hickes, most expert in the antiquities of his own country, altho' he shows, that those which are preserved among his countrymen, for most part are spurious; yet, he informs us, that the custom of making of charters and other deeds, took its rise among the Anglo Saxons in the seventh century: of which he adduces (omitting others) some examples, to wit, the charter of Ethelbert I. king of Kent, which he asserts is the most ancient of them all; also of Sebbus king of the East Angles, who flourished in the year 680; and of Lotharius king of Kent, to the monastery of Recuve, A. D. 679.

But, if the use of charters of this kind prevail-  
ed



ed among our neighbouring nations so many centuries back; it is not easily to be imagined, that the knowledge, and consequently the use of them should come to us so late as the eleventh century.

## VI.

But if any one should complain, that barbarism (which we shall not altogether deny, most partly prevailed over our nation in those ancient times) stood in the way of the use of charters being sooner introduced among us; we may retort, not without reason, the neighbouring nations of the Saxons to have been no less barbarous. Surely, Bede, the ancientest of their writers, bears testimony, that the Scots embraced Christianity long before the Saxons; who says, that Palladius was first sent bishop by pope Cælestin to the Scots believing in Christ, in the year 430; and the same author writes, that it was not till 160 years thereafter *i. e.* 590, that the English nation embraced the Christian faith, by the ministry of Augustin the monk, sent for that purpose to them. Every body allows, that with the purity of religion, the use of learning or letters was introduced; which were very rare, or not at all in this island before; and, together with it, a more polished manner of life. I will not deny, that this ferocity of manners, which was very great, and universally among almost all the inhabitants of this island, could not be softened in the course of many years, even centuries, after the light of the gospel sprung up or was acknowledged. And it might happen, that the grievous dissension which so long continued between the Scotch and English about the observation of Easter, and the tonsure of the clergy, and some other rites, might  
make



make the one nation differ from the other in following their manners and institutions. And therefore, that the use of deeds and charters, which the Anglo Saxons had received from the Gauls, the latter from the Italians, and others, spread itself somewhat later among the Scots.

But after that controversy was sopite through almost all Britain; and almost all the nations thereof, except the Britons, passed under the rites received in the Roman church, which was accomplished, as Bede bears testimony, about the beginning of the eighth century. It is not absurd to believe, that the kings of Scotland and others, chiefly the followers of the monks, who not long after put themselves under the patronage of the Roman pontiff, by degrees gave into other ceremonies and rules of life received by these followers.

## VII.

It is certain, that about the end of this century, that is, the year 791, that most ancient and most famous league of amity betwixt the Scots and French, is said to have been entered into; and which, all our writers relate, was confirmed by public instruments on both sides. To omit the more modern of them, John Fordun thus expressly writes concerning that treaty:

*“ At last, Charles the great, king of the Franks,  
 “ sending forth ambassadors every where, certain  
 “ of whom were sent to Achaius king of Scots;  
 “ to whom he sent back his ambassadors, that  
 “ they might confirm the convention and pactions  
 “ of the league entered into, under equitable con-  
 “ ditions; and, that these being reduced into writ-*

*“ ten*



*“ ten indentures, might be sealed by approbation  
“ of both kings.”*

I am not ignorant, that this ancient league betwixt Charles the great and our king Achaius, is held in ridicule by some, chiefly, by Thomas Rymer the English historiographer, and Atwood above named; who contend, that there was no league of friendship betwixt the Scots and French more ancient than the time of Robert II. or at least, of John Baliol. But Sir Robert Sibbald has rendered their endeavours in this affair fruitless; who, by a dissertation concerning this league, has proved, in my opinion, beyond controversy, that that league had its beginning in the time of Charles the great. And the most celebrated and knowing of our antiquarians, Sir James Dalrymple, in his collections, Patrick Abercromby, in his Scots warriors, and before them Sir George Mackenzie; in his defence of the royal line, against the bishops of St Asaph and Peterburgh, likewise refute most fully and solidly, the errors of Hugh Ware and Roderick Oflaherty, who deprive the Scots in Britain of this league, and give it to the Irish. As to what concerns the conditions of this league, I will not affirm, that these given us by Hector Boece, David Chalmers, or by Veremund the Spaniard, a writer co-temporary with our Malcolm III. are genuine. The opinion of Thomas Innes, a very learned and ingenious searcher into the antiquities of his country, is nearer the truth; who is of opinion, that that Veremund was an imposition, which did not make its appearance before the fifteenth century, and that the articles taken from that treaty betwixt Scotland and France, bear marks of the condition, and genius of a later age; and therefore is to be esteemed altogether



altogether fictitious. However this be, there is nothing to hinder, us to credit the league itself to be genuine; being approven of by so many ancient writers. It is no slight support to this matter, that during the reign of Charles the great, the university of Paris was principally founded by two Scotsmen; which is asserted, not only by our own, but by foreign writers, as well as English. Passing over this, that in this, and the following century, some monasteries were founded and enlarged by men of our nation, as Marianus Scotus attests, who flourished about the year 1069, and by others. The sum of what we have said amounts to this, that the kings of Scotland in the age of Charles the great, not only established amity with him, but upon the authority of Eginhard (*his secretary*) confirmed the same, by letters to him. And since, moreover, the most celebrated university of Paris, and many very renowned monasteries over Europe, gratefully acknowledge their beginning and increase to Scotsmen; it is very agreeable to reason, that we may believe, that the custom of writing charters was in use in these times, in the end of the eighth or beginning of the ninth century: for it scarcely can be thought, that nations, betwixt whom so strict a relation had interveened, should not communicate to each other the rites and institutions so useful to mankind.

## VIII.

But here, some one may suggest, if the custom of composing instruments of this kind was received among us in the time of Charles the great, it is scarce credible, that of so many, there should not remain



one of the two following centuries, *i. e.* betwixt 791 to 1094. But, though at first sight, there may seem much weight in this argument, to weaken our opinion in this affair; there are not wanting great and weighty reasons, which do almost entirely enervate and destroy the force of it.

And first, indeed the antiquity of the thing itself, which is above 900 years ago, is to be computed; for it is not easily to be imagined, that the originals of these instruments could escape the destruction of all-consuming time. And hence it is, chiefly, that the most learned Germanius, in that discussion above-mentioned, concerning the ancient charters of the kings of France, denies such of them as are admitted by Mabillon in his book, *De re Diplomatica*, not only under the Merovingian, but also under the Carlo-vingian race of the kings of France, that is, under Charles the great, Ludovicus Pius, and others, of the second race of the kings of the Franks, to be genuine: his words are, “ For these charters as they were  
 “ written on the Egyptian Papyrus, on bark, on  
 “ skins, which are substances perishable of them-  
 “ selves; it is incredible, that for so long a pe-  
 “ riod of time, they should have remained unhurt  
 “ from moisture, mouldiness, mice, and other  
 “ plagues of the like kind.”

And secondly, though we may grant, that by care and vigilance, it might happen, that a few of these ancient monuments should have escaped the teeth of moths and book-worms, and other injuries of age; there yet remained another, and no less grievous evil with which they had to struggle; I mean these numberless and continual wars, by which our nation, as much as any other, was distressed for a long series of years; either among  
 ourselves,



ourselves, or with neighbouring nations, Picts, Danes, and English, amidst the slaughter of so many men, the repeated destruction of so many cities; it rather seems to be more surprising, that so many original charters should have been preserved till our time; than if all these wrote in former ages should have totally perished.

Thirdly, To this rage of war, which lays waste and spoils every thing, there was a new addition, by that most enraged enemy of the Scots, Edward I. king of England; who, not content with having afflicted our nation with a most unjust, and at the same time, a most cruel war for many years; who, when he anxiously desired, but he was not able, to impose the yoke of servitude upon a people, otherwise most brave, and particularly tenacious of liberty; at length, bent his whole mind, if possible, to abolish the memory of the Scottish name. With this design, to use Buchanan's words, "He erased our ancient laws, histories, and leagues; and took care to destroy the ancient monuments, left us either by the Romans, or erected by the Scots; transported all our learned men of letters into England; and sent to London the marble stone, in which, the vulgar were of opinion, that the fate of the kingdoms was placed; neither left he any things remaining, which could stir up generous spirits, or revive the remembrance of their former happy condition." We have other of our historians agreeing with, or rather going before Buchanan in this. As to the public records, the thing speaks for itself; none are found in the archives of the kingdoms, but what are posterior to the age of that Edward. Of the more ancient that were carried away to England, many are said to be yet pre-



erved in the Tower of London; but it is more than probable, that by far the greater part of them, and among these some, which perhaps were written in those ages whereof we have spoken, long ago, either perished by the carelessness or malice of the enemy, which the English generally were.

Fourthly, The reformation, put, as it were, the finishing hand to the destruction of old writings among us: for although nothing was more excellent, or more conducive for the public good, than that divine worship should be called back to its primitive state and purity. It happened however, that this thing was not gone about under the protection of the supreme power, but at the nod of the populace, in a mobbish manner: thence it came to pass, that the common rabble, who are governed with a blind and unbridled fury, not by sober resolutions, when they thought that the superstitious rites of the Papists, could not be reformed otherwise; led on by a wicked superstition, poured forth their rage against the monasteries; laid waste with similar destruction, the ancient books and charters, and other furniture found in them. When the miserable monks and priests beheld what was a-doing; despairing of their affairs, emigrated from their country, and carried away with them every thing of the most valuable kind that could be saved from that shipwreck, and among the rest, their chartularies, and other monuments of the like sort, carrying them away to foreign countries, never to return more to Scotland.

## IX.

I have dwelt longer, perhaps, than was proper, in reviewing these cruel disasters, which have befallen



fallen charters among us; but I have done it for two reasons. First, That I might show, that it has not happened by the sloth or ignorance of my countrymen; (which many are persuaded of) but by our lamentable fate, that so few of the more ancient monuments of our nation now are extant. And next, that I might incite, as much as I could, our countrymen to preserve these that do remain, with the greater care; and to exhibit to public view, others which lie hid in the cabinets of private persons, at home and abroad, for the honour of the kingdom and public benefit. This was the scheme principally proposed by Mr Anderson; who laboured with so great diligence to discover them, and to illustrate our affairs; that what he could not find at home, he sought for abroad, and searched every where. It is not our business, in this place, to speak of his collections which he made, to clear up the most intricate history of Mary queen of Scots. It more nearly concerns our purpose, what he himself tells in his treatise on the independency of the crown of Scotland: that he had received and published from the chartulary of Durham, to which he got easy access, with the greatest generosity, the original charters of three of our kings, Duncan II. Edgar, and Alexander I.; originals of which, could be found no where else, and which are exhibited first in his collection. And from hence arises another argument, confirming that which we said before; *viz.* That the origin of charters was more ancient than the eleventh, and I add, than the tenth century. Since it cannot be doubted, but that these three princes had granted very many more charters, besides these few which we owe to foreigners, in the space of 30 years; for so many years elapsed betwixt 1093, in which  
Duncan



Duncan began to reign, to 1124, when Alexander I. ended his reign, all which might perish by these accidents which we have related: so that there is no wonder, that the other charters granted by the preceding kings of Scotland, should sink under the like fatality, and during this interval of time.

## X.

But, that all these things may appear the more plain, I thought it would not be foreign to my purpose; if, by searching back from the age of Duncan, the period of time, I might discover particularly from our own, and from the writings of others, whatever might seem to give light to inquirers, about the antiquity of charters among us.

And first, though there exists no where, any genuine charters of our king Malcolm III. the father of Duncan II.; yet the chartulary book of the abbacy of Dunfermline monastery, founded by him, seems to signify, that there were some granted by him; for in this book, the grants of king William, Alexander II. and III. confirming his grants, and the grants and privileges of his predecessors to this monastery, generally refer to the gifts made to this religious house by Malcolm III. St Margaret his wife, as well as those by David I. and Alexander I. their sons; and which are said to be contained in writing. Likewise, in the book of the priory of St Andrews, a book of venerable antiquity, the following is to be found, “ King Malcolm and Margaret queen of Scotland, devoutly, bestowed the village of Ballechristin to almighty God, and to the Culdees of Lochlevin, with the same privileges.” *i. e.* those the writer had mentioned in his former chapters; and, it is very likely, that this gift was confirmed not only by words, but by writing.

That



That which partly adds credit to this, is, that in the same book, mention is made of Macbeth, who reigned immediately before Malcolm III.; and which seems to raise the antiquity of charters higher among us. It is in these words, “ Macbeth son of Finluch, bestowed for supplication of prayers, and Gruoch, daughter of Bodhe, king and queen of Scots, Kirkness, to almighty God, and to the Keldees of the island of Lochlevin, with its bounds and marches, These are the bounds and marches of Kirkness, and the small village called, Porthmokanene, from the place Monlocadhan, to the river called Levin; and in breadth, from the road which lead to Hinhirkethyn, to the Irish stone; and in length,” &c. And a little after, concerning the same king and queen. “ The village of Kirkness, was bestowed, with its whole privilege, on God almighty and the Culdees, free of any gift, burden, or exaction, due to the king or king’s son, to the sheriff, or to any one; and free of the burden of repairing bridges, service in the army, or of hunting; that is bestowed out of a view of piety, and for supplication of prayers to almighty God.” For these words contain such a minute description of both the place itself, and of the immunities belonging to it, that they seem to be taken not from oral tradition, but from written charters.

## XI.

But there is the less need for us to labour to prove, that the custom of writing charters was received among the Scots in the age of Macbeth; since the charter of his grand father Malcolm II. (if really his) does afford a much stronger  
er



er proof, as it is more ancient ; by which, he fixed Murthluch, a village in Banff-shire, to be the bishop's feat, which was afterwards translated to Aberdeen. We have a copy of this charter in the ancient chartulary of Aberdeen, and which Sir James Dalrymple says, he saw in other ancient collections ; of which (if it be Malcolm II's) is the oldest ever I saw. I have thought proper to subjoin here an exact copy of it.

“ Malcolm, king of Scots, to all honest men,  
 “ clergy, and laity : Know, that I have given, and  
 “ by this my charter confirmed, to God, and the  
 “ blessed virgin, and all saints, and to bishop  
 “ Beyn<sup>n</sup> of Murthluch, the church of Murthluch ;  
 “ that the bishop's feat may be built there, with  
 “ my lands of Murthluch ; the church of Cloveth,  
 “ with the land ; the church of Dulmeth, with  
 “ its land ; as free as I have held them, and in  
 “ pure and perpetual alms : myself witness, at  
 “ Forfar, 8th October, the year of my reign  
 “ the 6th.”

I have said, if this be a true charter of Malcolm II's, for the reverend and skilful antiquarian William Nicolson bishop of Carlisle, ascribes the erection of this bishopric, expressly to Malcolm III. which, if true, this instrument is necessarily of that Malcolm III, not II. But since all our writers, (as Dalrymple justly reasons) constantly assert, that the renowned and decisive victory over the Norwegians, was obtained by that Malcolm II. at that place ; it scarce can be doubted, but that that bishopric of Murthluch, afterwards of Aberdeen, had its beginning under this king : add to this, that it is said in express words, in that same book of Aberdeen ; “ That in the time of Mal-  
 “ colm king of Scotland, son of Kenach, the E-  
 piscopal



“episcopal see was first settled by the same Malcolm at Murthluch,” &c. But all our historians bear witness, that Malcolm II. not III. was son of Kenneth III. last of that name, king of Scotland. It is not to be denied, that this is said to have been done in the year 1070, but Sir James Dalrymple presumes this proceeds from the mistake of the writer of the manuscript, who has put 1070 for 1010, that the year 1010 corresponds with the 6th year of the reign of Malcolm II. in which this charter was granted; but the year 1070 falls not unto the 6th but 13th of Malcolm III.; so that if the year of Christ, corresponding to the 6th year of Malcolm III. was to have been marked, it ought to have been written 1063, not 1070. I omit other reasons brought by that gentleman for his opinion, as of less weight; I only add this, that the translation of this bishopric, by our David I. to Aberdeen, and the endowment with ample privileges and rents, seems to have been the reason why the small beginning thereof, at Murthluch, has been mentioned by our writers.

## XII.

I must confess, two difficulties occur to me on this subject. First, That before the translation of this bishop's see to Aberdeen, there are only mentioned three bishops, Beyn or Beanus, (under whom, in the above-mentioned charter, it is said to have been founded,) and Donertius, and Cormachus. Neither does it seem probable to some, that three bishops, in a continued series, should have presided in the church of Murthluch, from 6th of Malcolm II. to the beginning of David I. that is, from 1010, to 1124, by this means,

C

each



each of them behoved to have held the bishopric 38 years, which is not easy to believe, since men only advanced in life, used to be preferred to such an office : but this difficulty may be obviated more than one way ; for it may be said, in the first place, that some time might intervene, from the death of the preceding bishop, to the election of the subsequent one ; which was not uncommon in these days. Secondly, Nectanus, who is reckoned fourth bishop of that see, in whose time, the translation of the Episcopal see was made to Aberdeen, may be said to have sat several years at Murthluch, before he went to Aberdeen. Thirdly, It is by no means contrary to nature, that men, of the greatest sobriety, which the bishops of those times were, might prolong life, one after the other, for as many years as are computed in the foresaid period. Certainly Hector Boece, who wrote a particular book of the lives of the bishops of Aberdeen, thinks he asserts nothing contrary to belief, or the common lot of human affairs, when he attributes 31 years to Beanus, 43 to Donertius, and lastly, 38 years to Cormachus. But these numbers joined together, make up 112 ; that is, from the year 1010 to the year 1122, in which last year, Nectanus was placed bishop of Murthluch, and afterwards translated to Aberdeen ; the see being changed by David I. in the year 1136, as is asserted by Boece.

But another, and a much stronger argument than the first, is suggested against the charter of Malcolm II. from the words in the end of it, *teste meipso*. For Mabilon remarks, that this form was first introduced by Richard I. king of England, and derived to later kings ; who further adds, that this form was peculiar, and never



ver used, unless in matters of lesser consequence, and which required instant execution. Thence, some charters of the kings of France seem to be suspicious; chiefly from this, that they end by this form of words. I must confess there arises a great prejudice from this testimony of so great a man, against the authenticity of this charter; but as it is of that kind of proof called negative, nobody will esteem it altogether invincible; for so many, and so various forms and customs of speaking and writing have come into use, and gone into disuse, that it can scarcely be ascertained what was or was not received in one century, by any other method, than by comparison with other writings of the same age. And since there remains now no other charters, except that one alone, concerning which there is a doubt; it seems not just or consonant to reason, to give judgment, or decide the customs of former by these of after times; and so to determine concerning the authenticity of instruments written in so distant a period; add to this, one thing worth observation, that it is not likely, that the Scots in framing their charters, should leave that plain and obvious custom of writing, which they had seen prevail in every instance of charters of their own country, and should adopt an unusual form, made use of only by the English nation, if we are to credit Mabilon. But this particular form was not so peculiar to the kings of England, but that the Scots might not sometimes adopt it. For it appears from Rymer's Fædera, that our Alexander II. and III. also John Baliol used this same form sometimes in their letters. But we shall leave this subject to the judgment of others more versant



in monuments of antiquity, and pass to other matters.

## XIII.

The next thing that offers itself in this disquisition, is some instruments of the bishops of St Andrews mentioned by our writers; which, if true and genuine, carries back the use of charters among us, not only beyond Duncan II. that is beyond the year 1094, but some of them seem to go beyond even the age of that Malcolm II. of whom we have made mention above. Two of these are mentioned by Sir James Balfour, lyon king at arms in Scotland, during the reign of Charles I. who was a skilled searcher into antiquities. Remains and fragments of the rest, appear to me to be preserved in the book of the Priory of St Andrews formerly mentioned; of both of these I must speak in their order.

And first, Sir James Balfour, in the manuscript concerning the lives of the bishops of St Andrews, written with his own hand, preserved in the advocates library at Edinburgh, treating of Kellach II. whom he makes 4th bishop of that place; says, he had seen a charter granted by that bishop to the Culdees of Lochlevin, in which he calls himself Greatest Bishop of the Scots. And of Maldevin, who is placed 6th in order, he writes, that he confirmed that donation granted by his predecessors to St Servanus, and to the Culdees of Lochlevin. “Of the patrimony of *Portmohack and Kilgad*, lying near the hospital *de fonte Scotiæ*, (Scotland well),” and adds, that he in that Charter, calls himself the humble minister of the church of St Andrews. Since our plan requires, that we treat a little more distinctly concerning



cerning both those charters, we then first inquire particularly into their authenticity, and then of the time in which they were written.

## XIV.

And first, the testimony of a man of probity and learning, seems sufficiently to satisfy us from doubting of their authenticity. Sir James Dalrymple formerly mentioned, endeavours to render suspicious the authority of the first, chiefly because, that the title assumed by the bishop of *Maximus Scotorum Episcopus*, is a title more agreeable to a Roman pontiff than to a bishop of St Andrews; but this reason, in my judgment, ought to be esteemed as very weak, rather as nothing, to destroy so clear a testimony: for since, in ancient times, the bishops of St Andrews were always without controversy, reckoned to have held the first place, that is, they were esteemed highest and greatest; what, pray, should hinder them to assume to themselves the prerogative belonging to so great an office in their charters? Surely, from the beginning of Christianity, and the spreading of churches through the world, it was well ordered, that some one bishop in each province, whose more advanced age, or the election of the rest, or which was most usual, the rank of the city in which he had fixed the see, should intitle him to preside over the rest in calling of councils and synods; who, for this reason, was called FIRST or *Primus*, and was acknowledged and honoured by his suffragans, as their head and chief. He was the same called in after ages, Archbishop, Metropolitan, and Primate. But, that we may come closer to the point, there are other weighty documents, that this custom of  
calling



calling the bishop of St Andrews, First, or Chief, is sufficiently ancient. The first, and most remarkable, is, that which we have in John Fordun, or his Continuator, Walter Bowmaker in his *Scotichronicon*, and Andrew Winton in the life of king Indulphus, concerning the Case in which the Gospels were preserved in their days in the church of St Andrews, which was ornamented with silver plate, and this distich engraven upon it, which they saw, *viz* :

*Hunc evangelii thecam construxit aviti  
Fothad, qui Scotis primus Episcopus est.*

ENGLISHED.

Fothad, the chief bishop among the Scots, made this Case for the ancient Gospels.

Manuscripts, indeed, vary in writing these verses, in other manuscript copies of Fordun, we find *avites* and *avitus*, but in Winton and Hearne's edition of Fordun, we find it put contrary to the rules of verse, thus :

*Fodach, qui primus Scotiae Episcopus erit.* But in the excerpts from the register of the priory of St Andrews, that whole matter is narrated much clearer, thus ; “ The bishop of St Andrews is  
“ called bishop of the Scots ; and, so they are to  
“ be found called in ancient and modern writings,  
“ chief bishops of the Scots ; therefore, Fothad, the  
“ bishop, caused write upon the Case of the Gospels  
“ (the above distich). So now also, in vulgar and  
“ common way of speaking, they are called *Escop*  
“ *Alban*, that is, Alban bishops ; so they are called  
“ by pre-eminence, by the whole of the Scot's bi-  
shops,



“shops, who are *themselves* named from the place  
 “over which they preside.” Thus it is plain,  
*aviti* not *avitus*, was inscribed on that Case, for the  
 word *aviti* refers to the word *evangelii*, not to Fo-  
 thadus ; who, if he himself had caused write this  
 distich, could by no means call himself *avitus*,  
 that is *priscus* or *vetustus*, old or ancient. Whe-  
 ther *primus* or *summus* be the soundest reading,  
 it matters not ; for the thing still recurs to the  
 same, whether of the two Fothadus be honoured  
 with. But, that the bishops of St Andrews, in an-  
 cient times, were used to be called *Summi*, is put  
 beyond all doubt, by that remarkable epistle  
 concerning the primacy of the see of York, in  
 Scotland, by one *Nicolaus, to Eadmerus, by the*  
*grace of God, bishop elect of the see of St*  
*Andrews*, written during the reign of Alexan-  
 der I. in these words, “The church of York  
 “gave up claiming the primacy of Scotland,  
 “which, how can it have? when the bishop of St  
 “Andrews is designed *Summus Pontifex Scoto-*  
 “rum ; but he is not chief, unless he be above o-  
 “thers ; but he that is above other bishops, what  
 “is he else than archbishop? altho’ the barbarity  
 “of the nation know not the honour of the *Pali-*  
 “*um*. If ever, I say, the bishop of York had super-  
 “eminence over him who is called chief bishop  
 “of his nation, he would now, not only be Metro-  
 “politane, but even Primate of another kingdom.”  
 Moreover, from this epistle, whose author was  
 Nicolaus, prior of Wigorn, who died, as Wharton  
 thinks, in the year 1124 ; we have the strongest  
 evidence, and by the by, almost invincible, from  
 an adversary an Englishman, concerning the  
 immunity of the Scottish church, from the jurif-  
 diction of the church of York. For which reason,  
 I wonder that Sir Robert Sibbald, in his book con-  
 cerning



cerning the independency of the kingdom and church of Scotland, otherwise excellently written, should not have mentioned this epistle published twelve years before; what increases the wonder more, is, that Sir Robert Sibbald adduces in the same treatise, from Tom 2d, Wharton's works, the charter by Turstinus bishop of York, which immediately follows that epistle of Nicolaus, concerning the consecration of Robert, bishop of St Andrews; of which, I cannot conjecture any other reason, than that the copy made use of by that gentleman, had wanted the leaves containing the epistle of Nicolaus. That Sir James Dalrymple should pass over in silence, (while treating of the immunity of the Scottish church) this epistle of Nicolaus, though he cites some other things from Wharton's works. The reason discovers itself clearly, because he perceived that there were many things in that epistle, and chiefly the words which we above adduced, much contrary to his reasoning.

But to return to our purpose, since it is sufficiently clear, from what is said, that the bishops of St Andrews, almost from their first origin, were used to be stiled, First or chief bishops of the Scots; it truly seems impertinent and against reason, that they should be hindred from assuming a title, by which others were honoured. For if they were allowed to call themselves Summi, why should they not be allowed to stile themselves Maximi, (since this last word is of the same force and signification.) It is certain, those who presided over holy things, were stiled Pontifices Maximi; which title all the emperors did assume, from Julius Cæsar to Constantine the great. From about the time, that impious ceremonies



remonies of the Pagan gods being rejected, and the purity of the Christian religion protected, or confirmed by laws through all the Roman empire; the management of divine worship was only permitted to men chosen and ordained for that office, and the title of Pontifex Maximus, or Summus, (*high priest*) was transferred to the first Bishops of each province. Thence the Roman bishops almost always call themselves Pontifices Maximi, for many centuries back, in their coins and inscriptions. But if these Roman priests, who for a long time arrogated to themselves the bishoprics of the catholic church, and therefore called themselves peremptorily Pontifices Maximi; why should it not be lawful for these who presided over the bishops, in each nation or province, to call themselves frequently *Summi vel Maximi* (chief or greatest) bishops of that nation or province? As to the bishops of the Scots, another and particular reason presented itself, why such of them as presided over the rest, should take to themselves this title, was, that according to the testimony of all our writers, in these ancient times, there were no certain bounds assigned to our bishops, but each went about his office where occasion offered: by which it happened, that he who presided over the rest in dignity, might the more easily be distinguished from those, who were in general called bishops of the Scots, it seemed necessary for him to take the appellation of *Summus* or *Maximus*. I know, that in after times, when each came to have his proper see and territory in Scotland assigned to him, that the bishops of St Andrews frequently were accustomed to stile themselves bishops of the Scots, omitting



the word Maximus (chief.) Of which thing, the charters before written, in the register of St Andrews, so often cited, does afford instances of Robert and Arnald, who flourished under David I. In which book, they whom we just have mentioned, called themselves sometimes bishops of the Scots, and sometimes *Humiles Ministri*, (humble ministers) of St Andrews; with which last title, their successors were almost always satisfied, till in after times, the see of St Andrews was advanced to the honour of an archbishopric, (in the year 1472.) The subsequent bishops of this see, after the manner of other archbishops in the Christian world, took still a more modest appellation, and called themselves *Humillimos* (most humble) servants: although in David I's time, and some time after, the bishops of St Andrews pleased to design themselves simply bishops of the Scots; that does not hinder, but that in very ancient times, which preceded those ages, when there was no certain bounds destined for going about their office, he who excelled in dignity was honoured with the name of First, Chief, or Greatest. But that almost every handle of doubt concerning this affair, if possible, may be removed, is done, by what Hector Boece, writing concerning Kenneth II. expressly informs us, in the following words, " He translated the bishops seat, of the Picts, " from the town of Abernethy, destroyed with " fire and sword, to the St Regulus's church. " From thence, the church of St Andrews gave " name to the town, and they called the officers " who managed religious affairs, for a little time, " the greatest bishops of the Scots." Spotiswood and George Martin of Cameron, assert the same; but Dalrymple cites Martin as relating this, and tells



tells, that he took from the same book, written in Latin, what he had before cited, concerning the bishops and archbishops of St Andrews. Lastly, From what has been said, It is most likely, that others beside Sir James Balfour, had inspected the charters bearing the stile of *Maximus*. But Dalrymple himself denies “ That he had so bad an opinion of Balfour, so as to think, that the foregoing instrument of Kellach had been forged by him; on the contrary, he believed, that a copy of it, or some writing concerning it, had been seen somewhere by Balfour: only he suspected, that the original charter itself was never seen by him, otherwise he would not be free of blame, who did not inform us more certainly of this matter.”

However this may be, it seems sufficient for our purpose, if it be allowed, that this instrument, whatever it be, or however written by this bishop, did ever exist. Dalrymple does not controvert the authenticity of the charter, which Balfour says was granted by Maldowine; only he again, from the most modest title of Humble minister of the church of St Andrews, makes a handle of doubt about the charter of that Kellach, because he assumes too arrogant a title. But we have shown before, that the title assumed by Kellach in his charter, was by no means either proud or arrogant, but true and proper, and very necessary for these times; nor ought the more humble title, with which his successors were content, to detract from its credit. Nor is this more to be wondered at, than that, the Roman pontiffs, who sometimes assumed the proudest, and even divine honours, in their bulls, design themselves the Ser-



vants of the servants of God, from the time of Gregory the great: than which title, nothing could be contrived more humble or abject. But to leave the Roman bishops; Mabillon remarks, that others, in the beginning of the eleventh century, were honoured or stiled *Summi Præsules et Pontifices*. And it is asserted, from the Spicilegium of Dacher, that among the Irish princes sometimes their kings were so stiled.

## XV.

Hitherto, enough has been said concerning the authenticity of these charters; the next thing is, to enquire into the age in which they were written; and here, there is so surprising a discrepancy among the writers, in describing the series and age of our ancient bishops of St Andrews to Eadmerus, that they can scarcely be followed. Andrew Winton makes mention of several of these, detachedly in his chronicle; but George Martin mentions the most remarkable: but of these, I have observed, there are only three who pretend to exhibit a full catalogue of them, *viz.* Fordun, Spotiswood, and Balfour. The following short table will show, in what order they have placed them, to the said Eadmerus, that is, to the year 1120.

FORDUN.



FORDUN.	SPOTISWOOD.	BALFOUR.
1 Fothad	1 Hadrianus	1 Sfothad
2 Kellach, I.	2 Kellach, I.	2 Kellach, I.
3 Malifius, I.	3 Malifius, I.	3 Kellach, II.
4 Kellach, II.	4 Kellach, II.	4 Malifius
5 Malmore	5 Malmore	5 Malifius Al-
6 Malifius, II.	6 Malifius	buinus.
7 Alwinus	7 Alwinus	6 Malifius, also
8 Maldwinus	8 Malduinus	called Tu-
9 Tuchald	9 Tuchald	thaldus
10 Fothald	10 Fothadus	7 Sfothad, II.
11 Gregorius	11 Gregorius	8 Gregorius
12 Edmarus	12 Turgotus	9 Catharus
13 Godricus	13 Godricus	10 Edumarus
14 Turgotus	14 Eadmerus	11 Godricus
15 Eadmerus		12 Turgotus

In these catalogues, some are altogether omitted; and others, two are made one; lastly, others placed in an inverted order. For 1<sup>st</sup>, Spotiswood passing by Fothad, names Hadrian in place of him, first bishop of the see, for no other cause, but because Boece calls him the chief bishop of the Scots, who was killed by the Danes in the island of May, in the year 872, during the reign of our Constantine II.; but, as in the time of Constantine II, the Scots bishops had no fixed sees, that Hadrian might have been one of their number, and the chief, although he did not hold the see of St Andrews, which strictly speaking, did not then exist. 2<sup>dly</sup>, Balfour makes Malifius and Alwinus, (or Albuinus, as he calls him,) also Maldwinus and Tuthaldus, all one and the same bishop, who are determined by Fordun, Spotiswood, and others, to be different persons.



persons. 3dly, Spotifwood gives Gregorius as, successor to him, whom Fordun calls Cathre, and Balfour, Catharus, omitting Edmund, who is called by them Edmarus or Edumerus. 4thly, The same Spotifwood, and also Martin, prefixes Turgot to Godric, whom almost all of them postpone to him; nor do writers differ less about the time when each entered his bishopric, and the number of years they governed the see, as we shall afterwards see.

## XVI.

That we may therefore, discover the truth, or something near the truth, among so different and contradictory narratives; it is to be first laid down as a foundation, that such of our authors as are prior in time, their authority is preferable in this matter. Since therefore, Fordun, or his Continuator Bowmaker, preceded Spotifwood and his coeval Balfour almost 200 years; it is more becoming, that we should follow the authority of the former than the latter, in this disquisition; unless there be very weighty reasons to the contrary: following, therefore, this rule, which no body will deny is just and equal, let us proceed to the thing itself.

And here, in the entry, no small difficulty presents itself, that Fothad, who is first in the list of Fordun, as bishop of St Andrews, was driven out of his see by king Indulphus, and is said to have lived eight years after being deprived; and yet the same Fordun, in another place, whom Winton follows, makes Kellach, who is placed immediately after Fothad in the list, I say, they make him co-temporary with king Gregory. But as Dalrymple rightly observes, this can by no means  
agree



agree together, from this, that Indulphus not only was posterior, but even is said to have succeeded to the kingdom 58 years after the death of Gregorius, as all our historians and Fordun himself do agree; and from thence it is, Dalrymple says, he believes that this Kellach, who lived in the time of Gregory, was not bishop but presbyter; and from the same cause also, it is, that Spotiswood altogether omits him in numbering over the bishops of this see. But there is a much more easy reconciliation of these matters; if we say that the order of bishops in this catalogue of Fordun's has been misplaced, and that Kellach was not the second, but the first bishop of St Andrews; and the following things will confirm, that this is not rashly nor unreasonably offered by me.

1st, Winton mentions Kellach, not as second bishop, which Dalrymple says, but mentions him first bishop of St Andrews.

2dly, Fordun expressly says, in the life of Gregorius, "In his time, Kellach was bishop of Kilreymon, *i. e.* of St Andrews, which was the ancient name of the place." Which, if true, he must necessarily have been prior to Fothad, who lived in the time of king Indulphus, that is, 43 years at least after.

3dly, What seems much stronger in the book of Coupar, the writing of which, as I think, is of the age of our James II. Fothadus is only placed in the second place; the words of which I have thought proper to subjoin, that every thing may be as clear as possible. "It seemed proper to me, to insert what concerns the bishops of St Andrews, successively, from the time of king Kenneth, first monarch of both kingdoms, Pictish  
and



“ and Scottish, which now make one kingdom of  
 “ the Scots, who destroyed the Picts and their  
 “ affairs; chiefly, when each of them for the  
 “ time, was held in the kingdom, not primate,  
 “ but first and chief; because, as they are in-  
 “ fert here and there according to our annals,  
 “ the chronology of them will be faintly found  
 “ out. Kellach was first, Fothad second, who,  
 “ after he had been long time bishop, was expel-  
 “ led by king Indulf, and lived after his expul-  
 “ sion eight years, and died on the fourth of the  
 “ nones of May. Some hold that he was first bi-  
 “ shop, concerning whom, I have so found en-  
 “ graved on silver, in the circumference of the text  
 “ of the Evangelist, preserved to this day in St  
 “ Andrews.”

*Hanc evangelii thecam construxit avites  
 Fothad, qui primus Scotis Episcopus est.*

Thus far the book of Coupar; and it is clear  
 from the last words, that he puts Fothad in the  
 second place, not through inadvertency, but of  
 design, when he immediately adds, “ That some  
 “ hold that he was first bishop.” For likewise, e-  
 ven at that time, the ambiguous acceptation of the  
 word Primus in this distich, deceived those that  
 wrote about the bishops of St Andrews, in the same  
 manner as Dalrymple; and this was the less to  
 be wondered at in Dalrymple, when the chief de-  
 sign of that gentlemen through his whole work,  
 appears to be, not to show, that the Romish  
 rites, but that the government of the church  
 by bishops, was received much later than is com-  
 monly thought, only in the tenth century; which  
 is to be attributed to a bias that this esteem-  
ed



ed writer had toward the presbyterian party. But it is most wonderful, that Fordun or Bowmaker, and their associates, in whose age this dispute concerning church government was unknown, should suffer themselves to be deceived with the ambiguity of the word *primus*; more especially, as a little before, that word is taken in the same sense, in which it is by the author, whoever he was: for so he says, “When each of them, for the time, was reckoned not *primas* but *primus et precipuus* in the kingdom;” for he says, not as *primus*, not that these bishops of St Andrews were not truly primates, that is, held the primacy above all the rest, but only that they had not as yet acquired that title of honour. As to the thing itself, it cannot be from thence reasoned, that because Fothad is stiled first of the bishops of the Scots, that therefore there were no bishops in Scotland before his time, no more than, that, because the poet Martial calls Sallust first in the Roman history, that he is therefore the ancientest writer of the Roman affairs; or from this, that because St Peter is called by St Matthew the first, we should thence infer, that he was chosen to that office before all others; when many think, that his brother Andrew was called upon as a disciple before him. Many even of those who have rejected the errors of popery, do interpret, that by this word *primus*, certain pre-eminence is meant to Peter in the college of the apostles. But laying aside these things.

Fourthly, That which puts this affair beyond doubt, is a small, but by far the most ancient fragment of any of our writers now extant, entitled “Excerpts from an ancient chronicle of the kings of Scotland, from Kenneth MacAlpin



“ to MacMalcolm, *i. e.* from Kenneth II. the son  
 “ of Alpin, to Kenneth III. the son of Malcolm  
 “ or Malcolm I.” The above-mentioned Thomas Innes published it from a manuscript, preserved in the Colbertin library at Paris. The writer of this fragment, whoever he was, treating of Constantine III. king of Scots, says, “ That  
 “ Kellach the bishop of St Andrews vowed,  
 “ that the laws and discipline of faith, and the  
 “ rights of churches and the preachers should be  
 “ preserved with the Scots, in the mount of be-  
 “ lief or credulity, near the royal city Scone.” Innes places this about the year 806, and the sixth year of that Constantine. Afterward, writing of Duffus, (whom he calls black, substituting the Latin word *niger*, for the Scots word,) who was successor and brother to Indulph, has these words: “ In his time, says he, Fothach  
 “ the bishop died.” This is that Fothadus, who, Fordun says, was expelled by king Indulphus, and lived eight years thereafter. The next whom that author mentions to be bishop, is Maelbriget, who died under Culenrig, *i. e.* under Culenus son of Indulphus. Then he gives for his successor, Kelach son of Ferdulaig; whom, he says, governed the church in the time of the same Culenus. Here we have four bishops, Kellach I. Fothad, Maelbriget, (who, without doubt, is the same that is called by Fordun and others Malifius) and Kellach II. who is also called son of Ferdlag or Ferdlaig. These things being settled, from the most ancient writers of our affairs; the first four bishops of St Andrews are to be placed in this order for a series of years.

I. Kellach I. was made bishop before 892 or 893, in which year, king Gregory died; he celebrates a provincial  
 provincial



provincial council 806 ; how long he lived is uncertain.

II. Fothad, it is uncertain in what year he was made bishop ; he was driven from his bishopric in the first year of Indulphus, that is, the year 852 ; he died in the first or second year of king Duff, that is, 861 or 862.

III. Malifius, was chosen in the reign of Duffus ; he held the bishopric eight years ; and died under king Culen, about the year 870.

IV. Kellach II. son of Ferdlag, was elected bishop about the year 871 ; confirmed, as is believed, by the Roman pontiff the same year ; after he had holden the bishopric 25 years, he died, about the year 896.

According to this series, which if not the true one, we doubt not, is nearer [the truth by far than the rest ; and it is evident, upon the first inspection, that the charter of Kellach II. which Balfour says he had seen, was written before the year 896 ; and therefore, near one hundred years older than the charter of Duncan II. which is first exhibited in Anderson's book of Diplomata.

#### XVII.

It remains next, I should add something concerning the charter of bishop Maldwin, mentioned by Sir James Balfour, and the age in which it was written ; but first, before I come to it, I hope it will not be foreign to the point, to remark some other mistakes, and these very gross ones, committed by the more modern of our writers, in framing the chronology of the rest of the bishops of St Andrews, to Robert the successor of Eadmerus. And here, two or three mistakes of Spotiswood offer themselves,



arising from the former, (for error is never almost single, but one draws after it another,) for he, after he gave Kellach a successor, who, he says, was killed by the Danes, in the year 872; and to this again, (omitting Fothad) Malifius, then to Malifius I. Kellach II. as the proportion of time suits him, writes, that Malifius I. lived in the time of king Gregory, but Kellach, in the time of Constantine III; by which means, Kellach I. (though he does not affirm it) must have lived during the reign of Ethus the swift, or Constantine II.: but here, it is easy for any one to perceive a discrepancy of the order of chronology, and contrary to the authority of the more ancient of our writers; and for that reason, the best authority, *viz.* of Fordun, Winton, and chiefly that ancient fragment, of which we spoke, whereby almost 70 years are anticipated. From the same foundation, it is, that a little after, treating of the successors of Kellach II. he produces nothing concerning the first five, Malmorius, Malifius II. Alwinus, Malwinus, son of Giladris or Gilandris, and Tuthald, unless it be giving their names; only he tells us, that Alwin sat five years, and that in the time of Tuthald, the controversy concerning the celibacy of the clergy, was violently agitated about the year 877: and these scarcely agree among themselves, far less with what we have related above. Moreover, hurried away by the same mistake, he makes Fothad, whom he places successor of Tuthald, and the 10th bishop of St Andrews, who conciliated a peace betwixt Grimus and Constantine IV. disputing about the kingdom, that is about the year 894. Boece narrates the same thing, about a certain venerable and holy man, Fothadus, and from him, so does Lesley and Buchanan;

but



but none of them calls this Fothadus bishop of St Andrews, for Lesley and Buchanan, calls him simply bishop, but Boece calls him chief bishop of the Scots; and by this description, seems to mark him as bishop of St Andrews. But whoever this man was, or of whatever place he was bishop, he must have been different from him, who is numbered as 10th bishop of that see by Fordun, and by Spotiswood himself; for (besides, that the bishopric of Kellach II. must be lengthed to the year 896) from what is to be found in Fordun, and the ancient fragment, there are five bishops placed betwixt him and this Fothad by Spotiswood himself, *viz.* Malmorius, Malifius II. Alwin, Maldwin, and Tuthald, whose chronology must fall far beyond the 894, if taken together. What further shows the gross error thro' all this whole series of Spotiswood's, is what is delivered by him concerning the next successor of Fothad; namely, this Gregorius is said by Spotiswood, to be elected and consecrated before the armies of Danes or Norwegians were defeat by Malcolm II. in the year 1010; but whole bishopric is lengthened out by him to the beginning of William Rufus's reign, that is to 1087: by this means, it must be said, that this Gregory enjoyed this sacred office, at least 77 years; which, since, the like never happened any where else, nor ever was related or heard of before, it must be esteemed to be asserted without evidence, and so exceeds the bounds of credibility. Certainly our more ancient writers, are so far from agreeing with Spotiswood in this point, that although they in some things differ among themselves, yet all disagree with him.

For



For Fordun, or his continuator Bowmaker, do strictly pursue, in the following order of the bishops, after Kellach II. to Turgot. “Then (says he) Malmore, Malifius II. Alwin, who was three years in the bishopric; Maldwin the son of Gilladris; Tuchald, four years; Fothald, Gregory, Cathre, Edmarus, and Godric, enjoyed the bishopric, being chosen to it. In the year of our Lord 1109, Turgot, prior of Durham, was elected on the feast of the translation of St Augustine, and being consecrated, was near seven years bishop.” From which words, nothing certain can be drawn, regarding the series of years, from the 896 to 1009. Winton, a little more exact, makes Malifius II. first successor to Kellach II. (inverting Fordun’s order) and then Malmerius, no way fixing any precise periods; only, that these bishops were prior to the pope Gregory VI. who began his pontificat in the year 1044. After Malmerius, he mentions bishops of St Andrews, Alwin, Maldwin the son of Gillander, and Tuald, or Tuthald; to the first he assigns three, and to the second 27 years; he does not define the years of the third, unless, that in his time, Nicolaus held the popedom at Rome; which was from the year 1059 to 1061; but Fordun, not numbering the years that Maldwin was bishop, gives 40 years to Tuthald. To this Tuthald, Winton makes Fothad successor; who, he says, joined in marriage, Malcolm III. and St Margaret; which the chronicle of Melrose relates was done in the year 1077; others, in the year 1069, and more exactly, Sir James Dalrymple, from the Saxon chronicle, conjectures these nuptials to have been in 1070; after Fothad, he names Turgot, about the end of our king Ed-  
gar’s



gar's reign, that is, in the year 1107; in which year, Simon of Durham, writes, that he was elected; and that he was consecrated in the year 1109, in which year, Fordun erroneously places his election.

In the chronicle of the bishops of St Andrews, given us by Winton, not only Gregory, (whose bishopric, Spotiswood, as is above observed, prolongs beyond the usual limits of human life,) is omitted, but Cathre, Eadmarus, and Godric, mentioned by Fordun; but that seems to be done by him, for this reason, that all these, though elected, (yet probably, on account of the controversy being strongly agitated betwixt St Andrews and York,) were not as yet consecrated. Fordun expressly says, that all these died elect bishops. But there a strange inadvertancy of Spotiswood discovers itself; for he says, that Godric succeeded Turgot, and that he anointed our king Edgar, in the year 1098, and yet plainly contradicting himself; for by this means, he writes, that his predecessor Turgot, held the see 25 or 26 years, and died 1097; so it behoved to be, that he must have got possession of that honour, six years before Edgar, (whom he will have, to have been anointed by his successor Godric, in the year 1098,) and to have held it after his death ten years; but it is clear, from Simon of Durham, that Turgot sat bishop in the year 1107, (that is, Godric was bishop when Edgar died) and that he held the see, only eight years, two months, and ten days. But the author of the appendix, subjoined to Spotiswood's history, when he endeavours to reconcile these matters, recedes very far from the truth; for, he makes Turgot enter his bishopric *anno* 1063; that



that Godric succeeded him 1098; to this last, Eadmerus 1100, and to him again, Robert 1114; according to which calculation, Godricus is placed after Turgot, whom he ought to have put before him.

But the bishopric of Turgot, is anticipated 44 years; of Eadmerus, ten years, of Robert, eight years; when, it is plain, from undoubted documents, that Turgot was elected in the year 1107, Eadmerus 1120, and Robert 1122.

But leaving these; to return to our purpose, the chronology of the bishops of St Andrews from Kel-lach II. compared together, the following things may be discovered from our writer, now extant, and others; concerning these bishops, from Kel-lach II. to Robert, who succeeded Eadmerus.

5 and 6 Malifius and Malmerius, from 996 to 1031.

7 Alwinus, from 1031 to 1034.

8 Maldwinus, from 1034 to 1061.

9 Tuthaldus, from 1061 to 1065.

10 Fothaldus, from 1065 to 1077.

11 Gregorius, 12 Catharus, 13 Eadmerus, and, 14 Godricus, were elected; but died before their consecration, betwixt the year 1077 to 1107.

15 Turgotus, from 1107 to 1115.

The see vacant in the year 1120.

16 Eadmerus, monk of Canturbury, sent for by Alexander I. and chosen bishop 1120; but, when the king would not allow him to be consecrated by the archbishop of Canturbury, he retired in disgust to his own country.

17 Robert, prior of Scone, elected 1122, but not consecrated till 1128, without profes-  
sion



sion of obedience to Turstin, bishop of York, if we are to believe the Continuator of Florence of Wighorn; though Fordun says he was consecrated two years after his election, that is, 1125; and Dalrymple thinks it was done 1126, and shows it could not be later than 1127.

## XVIII.

I have remained the longer upon these observations, not only that I might demonstrate, that the use of charters was more ancient among us, than some, perhaps, have thought; but also, that I might throw light on our history, in settling the age and succession of the bishops of St Andrews, and make it clearer than hitherto has been done. To return to what I proposed in this disquisition; it appears, from what has been said, that the charter, which Balfour says he saw, of Maldwin's, was granted betwixt 1034 and 1061; from whence, it is likely, that another donation of the same Maldwin, of which, mention is made in the so often cited book of the priory of St Andrews, in the following words, "Maldwinus, bishop of  
 " St Andrews, bestowed the church of Mark-  
 " insh, with its whole land, honourably and de-  
 " voutly on God, and St Servanus, and the Ke-  
 " leedes of the island of Lochlevin, with the  
 " foresaid liberty." I say, that this charter was committed to writing, and we may be allowed to conjecture the same thing concerning two other donations granted to the same monks, by the next successors of Maldwin, *viz.* Tuthald and Fothad, mentioned in the same book, which are thus: "Tuadal, bishop of St Andrews, be-  
 " stowed the church of Sconyn, on the foresaid  
 F " religious



“ religious men, devoutly and entirely, with e-  
 “ very liberty and honour, for supplication of  
 “ prayers. Also, Modath, son of Malmyhel, a  
 “ man of most pious memory, bishop of St An-  
 “ drews, by whose life and doctrine, the whole  
 “ country of Scotland, is most happily enlighten-  
 “ ed, bestowed on God, and St Servanus, and  
 “ the Keledees hermits living in the school of  
 “ virtue, at the island Lochlevin, the church  
 “ of Hurendorath, devoutly, honourably, with  
 “ the foresaid priviledges, &c.” For this narra-  
 tion, made about things of the same kind in so  
 different a style, seems to carry along with it evi-  
 dence, that it was drawn up originally in these  
 written words. As to Tuadal being written for  
 Tuthald; or for Fothad or Fothald, Modath;  
 this might proceed from the length or change of  
 time, or from the mistakes of the copiators.

## XIX.

Hitherto searching into the antiquity of char-  
 ters beyond Duncan II's time, *i. e.* 1094, we  
 seem to have discovered somewhere no contemp-  
 tible remains, in the time of Malcolm III. Mac-  
 beth, Malcolm II. and lastly, Constantine IV. as  
 far back as 996. But searching further back,  
 although proof of these, equally clear with the  
 foregoing, do not offer themselves; yet there are  
 extant some places in our historians, which in  
 some manner import, that the use of charters  
 had not been unknown among us, even in these  
 former ages.

The first, is what is related of the illustrious  
 Gregory king of Scotland, by severals, but chief-  
 ly by Fordun, in these words: “ Nor was he in  
 “ the beginning of his reign unmindful of divine  
 “ worship



“ worship, for he granted perpetual privilege  
 “ to the church of God and ecclesiastical persons,  
 “ with the consent of his nobles, which was con-  
 “ firmed by pope John VIII. who celebrated the  
 “ fourth general synod of Constantinople : for as  
 “ yet, the church was kept under by servitude, ac-  
 “ cording to the rites observed among the Piets.”

That the privileges and liberty granted to ecclesiastics by king Gregory, was committed to writing, may be easily believed, from what Fordun says, of their being confirmed by pope John VIII. who held the popedom from 872 to 882 : for, since, the confirmations of the Roman pontiffs in these more ancient times, used to be completed only by certain letters called Bulls, there is scarce a doubt, but the things themselves which were to be confirmed, must have been transmitted to the pope in writing, for his confirmation. If this be true, it is to be believed, that the custom of writing charters prevailed among us even in the ninth century. What adds some weight to the credibility of this, is what is related by our Buchanan of the same king Gregory, who, when he had told, that he had revenged the injuries done to the Scots by the Irish, and had undertaken the tutory of their king, who was a boy, immediately adds, “ He exacted an oath from  
 “ his nobles, that they would never admit any  
 “ English, Briton, nor Dane into the island,  
 “ without a charter from him.”

2. The foresaid chartulary of St Andrews seems to afford us another argument for this, but supported on less probability, in which we find it written, “ Brude, son of Dergard, who was last  
 “ king of the Piets, according to ancient tradi-  
 “ tions, bestowed the island of Lochlevin on al-



“ mighty God, and St Servanus, and the Keledees  
 “ hermits, residing there and serving God, and  
 “ who are to continue to serve him in that island.”  
 Which last words seem to insinuate, that this  
 grant was not made by words alone, but perfect-  
 ed by a symbol of delivery, which was the cus-  
 tom in very ancient times, before the invention  
 of charters, but likewise, that it was reduced in-  
 to writing, under form of an instrument. If then  
 the use of charters was received among the Picts,  
 that is, before the 842, (in which year, Thomas  
 Innes is of opinion, the last king of the Picts died,  
 or more rightly Fordun, before the 838,) it can  
 scarcely be doubted, but that the same custom ob-  
 tained at the same time, among a people so near  
 neighbours, and otherwise so closely connected.  
 But that I may not dissemble any thing in this  
 matter; it might happen, that this writer in gi-  
 ving this donation by Brude, might have followed,  
 in some manner, the custom of his own time, in  
 which all alienations, of whatever moment,  
 were completed by the intervention of writing.  
 If this evidence seems to any one to be of less  
 weight, I will not dispute it: but what follows  
 in the same excerpts, seems to contribute to  
 strengthen my opinion, “ And the foresaid Kele-  
 “ dees, give the place with the cell to the bishops  
 “ of St Andrews, under this form, That the bishop  
 “ should furnish them meat and clothing; and that  
 “ no one might be ignorant, who bestowed that  
 “ place upon the bishop, Ronn, monk and abbot,  
 “ a man of admirable sanctity, first granted that  
 “ place, for a time, to the bishop, viz. to Foth-  
 “ son of Bren, who then was, and yet is of a  
 “ famous and laudible life throughout all Scot-  
 “ land. The before mentioned bishop, gave his  
 “ benediction



“ benediction fully to all those who should ob-  
 “ serve that agreement and friendship, entered  
 “ into betwixt the bishop and Keledees ; and, on  
 “ the other hand, bestowed his curse on all bishops  
 “ who should weaken or recal the foresaid agree-  
 “ ment.” In this narrative, the words (*sub  
 tali forma*) in such form, bears some mark that  
 the *agreement* (for it is twice so called) was re-  
 duced into the form of a charter, for the greater  
 authenticity. To the same belongs the words  
*benediction* and *malediction* of the bishop ; for then,  
 and long after, it was a solemnity for the bishops  
 to devote to curses the violators of their charters.  
 But what is chiefly to be here noticed is, that  
 bishop Fothath or Fothad, mentioned in this ex-  
 cept, is the very same, to whom the distich  
 which we said was inscribed on the cover of the  
 Gospels, anciently preserved at St Andrews, does  
 belong, who was not first, as Dalrymple would  
 have, but as we have shown above, was second  
 bishop of that see, and died about the year 861.  
 And that we may the more easily believe, that  
 the use of charters was known among us in the  
 time of that Fothad, the distich I have mentioned,  
 is a proof : for it is not improbable, that he, who  
 choosed to testify to posterity, that this small pre-  
 sent was made by him, by the inscribing his name  
 on it, would choose to secure by the help of let-  
 ters and instruments, and hand down to posterity  
 a thing of much greater moment. The sum of  
 what we have said above, recurs to this, that it  
 does not seem at all disagreeable to reason, to be-  
 lieve, that in the time of Duffus and Gregorius,  
 perhaps of Kenneth II. that is, in the year 861,  
 876, and 878, the custom was not unusual of  
 confirming agreements by the help of charters.



## XX.

The last argument we shall bring to support the antiquity of charters among us, and carrying back their origin a little beyond the ninth century, is the evidence which may be taken from that ancient league of amity entered into betwixt Charles the great and our Achaius, in the year 791, or as others say 792. We have it confirmed to be true and genuine, from the undoubted testimony of writers of the same age, or not much later; Fordun relates expressly, that it was reduced into the form of an instrument, as has been noticed above, and what makes the thing, moreover, very like to truth, is what is told by Eginhard, a writer of that age, that there was a frequent correspondence of letters, betwixt Charles the great and the kings of Scotland. For since the custom of composing charters was introduced among the Franks long before Charles the great, it could scarcely happen, but that the Scots, from this mutual correspondence of letters, and from the closest bond of a perpetual league, should have learned so useful and most necessary an institution, in all business of the greatest weight, all of a sudden from the French. But, that we may be the more inclined to believe this, is, that the neighbouring Anglo Saxons, betwixt whom and the Scots, there happened frequent vicissitudes of peace and war in these times, did adopt this custom farther back, if we are to believe their writers in the seventh century.

## XXI.

I must now proceed to the second part of my proposal, To explain in a few words the notable  
use



use to be made of charters, and chiefly, from the specimens of those exhibited in Mr Anderson's book. By the word *DIPLOMATA*, I here understand, not only those properly so called, issued by kings, popes, and other illustrious men, which we call otherwise letters patent, charters, or bulls; but in a more extensive signification, writings and instruments of whatever kind, by which conveyances of property and dominion, pactions, contracts; and in fine, by which the whole transactions of business among mankind are confirmed and established. The utility of these is twofold; the one *primary*, which may be called civil; the other *secondary*, which may be denominated historical.

## XXII.

The *primary* (which we have called civil, for this reason, because it relates to the duties of one citizen to another.) I say the use or rather the necessity of these kind of writings is so much defused every where, that society and connections among mankind seem to be supported and preserved in some sort by them. When indeed (as Salust says) "Right and justice obtained more by nature than by established law," among the rude mortals of ancient times, and the simple love of, and regard to right and justice were sufficient to keep them in their duty; there was nothing else almost requisite for establishing pactions and covenants betwixt them, but words alone, or witnesses, or some other tokens. But after ambition, the desire of riches, and other wicked contrivances prevailed in the world, and mankind not content with their own, began to seize upon what belonged to others; the  
good



good who studied peace, justice, and regularity, when they found they were not able, by any other method, to repress the audacity and injuries of wicked men, were obliged to have recourse to armed force. Hence, they found it necessary to enter into public deliberations, to enact laws, and to establish tribunals. And such laws, and penalties proposed to be inflicted upon the violators of them, were no otherwise promulgated at first, than in an assembly of the people, by the supreme magistrate, or by a herald appointed for the purpose, *viva voce*, without the solemnity of writing. However, in process of time, when things were more settled and certain, it became usual among almost all nations, whose manners were polished by literature, to lay before their citizens or subjects, their laws engraven on tables of stone or brass, or by some other method of writing, to be read and understood by them. From the same reason it is probable, that not long after, the custom prevailed, that all acts and businesses of greater moment, as well public as private, were committed to writing, in order that the certainty of affairs might be the more firmly established. It is unnecessary to mention how many advantages flowed from this most wise institution; since there is no people, however barbarous, to be found, who, if acquainted with letters, may not reap some benefit from it. Among the more polite nations, the use of them is so spread far and wide, that not only the fortunes of private persons, but also the peace and security of kingdoms and public affairs, do altogether, if not solely, depend upon the use of them.



## XXIII.

Hitherto we have discoursed concerning the *primary* or civil use of writings; we must next say something concerning their *secondary* use, which we choosed to call historical, the subject whereof is historical narrations; and this, altho' inferior to the former, yet we may discover its very great utility. The most learned, and the wisest men of all ages, have adorned history with so much commendation, and have set forth the advantages to be reaped from the reading of it with so much oratory, that for me to take upon me its farther praise, would be to do a thing to no purpose. That most useful and most pleasant of all things, history, which the prince of orators calls the witness of time, the light of truth, the director of human life, and the messenger of antiquity, borrows its principal credit and authority from diplomas, *i. e.* from the public and private deeds of kings and of people. The most learned men of this and the two preceding centuries, as soon as they perceived the accounts given of affairs carried on by their forefathers, either polluted by the vanity of fables, or trusted to uncertain rumours by the writers of them, or delivered down involved in the prejudice of parties; to put a stop to the evil, and bring things to the scale of truth, they thought the only remedy was, to have recourse to the acts of princes, and other writings, kept in public and private repositories, as the most faithful and most certain evidence of every history. For, as Mr Anderson observes, "Of all  
 " proofs whatever, for support of the truth of  
 " history, ancient writings are the most apposite;  
 " these speak for themselves, and have no need for  
 " any



“ any rhetorical arts, or false colouring of words  
 “ to persuade, which hath made ancient charters  
 “ and records so much the study of this inquisitive  
 “ age; for histories being over-grown with le-  
 “ gends of miracles and visions on the one hand,  
 “ and larded with many romantic fables and tra-  
 “ ditions on the other; there was no safe way left  
 “ to correct what is amiss, to clear what is ob-  
 “ scure, and to add what is wanting, but a dili-  
 “ gent search into records and ancient monu-  
 “ ments: and all persons of true worth and gene-  
 “ rosity, frankly communicate and lay open these  
 “ noble storehouses, which are so very useful for  
 “ the discovery of truth.” These are the words  
 of Mr Anderson; and all the histories of almost  
 every nation confirm that the thing is so. I su-  
 percede mentioning how much foreigners have  
 exerted themselves in correcting the errors of  
 their annals, by the help of these ancient monu-  
 ments. As to our own writers, I thought it  
 would not be from the purpose, to expose a few  
 mistakes, by way of example, formerly received  
 in the Scottish history, which our learned men  
 have detected, by the help of these public and  
 other acts.

## XXIV.

That no less memorable, than melancholy con-  
 troversy, that arose concerning the kingdom of  
 Scotland, after the death of Alexander III. or ra-  
 ther, of his grand-daughter Margaret, daughter of  
 the king of Norway, about the year 1291, affords us  
 the first instance of one of these mistakes. Who  
 were the competitors, or by what title each support-  
 ed his claim to the kingdom, does not belong to this  
 place to be discussed; as it is an affair well known.

But



But, when Edward I. of England was chosen by the Scottish nobility, as arbiter for deciding the competition; to pass over the multiplicity of errors of our writers, especially of George Buchanan, in this matter; there is, however, one in itself more remarkable than the rest, and apposite to our purpose; *viz.* That all our annals assert, that Edward, of the two principal competitors, Bruce and Baliol, first preferred Bruce, and promised him the kingdom of Scotland, under condition, that he should acknowledge the superiority of the kings of England, and subject himself to their sovereignty. But, when Bruce despised so base a condition, and should have answered, That he was not so desirous of a kingdom, as to diminish the freedom transmitted to him by his ancestors, for such a cause; and that Edward should have dismissed him, and have sent for Baliol; but, that he, more desirous of a kingdom, than of a good name, had keenly snatched at the condition offered; and by that means was advanced to the throne. But that the thing was quite otherwise, and that all this narrative is false and made up, the public acts of England, preserved in the tower of London, contained in that noble treasure of monuments relating to that kingdom, published by Thomas Rymer, under royal authority, some years ago, do show. For, from these, it does appear, that all the competitors, and so Robert Bruce himself, the grandfather of him who afterwards was king, did often acknowledge Edward of England to be superior lord of Scotland. There are two diplomas, wrote in the French language, to the first whereof, this title is prefixed: "Submission by the competitors for the crown of Scotland, of their rights to Edward I.



“ as superior lord of the kingdom of Scotland.  
 “ Given at Norham, Tuesday, next before the a-  
 “ scension of our Lord.” *i. e.* 5th June, *anno* 1291.  
 To the last of these, is prefixed the following title,  
 “ The concession of the competitors for the king-  
 “ dom of Scotland, to Edward I. of the entire  
 “ possession, till the question of right be deter-  
 “ mined. Given at Norham, (the day after) *viz.*  
 “ Wednesday, next after (the same) feast of  
 “ ascension.” In both of these, Robert Bruce is  
 expressly named. A confirmation of this, is add-  
 ed to one of these by Rymer, thus: “ Under the  
 “ seals of each of the competitors, appended with  
 “ silk strings, red and green, all stained with a  
 “ green colour. *N. B.* That the first seal from the  
 “ left is wanting.” To the other he adds,  
 “ Under the seals of the competitors appended  
 “ to the parchment, all of green. *Notandum*, the  
 “ first seal from the left is wanting.” But Ed-  
 ward, not content with this acknowledgment of  
 his superiority of dominion over Scotland, not  
 long after, required from each of the competi-  
 tors an oath of allegiance to himself; to which,  
 by force and fear, he obliged not only the no-  
 bles, but most part of the better sort through the  
 whole kingdom. What is remarkable in this af-  
 fair, is, that Robert Bruce being first called upon  
 by the bishop of Bath and Wales, in the name  
 of Edward, first acknowledged the kingdom of  
 Scotland to be a fief of England; which was done  
 by Baliol among the last: for he, as it would  
 seem, affected a delay, and was absent that se-  
 cond day of June.



## XXV.

A tranſaction no leſs remarkable, affords a ſecond example ; in which, by the intolerable inadvertency of our hiſtorians, to ſay no worſe, that moſt baſe ſtain is fixed upon the birth of Robert III. and, which was likely a diſgrace upon all his poſterity ; and by that means, upon other moſt illuſtrious, both royal and other families over Europe: *viz.* All our writers with one accord, relate, or rather contrive a fable, that Robert II. firſt king of the Stewart line, after he had begot this Robert III. (which name he aſſumed, being firſt named John, which he laid aſide and took that of Robert,) I ſay, after he had begot him and his two brothers, Robert and Alexander, by his concubine Elizabeth More, took for lawful wife Euphan the daughter of the Earl of Roſs, and begot by her two ſons, David and Walter, with ſome daughters; but in the third year of his reign, when queen Euphan, and at the ſame time, (as Buchanan adds) a nobleman of the name of Giffard, in Lothian, to whom Elizabeth had been married, being both dead, the king joined his concubine in lawful wedlock, and preferred the ſons begotten by her before marriage, to the children by Elizabeth More, in the ſucceſſion of the kingdom; having legitimated them; but contrary to every law, divine and humane. But our learned men have long ago evinced, that this whole narrative is a fiction, or rather a heap of ill digeſted lies; and that from public charters and acts of the kingdom. For, from theſe, it has been ſhown, clearer than ſun-ſhine, *1mo*, That Elizabeth More, was firſt, not ſecond wife of Robert II. *2do*, That ſhe died, not only before the beginning of his  
reign



reign, but before his marriage with Euphan. *3tio*, That John Stewart the son of Elizabeth, afterwards called Robert III. during the reign of his uncle David Bruce, and long before his father Robert II. got possession of the crown, was always held and acknowledged lawful son and heir of Robert II; for it plainly appears from a charter of queen Euphan's, (number 58 in Anderson's *Diplomata*) that she was still in life, *anno* 1375, *i.e.* the fourth year of the reign of Robert II. Bowmaker, the continuator of Fordun, (the first inventor of this fable) and almost all the rest of our authors before Buchanan, contradicting themselves, relate that queen Euphan died not till the year 1385; on the contrary, it is as clear as possible, from an authentic charter, published some time ago at Paris, that Elizabeth More the mother of Robert III. died before 1365, that is, at least six years before Robert II. his father, began to reign, and twenty-two years before queen Euphan died. I know well, that William Atwood, with his usual effrontery, pronounces this charter of Robert II. to be suppositious; but a more convenient opportunity will afterward present itself, to refute the chicaning argument of this man. But though authority was wanting to this charter, there are so many, and so various other documents of undoubted veracity confirming this thing; that whoever shall derogate hereafter from the truth of it, must have more brags than Atwood himself.

## XXVI.

Left I may seem to dwell too long upon so clear a subject, I proceed to the third example I proposed, *viz.* To show the use of these dipiomas, and other kind of ancient writs, for correcting



directing our history; this shall be furnished from  
 the history of James III. Most of our histori-  
 ans, among the first Buchanan relates, that this  
 king, corrupted by the bad company of men  
 of the lowest rank whom he had about him,  
 while he followed their pernicious councils, did  
 cherish ill-founded and unjust suspicions concerning  
 his brother Alexander duke of Albany, and other  
 Scots nobles; and from being a prince of a soft  
 temper, at first; degenerated into a cruel tyrant,  
 and thereby having stirred up the hatred of his  
 subjects against him, was involved once and again  
 in a civil war, and did at last fall in battle by a most  
 deserved death. But by providence, it has come  
 to pass, that the whole series of this mournful tra-  
 gedy, delivered from the darkness, in which  
 our historians have involved it, is brought to  
 light, by the assistance of these monuments; for,  
 from that never enough to be commended rich  
 treasure of public English acts, it clearly appears,  
 that the origin of all these evils is to be attributed,  
 not to the wicked disposition of our king, but to  
 the ambition of the duke of Albany, and a few of  
 the nobility; who, ambitious of ruling, conspired  
 against the life of the king. For these groundless  
 suspicions of the duke of Albany's aspiring at the  
 crown, as Buchanan calls them, this treaty be-  
 twixt him and Edward IV. of England, shows  
 were well founded. This treaty was entered into  
 the 10th and 11th of June, 1472, in which the duke  
 of Albany styles himself "Alexander king of  
 Scotland, by the gift of the king of England:  
 And solemnly promises, *1mo*, That he would  
 furnish as great supplies as he could, against  
 whatever prince, and all mortals. *2do*, That  
 he would, within six months after he should  
 get



“ get possession of the crown of Scotland, ac-  
 “ knowledge himself as a vassal of the English  
 “ king. 3<sup>to</sup>, That he would subject in all  
 “ times thereafter, the town and castles of Ber-  
 “ wick, Lochmaban, the countries of Liddif-  
 “ dale, Esedale, and Annandale to the English  
 “ dominion. 4<sup>to</sup>, That he would renounce  
 “ the league with France. 5<sup>to</sup>, And, if pos-  
 “ sible, should divorce his own wife, and mar-  
 “ ry Cæcilia, Edward’s daughter.” On the o-  
 “ ther hand, the English king agreed, “ That he  
 “ would do his utmost endeavour, to dethrone  
 “ his brother James, that Alexander might get  
 “ possession of the kingdom of Scotland, and be  
 “ assisted with all his might in keeping possession  
 “ thereof, against James, who then had the  
 “ government.” It is to be observed, in the  
 first place, that this convention was made some  
 months before the duke of Gloucester, brother to  
 the king of England invaded Scotland, together  
 with Alexander duke of Albany. From hence,  
 this is also manifest, that the mutiny which was  
 stirred up by Archibald Earl of Angus, and other  
 factious men, at that time in the Scots army at  
 Lauder, was not raised on a sudden, but was in  
 agitation and determined long before. This,  
 Buchanan himself confesses, who says, “ That  
 “ the duke of Albany promised to the English  
 “ king, that how soon he should approach  
 “ Scotland, a great assistance would assemble,  
 “ and that the nobility would differ with the  
 “ king;” which in a great measure, was effec-  
 ted by the perfidy and craft of the earl of Angus.  
 Buchanan also tells, That the king, after this mu-  
 tiny left the army, and “ hid himself in the castle  
 “ of Edinburgh.” But others say, he was made  
 “ prisoner,



prisoner, and shut up in that castle : which two charters of this king do confirm ; the one, by which he gifts to Alexander duke of Albany, the earldoms of Mar and Garrioch, with the addition of this memorable cause of granting, “ For liberating our person from confinement from the castle of Edinburgh, exposing his dignity and noble person to the most grievous dangers of his life, from which insult, our person now enjoys acceptable freedom” ; the other, by which, various privileges are granted to the council and citizens of Edinburgh, chiefly, jurisdiction to the provost of being sheriff within the limits of the city, because they valiantly contributed assistance to his brother the duke of Albany, in liberating him from the castle of Edinburgh, 16th November 1482. But Buchanan adds, “ Although Alexander studied to soften the remaining grudge of his brother towards him, and to enter newly into favour by this good office ; yet the remembrance of old injuries prevailed more with a weak mind, than that of the recent good office done him,” He further says, “ That the calumnies of the enemies of Alexander, who daily accused him of too much popularity, and asserted it as a certain proof of an attempt at the sovereignty ; that he was made acquainted by his friends, that designs were in agitation at court against his life, and that thereupon he retired to England.” Thus far Buchanan ; but we have shown above, that these suspicions were not groundless, but supported upon the most certain credit : and as to the calumnies of his enemies, that they were just and clear, is plain from this, that in the next month after the king was brought out of prison, *viz.* the 12th January



nuary 1483, Archibald earl of Angus, Andrew Lord Gray, and James Liddal of Halkeston, renewed the league, under the same conditions that it was entered into, with the king of England, six months before, with this added to the rest :  
 “ That he would never lay down his arms by the  
 “ advice of James his brother, nor of any one of  
 “ his blood.” Moreover, his foresaid ambassadors,  
 “ In his name, bound themselves by the sacred  
 “ ties of faith, honour, and war, that if the duke  
 “ of Albany should decease, without posterity to  
 “ succeed him in the kingdom of Scotland, that  
 “ he and his friends and clients, would submit  
 “ themselves to the dominion of none, except the  
 “ king of England.” There remained, however, the finishing stroke to be put to so many wickednesses, by the rebellious subjects conspiring against their king ; for some years after, they armed the son, a boy of sixteen years of age, against the father, and forced the latter to risk an unequal engagement and slew the king flying from battle ; in the next parliament called, every one who was killed, was adjudged to have been slain by their own fault, by an act of parliament, alledging this crime chiefly against them, “ That they sent for  
 “ the English to come into Scotland, and thereby  
 “ endeavoured to subject the kingdom to the do-  
 “ minion of England.” But these public English acts, which we have mentioned, refute this most absurd lie, contrary to all truth ; from which it does appear, that the kings of Scotland and England desired nothing else, than that they and their subjects might be connected in a more strict bond of peace and friendship, by the three marriages proposed ; on the other hand, the horrid impudence of these rebel subjects, appears from  
 the



the same public acts. The crime was objected to James, by these very men who had lent hand to the English, when they invaded Scotland with a hostile army, by raising a mutiny in the king's army; by these very men, who repeatedly had surrendered themselves to the English, who had confirmed by an oath, that they would subject, as far as in them lay, the kingdom to the king of England, and that they never would obey or submit to James IV. or to any sprung from his family.

## XXVII.

These few instances, by way of specimen, were thought proper to be adduced, that the utility of charters and all kind of instruments in correcting history might be exposed to view. But, besides what has been said, which respect as it were the nature and substance of history itself, there are innumerable other things which belong to the outward appearance thereof, that is, incidents and circumstances; under which may be reckoned, every thing which relates to chronology, geography, genealogy, and heraldry. With how many mistakes and blunders the neglect and ignorance of these sully the annals of every nation, but more especially our own, those too well know who have applied themselves to the study of them. But the most certain, and the only way for discovering and correcting them, is by searching into ancient records. But to omit others, how many errors of chronology (properly the right eye, as geography is called the left eye of history) are discovered, which had been admitted by our ancient historians, but are now detected by more modern authors, by the assistance of these same



monuments? I may here also mention of what moment the search into the repositories of these are to men employed in public life, for attaining a knowledge of politics, and for discovering to the bottom the very secrets of princes and courts; and what assistance may not be got from them for understanding the ancient laws and customs of different nations, and for explaining religious and civil ceremonies. But as these and such like advantages are fully perceived by learned men, and deserve a fuller discussion than our purpose will admit of, it is sufficient for me to have touched summarily on these for the present.

## XXVIII.

As nothing is inaccessible to wickedness, nor safe and secure on every side from the base contrivances of men; this most useful and necessary invention of charters began to be corrupted and to be abused, as a screen for falsehood and injustice of every kind. For, when it was found by experience, that dealings and business among men, could not be secured by any thing so much as by letters committed to written charters, covetous and flagitious men, that they might spread a veil over their frauds, and secure means unjustly acquired, applied their invention to forge charters and writings of all kinds, and to palm them on the world for true ones. Nor did the knavery of some men stop here, but attacking things sacred and profane, forged histories and all other kind of books, and presumed to publish them under the feigned names of ancient authors. And here indeed, we ought to regret and wonder, that not only men professedly bad, men altogether negligent of what is just or unjust, but even the followers



followers of a monastic life, *i. e.* men dedicated to God and the meditation of heavenly things, should, more than any other men, have given themselves up to fabricate falsehoods of this kind. But, as by this means, the mischief increased, and does yet continue, so that nothing almost has escaped the polluted hands of such forgers and imposters; the ingenuity and assiduity of learned men cannot be enough commended, who in this, and the two foregoing centuries, have applied themselves, vieing with each other, and, as if by common consent, to stamp the sterling value upon what was true and genuine by pulling off the mask from every kind of forged writings. This is neither the proper place, nor am I qualified to name how many books of that kind published under a specious title, their industry have detected and stripped of their false colours. As to diplomas and ancient charters, the matter is brought to this, by their accurate and surprising learning and sagacity, that the rules for distinguishing true from forged ones, seems to be reduced to the form and nature of an art. In this, as in other arts, some rules are laid down, by the assistance of which, all instruments may be brought under examination, genuine may be distinguished from those that are spurious, and those that are undoubted, from the suspicious ones. Of these rules some are rather general; such as the form or shape of the letters agreeing or disagreeing with the age of such charters; a right or wrong marking of the date; the customs, words, and forms of expression received in that age, or which are unusual, &c. Others are more particular, and to be sought from various circumstances and incidents, compared accurately among themselves



themselves, as the nature of each charter may require to be examined. but all these have their principal foundation in these writings, which are acknowledged to be true and genuine: for, as we commonly say, that what is right is the touchstone of truth and falsehood; so the authenticity of ancient writings cannot be more certainly and accurately searched into by any method, than by making a comparison with those which are clearly genuine. As Horace long ago taught us in morals:

*Non qui Sidonio contendere calidus ostro,  
Nescit aquinatem potantia vellera fucum,  
Certius accipiet damnum propriusve medullis;  
Quam qui non poterit vero distinguere falsum.*

has place here. For unless the genuineness of some charters can be certainly known, it is impossible to decide rightly and truly concerning others which are dubious or suspicious.

#### XXIX.

The learned Anderson, well knowing this, had principally in view in publishing this work, that he might be able to judge from specimens of undoubted charters, for some centuries, concerning the authenticity of others, which have the appearance of the writings of these centuries.

His treatise concerning the independency of the crown of Scotland, wrote against William Atwood shows, that the learned author made this use of the comparison of charters. In which treatise, he proves, that all the charters adduced by Atwood are spurious and forged, chiefly from this, that they disagree so much from true and genuine charters of these kings, whose they  
are



are pretended to be. That this may be understood more clearly, we have though it not foreign to our purpose, to lay before the public a few examples.

## XXX.

Let that charter of Malcolm III. be the first; by which he declares himself a vassal of Edward king of England, called the confessor; which Thomas Rymer the English historiographer, caused to be engraved from the public records kept at Westminster, and published as follows:

*Malcolm, by the grace of God, king of Scots and of the adjacent islands, To all Christians to whom these present letters may come, greeting. To Danes, and English, and Scots: Know, that we and Edward our eldest son, do hold our whole kingdom of Scotland and the adjacent islands, of our most excellent lord, lord Edward, son of Ethelred, lately king of England, superior lord of the kingdom of Scotland and of the adjacent islands, by liege homage and fealty, as our ancestors and progenitors of before have most notably recognised and done; as is sufficiently known to us, by the more ancient records of the crown. Wherefore, most serene lord, Edward, son of Ethelred, superior lord of Scotland and of the adjacent islands, we have become your immediate vassals during our lives, to live and die with you against all mankind, as your liege subjects; and we will bear liege fealty to you and your heirs. So help us God, and the holy judgement of God. In testimony of which thing, we have caused affix our seal, for us and our son foresaid, at York, 5th June, of our reign the 9th year, in the Parliament of our foresaid*



*said sovereign lord, held there, by consent and advice of Margaret our consort, daughter of Edward, son of Edmund Ironside, of Edgar Atheling, brother of our said consort, and of many other nobles of our said kingdom.*

The forgery of this charter, (which its editor, though he first seems to have esteemed genuine, afterward owns) and George Ridpath, in his preface to his English translation of Sir Thomas Craig's treatise concerning homage, evinces, by this argument chiefly, among many others, that Malcolm III. his wife Margaret, and his brother Edgar Atheling are said to consent to it, when it is put beyond all doubt, that queen Margaret with her brother Edgar, did not come into Scotland till after the Norman conquest, that is, many years after the death of Edward the confessor. Although, by this alone the authority of this charter is sufficiently overturned, yet Mr Anderson, that he might, if possible, stop the mouth of this impudent imposition, demonstrates the same thing by many proofs, brought from a comparison of the charter with others of the same age, 1st, That the shape of the letters in it are some hundred years later than the age of Malcolm. 2dly, That in the ancient charters of our Scottish kings that are genuine, the word *Scottorum* is wrote with a double (*tt*) not with a single (*t*) being always wrote *Scotorum* in this charter. 3dly, That Malcolm, speaking of himself, uses the plural number, which custom was not as yet introduced among the kings of Scotland nor England; for among the English Richard I. among the Scots Alexander II. are the first who are found to speak of themselves in the plural number, whom Malcolm III. preceded more than 100 years. 4thly,



4thly, And lastly, To this charter is appended a seal, bearing the arms of Scotland, *i. e. or*, a lyon rampant with a double tressure, flowered and counter flowered with flower-de-lis; from which the proof of forgery is manifest. 1. For besides, as it may be doubted, if the appending of seals was in use at that time, either among us or among our neighbours in England, it most evidently appears, from the seals of other of our kings who followed after Malcolm III. that on none of them before Alexander II. whom we mentioned, or surely before William his father, was the national coat-armorial of Scotland, as just now described, engraven: moreover, if we are to believe the most skilful writers on heraldry, the custom of bearing national coats of arms was scarcely brought into Europe, at least not among the Scots, till the ninth year of Malcolm III. *i. e.* the 1065 or 1066 of the Christian æra. From whence, by the by, it evidently appears, the error of our historians Boece, Lesly, and Buchanan, who affirm, that one Hay, a low man, on account of the celebrated victory obtained over the Danes at the village of Luncarty, principally, by the bravery of him and his sons, was not only raised to great honours, and got many lands, but also was presented by Kenneth III. with family arms, as is the custom of noblemen, a shield (argent,) with three shields (or); which arms, says Buchanan, in my opinion, denotes, that the public safety was protected by the singular bravery of three men in battle. But, that our writers have been grievously mistaken in this affair, appears plain from thence, that the custom of bearing coats armorial did no where



take place till the eleventh century, *i. e.* many years after the death of Kenneth III.

## XXXI.

The second charter, by which Atwood endeavours to subject the Scottish kingdom to that of England, is a charter “To God and faint Cuthbert the confessor, to William bishop, Druget prior, and the monks serving God at Durham;” granted by Edgar king of Scots; in which he twice calls “William II. king of England the superior lord of Scotland:” But Mr Anderfon shows that this charter, by comparison with five other genuine charters of that king, preserved in the treasury or charter register of Durham, two of which he took care to insert in his *Diplomata Scotiæ*, is altogether false and forged; chiefly, for the three following reasons, 1<sup>st</sup>, That the shape of the characters of this one is different from them. 2<sup>ly</sup>, That Edgar speaks of himself in the plural number, which is not so in the others. 3<sup>dly</sup>, That the same spurious coat of arms appended to Malcolm III’s charter, which was unknown for a long time after, is stamped on the seal appended to this charter. There are likewise other arguments, by which this charter of Edger is condemned as a manifest forgery; such as this, that during all Edgar’s reign there was no bishop of Durham of the name of William; I pass over the other arguments, because not deduced from other charters, but from ancient histories. But what does Atwood answer to all these? just what befits a man who has not the least spark of modesty remaining, overcome by the strength of truth: Does he yield? not at all; on the contrary, with what obstinate forwardness does he oppose all these arguments



arguments which are repugnant to his purposes, and endeavours to rally his disordered forces, and to defend, with all his might, the authenticity of both these charters of Malcolm III. and of Edgar. But I here forbear to repeat his mean quirks and tricks, as not deserving any answer, and which would only create disgust to my readers, and proceed to others.

## XXXII.

In the third place, these charters of our kings are to be mentioned, *viz.* of Robert I. David II. and Robert III. first fabricated by that famous forger John Harding, poetaster and English historian, and greedily taken hold of as genuine by Atwood, a man of the like impudence, to establish the Scottish homage. Tyrell takes notice, that these charters with seals appended to them, are preserved in the chapter-house of Westminster in a large chest, on which is inscribed the name *Scotiae*, and copies of them are published for true charters, in a manuscript book in the advocates library at Edinburgh, the title of which is, *Scottish Tracts*, wrote by an Englishman about 150 years ago. Although this Hardwin had obtained from Henry VI. of England a pension of L. 24 *per annum* by royal grant, on record, and from that weak prince's minister, who were either deceived or inclinable to be deceived, for his industry, as he gave out, in recovering out of the hands of the Scots, with the greatest danger of his life these charters: yet, they bear so many evident marks of forgery, that the most celebrated English historians Rymer, Tyrell, and the revered William Nicolson bishop of Carlisle, as conspicuous for the sagacity of his manners as for his learning, do all



esteem and acknowledge them to be spurious. To select a few from the many marks will discover their fraud and imposture. 1. In all of them our kings are not stiled *Scottorum*, which we constantly find in every genuine charter was done, but they are called *reges Scotiae*. 2. Many words occur in them, unknown or not used by our kings, such as *Recorda*, *irrotulamenta*, *indictamenta*, *occasionari*, &c. 3. The charter of David II. is said to be granted *in full parliament, first day of November, the fifth year of his reign*, but at that time, *i. e.* 1333 or 1334, war raged betwixt the two nations; our David, that he might be out of danger, was sent into France; and, as all histories testify, did not return till 1342. 4. Such as are attributed to Robert I. or II. fall by their own absurdity; which will be shown by us more plainly and particularly. First, As to that one which bears the title of *Homagium regis Scotiae*, and which is said to have been wrote in the year 1319, by the very first words, discovers itself to have been written after the death of Robert I. or Robert Bruce: but allowing this inscription to have been added afterwards, by a person ignorant of Scottish affairs, and therefore ought not to detract from the truth of the charter itself. Let us therefore examine the charter itself, it begins thus, “ Robert, by the grace of God, king of  
“ Scotland, to all to whom these present letters  
“ may come, greeting. Know, by these pre-  
“ sents, that we have inspected the inrolment  
“ of the letters patent of our dearest lord and  
“ nephew, late king of Scotland, son of our most  
“ dear lord and uncle Robert Bruis, formerly  
“ king of Scotland, the tenor whereof follows:”  
David, by the grace of God, king of Scotland,  
what



what a wonderful ignorance of our affairs discovers itself at first sight? namely, that Robert II. calls Robert Bruce formerly king of Scotland his uncle, but David lately king of Scotland, *i. e.* who immediately reigned before him, his nephew; when, on the contrary, it is manifest, by every history, as well as from all the public acts of the kingdom, that Robert Bruce was father of David and grandfather of Robert II. and that David was uncle to the latter, *viz.* Robert II. But it may be said, that these are mistakes proceeding from the inadvertency of the notary, who in the former place puts *nepotes* for *avunculi*, and in the latter *avi* for *avunculi*. But besides, as this is scarcely credible, is it to be thought, that the three estates of the kingdom, by whose consent this charter is said to have been granted, or the king's clerk or secretary, would not have observed so gross and so palpable errors, staring every reader in the face? Moreover, the date proves that this charter is a forged one, for it is said to be "given at Dundee, the last day of December, and first year of the king's reign." We have shown above, that it is not of Robert I. tho' it may be so inscribed, nor of Robert III. because the tenor of it will not allow of that, by which this last Robert professes to have obtained the Scottish kingdom in name of a fee, from Edward of England; for in the time of Robert III. there was no such man as Edward reigning in England. This charter therefore, if genuine, must necessarily be of our Robert II.; but in that very year the ancient league was renewed betwixt Robert and Charles V. the French king, the principal, if not all the conditions and articles of which, have this principally in view, that the

one



one king should protect the other, when ever there was need, against the king of England the common enemy of both nations, with all their forces. But it is altogether contrary to all probability, that the king of Scots, should surrender himself and his subjects to the perpetual vassalage, or rather servitude of their common enemy. If however, any doubt or suspicion can remain on this point, the last article of the treaty written in French ought to remove it entirely, the words are: “ Item, That if the holy father, of his will and proper motion, or by the persuasion of any  
 “ person whatever; would absolve the said king  
 “ of France, or us and our heirs and successors,  
 “ the said kingdoms, or loose them from the  
 “ foresaid oath, or annul the said oath, the said  
 “ king of France, his heirs and successors, we  
 “ our heirs and successors, will neither use, nor  
 “ ought to make use, by any means, of the be-  
 “ nefit of such absolution; but will keep and ob-  
 “ serve loyaly and entirely this alliance in all  
 “ points, without fraud or evil invention, and  
 “ without doing or saying any thing to the con-  
 “ trary, just as if such absolution or annulling of  
 “ the oath had never been made or granted:”  
 which condition, was added when the league was renewed between James V. and Frances I. kings of Scotland and France, in the very same words in Latin. But, it appears most clearly from these words, with what anxious care and sollicitude, the kings of both nations endeavoured to preserve this friendship as firmly and inviolably as possible for all ages to come. It cannot, therefore, by any means, be believed, that Robert II. king of Scots, especially, when both his own affairs and those of the French king, were at the time in a  
 flourishing



flourishing state, and those of the English king had begun to decay, should incline to abolish a treaty which had taken near eight months to negotiate and perfect, and that in almost as few weeks as it had taken months to finish.

## XXXIII.

But to return to that charter of David II. which is pretended to be confirmed by this of Robert II. : among other egregious marks of forgery, I have noticed, as not the least, *viz.* that it is said to be granted at Edinburgh, and in the fifth year of his reign, whereas nothing can be more certain, than at that time, *i. e.* in the year 1333 or 1334, our David II. had retired to Philip VI. king of France, and did not return to his own country till 1342. But what amendment does Atwood offer here? forsooth with much impudence, he says, that this fifth year of the reign of David, is to be computed not from the death of his father, but the time of his inauguration; but I should wish, that Atwood or any other historian of Britain would point out to us, in what year this investiture or possession of the kingdom was given by the English king to our David; otherwise no fixed point of time can be drawn from this charter of David's: for if this fifth year of David is to be counted from his *investiture*; it can by no means be known, in what year of Christ, from 1333 or 1334, (which truly was the fifth year of David's reign) to 1371, in which year he died, this charter was framed. But what sort of chronology is this, in which a period of 36 or 37 years, by this way of reckoning, is to be held for nothing. But the words of the charter over-

turns



turns this very ridiculous subterfuge of Atwood's, in which there is no mention of *investiture*; so that David professes to hold the kingdom of Scotland of Edward of England, in name of vassalage; not that he received it from Edward of England under that condition, but “ for this  
 “ consideration, says he, that our predecessors  
 “ and progenitors formerly kings of Scotland,  
 “ held from the more ancient times, and ought  
 “ to have holden the kingdom of Scotland by  
 “ liege homage and fealty, and have perform-  
 “ ed for the same kingdom, purely and volunta-  
 “ rily liege homages and fealties often personally;  
 “ as is sufficiently known to us by more ancient  
 “ records and pleas of the crown, as well in  
 “ parliament, as in the circuits of our chamber-  
 “ lains and justiciars, and those of our predeces-  
 “ sors and progenitors.” From which words, it appears, that he acknowledged Edward superior lord of Scotland, not from any anterior deed of his own, but from the charters of his progenitors, which we have shown were all forged, except one of king William's. If the possession of the Scottish kingdom had been granted by the English king to David, to be held in name of vassalage, is it to be believed, that the acknowledgement of this vassalage would have been put off for so many years? Is it not rather to be thought, that Edward, before he delivered the kingdom of Scotland to David, would obtain from him the charter whereby he would acknowledge himself a vassal of Edward's for that grant? Surely the charter of Edward Baliol, by which he acknowledges, that he held the kingdom of Scotland of the same Edward of England, mentions the conditions entered into betwixt them; the principal  
 of



of which were, that because he had got peaceable possession of the kingdom of Scotland, “ by the “ ready and efficacious assistance of the king of “ England,” therefore, he promised, that he would thereafter be under his vassalage. This must also be noticed in these and in the other instruments of Edward Baliol, that the beginning of his reign is always counted not from the investiture, but from the time of his coronation. But why need we cavil with these arguments of less weight, against Atwood, when we have plainly demonstrated by the authentic acts of these kings, beyond all doubt, that no such charter could proceed from our king David. For, from these it is clear, that Edward of England did acknowledge Edward Baliol to be the only king of Scotland from 1332 to 1355, in which last year, Edward Baliol abdicated the throne. But during all this time, as often as there was occasion for naming David Bruce, the English monarch never styles him *king of Scots*, but plainly either *David de Brus*, or with a mark of ignominy *his enemy of Scotland*, and after David’s captivity *his prisoner*. Therefore, it cannot be believed, that during this whole period of years, the English king would deliver possession of the Scottish kingdom to David, nor that David would swear fealty to him; unless we at once believe, that the English king would have acknowledged two kings of Scotland at one and the same time, to be both feudatory to him, and that David, besides, should be so indolent and mean spirited, as to surrender himself and his subjects to the vassalage of him, who never honoured him with the title of king, and who had raised Baliol the rival of his kingdom, and his inveterate enemy, to that summit of honour,

K

and



and did persist during all that time, to assist him to the utmost of his power. It was not therefore till the year 1355, that this possession of the kingdom of Scotland was delivered to our David II. by the king of England; now, let us see if this could be done after that year; and here likewise the same obstacles present themselves, against such delivery possibly taking place from 1355, in which year Baliol abdicated the kingdom, to the year 1371, when David Bruce died. The first is, that David being prisoner in England, remained there two years after the foresaid time, that is, did not return till 1357; but amongst the conditions of that liberation, the whole proceedings whereof we have at full length in Rymer's *fædera*, there is not the smallest mention of that superiority of the crown of England over Scotland, or the oath of fealty to be performed for that purpose by David Bruce. So far from this, that in this whole transaction the English king does not assume the name of superior lord, or yet calls David his vassal, although he very seldom styles David king of Scotland. But it would have been a most extraordinary meanness of soul, and for ever disgraceful, if he should subject himself and his kingdom to the vassalage of one who rejected his friendship, and who never stiled him by any other title than his *prisoner* or his *adversary*. But, that this was the case, the charter of Edward of England, among many other documents, does most clearly demonstrate; which charter is written in the year 1372, in which, when our Robert II. challenged the discharges granted for the several payments at different times, for redemption of king David, as appearing not sufficiently valid and secure, for this reason, that the title of *king of Scots* was not adjected to David's name: Edward,



ward, that he might take away all doubt about the matter, gave him the following answer, which, as it is in itself very singular, and corroborates very much every thing that we have above advanced, we have thought proper to subjoin it here.

“ Edward, by the grace of God, king of Eng-  
 “ land, &c. To all, &c. greeting, Know ye  
 “ that when in each of our letters of discharge  
 “ granted to our brother David Bruys, while in  
 “ life, upon receipt of the sums for his redemp-  
 “ tion, without the addition of the title of king  
 “ of Scotland; which letters, our said brother  
 “ esteemed sufficient for him and his subjects in  
 “ this part, as it was reckoned sufficient by us  
 “ and our council: for which reason, it did not  
 “ seem meet for us to alter the form of our let-  
 “ ters. But since our cousin Robert of Scotland  
 “ is afraid, that the said letters of discharge are  
 “ less valid, as the title of *king of Scotland* is  
 “ not specified in the same letters, for the great-  
 “ er security of our said cousin, we will and grant,  
 “ and by the tenor hereof declare, that it was  
 “ the intention of us and our council, and is still  
 “ so, that the said letters of discharge formerly  
 “ granted to our cousin, by the name of *Robert*  
 “ *our cousin of Scotland*, only, on receipt of the  
 “ foresaid redemption money, shall be in all time  
 “ coming, as valid as if our said cousin had been  
 “ stiled king of Scotland, and shall have the same  
 “ effect, &c. witness, the king at Westminster,  
 “ 12th December.

Another argument, by which it may be e-  
 vinned, that this investiture of our king David II.  
 pretended to have been given by Edward of Eng-  
 land to him, is not prior to 1355, may be taken  
 from another charter, which shall be by and by



shown, to be also forged; but which is published by Hardwin and his partisan Atwood, as genuine of the same David; by which David is said to have swore an oath of fidelity, before Henry lord Piercy of Alnwicke and Ralph Nevil lord Rabye, ambassadors for the king of England, in the following form: “Most excellent lord Edward, king of England and France, I David king of Scotland become by these presents liege vassal, to all purposes of life, members, and earthly honour. I will bear true allegiance to you, and to your heirs kings of England, as superior lords of Scotland all my life, and live and die with you, against all mortals. So help me God, and God’s holy judgment. And I acknowledge by these presents, and I grant and oblige, that I, and my heirs and successors, kings of Scotland, to hold of you, and your heirs and successors for ever, by the foresaid services, notwithstanding whatever relaxations, discharges, remissions, or other letters whatever, granted by the kings of England to the kings of Scotland in the contrary.” But this charter says, that it is given at the monastery of Coldingham; but the letters patent of Edward of England, naming these ambassadors to take this oath, he says are dated 20th March, the foresaid 26th year of the reign of his superior lord; which year corresponds to the year of the vulgar Christian æra 1352; and therefore, if it was a true charter, it must have been almost four years prior to the charter of Edward Baliol, by which he transferred all his right to the Scottish kingdom to Edward of England, for it is dated at Roxburgh, 20th January, *anno* 1355, that is, according to the Roman computation 1356. To say the truth, allowance



allowance was granted in that foresaid year 1352, to David Bruce by Edward of England to return to Scotland, that he might confer with his nobles about his redemption; having in the mean time delivered hostages, that he should again deliver himself into custody, if the conditions proposed were not agreed on. But it is plain from the public acts, nothing proceeded from this conference of David's with his nobles, infomuch, that he returned to be again shut up in the tower of London, without doing any thing. Which, since it is so, it is quite unjust to believe, that David would be of such a mean, or of no soul at all, that he should inthral himself and his subjects to the vassalage of the king of England; more especially, if we add what we have said before, that David, neither then, nor almost ever after was stiled king of Scotland by the English king. Yea, during all the time that these things were transacting, Edward Baliol the enemy of David and the rival of his crown, not only was constantly stiled king of Scots by the English king, but also a promise was again and again made to him, that nothing which was transacted with David should turn to his prejudice. Since therefore, it manifestly appears, that this instrument of our king David's is plainly forged and fictitious; it is agreeable to reason, that the rest proceeding from that notable falsifier Hardwin, should be esteemed as dust, that is, all of them forged.

If any have a mind so hardened against truth, that these reasons are not sufficient to make him alter his sentiments; but, in order to extort a confession from such a one against his will: what we shall bring, in the third place, is the testimony of David himself, and of his ambassadors to the  
French



French court, viz. of Robert Erskine and Norman Lesly, which is to be found in the treaty betwixt John king of France and Charles the Dauphin, his son on the one part, and David king of Scotland, on the other part, entered into at Paris the 29th June, 1359, in these words: “ We Robert  
 “ and Norman, foresaid, say, that our sove-  
 “ reign lord, the king of Scotland, as well by  
 “ his letters, as by us, sent by him for the pur-  
 “ pose, with his letters of credence to Monsieur  
 “ the regent, above-mentioned, that it was cer-  
 “ tain, how the king and kingdom of Scotland  
 “ of a long time has been harassed, agrieved,  
 “ and damaged by the English, enemies of the  
 “ kings and kingdoms of France and Scotland;  
 “ and our soveraign lord the king had been ta-  
 “ ken in battle, and detained a long time prisoner  
 “ in England; out of which prison he could easi-  
 “ ly have liberated himself, and might have had  
 “ easy terms of peace, if he would have consent-  
 “ ed to renounce the confederacies and alliances,  
 “ which subsist between the kings and kingdoms  
 “ of France and Scotland; to which thing, he  
 “ would by no means consent, and has treated  
 “ only upon the deliverance of his own person  
 “ &c.” From these last words, it is clearer  
 than the sun-shine at noon-day, that our king  
 David, during the whole time of his captivity,  
 that is, from 1346 to 1357, did nothing against the  
 faith of the ancient amity betwixt the French and  
 Scots, but meant to transact with the English king  
 only concerning the liberation of his own person;  
 both of which would have been absolutely false, if he  
 had submitted himself and his subjects to the slave-  
 ry of the English: which if a tedious confinement



in prison could not extort ; much less certainly, is it to be thought, that he could be induced to do it when at freedom and liberty. We have pursued these things a little more prolixly, and more than perhaps was necessary, not only because that they were slightly touched on by Anderson, to whom they seemed of not so great consequence ; but also, at the same time, to refute Atwood, and to show the use of genuine charters in detecting the frauds of forged ones.

## XXXIV.

But before I dismiss this matter, I cannot refrain myself from exposing yet another instance of the ignorance or rather impudence of Atwood, on the other side of the question. For, as he takes upon him to publish and defend forged charters for genuine ones ; so he is not afraid, by the same arguments, to impeach genuine charters of fraud and imposture, providing it serves his purposes. The charter of Robert Stewart of Scotland, earl of Strathern, afterwards Robert II. king of Scots, furnishes a very remarkable proof of this. This charter is dated at Perth 12th January, 1364, that is, according to the Roman computation, 1365, which Louis Innes, principal of the Scots college at Paris, published from an original in the records of that college, in the year 1695, in order to vindicate the legitimacy of the royal line of the Stewarts, from the stain fixed on them by our historians. But Innes did not choose to publish this remarkable document till he got the opinion of the most skilful antiquarians, concerning the certainty and authenticity of it. Of these I shall only mention a few, the chief of them were Eusebius Renaud



Renaud historiographer royal, Stephen Baluz, royal professor of cannon-law and superintendant of the Colbertine library, John Mabillon, Theodore Ruinarte, a benedictin monk, all of them very celebrated men, for their universal learning and writings, which will always remain in esteem; “ Who, to use their own words, assembling together 26th May 1694, having diligently inspected the before-mentioned charter exhibited to us by the same Louis Innes, we have examined it, and discussed it with the greatest care possible, we testify that it is ancient and genuine, written certainly in a character of letters of that time, and is liable to no suspicion of forgery, that it is sealed with two seals, which we attest to be ancient and entire &c.”

Atwood has been, however, so bold as not only to doubt, but even openly to deny the authenticity of this charter, supported by this famous and clear testimony; why, for no other reason, as I believe, than because it appears to oppose his arguments; and he affirms, that it betrays evident marks of imposture, being forged by the Jesuits of the Scots college, or by some other monks of some other order at Paris. And what manifest marks of imposture does Atwood adduce? these four or five, *1mo*, That Robert II. though then only steward of Scotland, according to the royal custom, used the plural number, and says, “ Our seal is appended to these presents.” *2do*, That from an affectation of royal power, he submits himself and his heirs in whatever dioces they live, to any bishop whatever, who shall be chosen. *3tio*, That though the viscount Tarbat may have shown of what family Elizabeth More was, who is stiled wife of Robert II. in that charter, yet he has not discovered



discovered the consanguinity or affinity which was an obstacle to the contract of marriage betwixt them, in that charter. 4<sup>to</sup>, That no payment nor demand supported by colour of law, are alledged to be made, which might confirm the truth of the affair. 5<sup>to</sup>, That in that charter, John the son of Robert, is stiled lord of Kyle, who, nevertheless, fourteen years before, that is, in the year 1350, according to lord viscount Tarbat's calculation, is designed earl of Carrick, in the charter of king David; but it never was found, that an earl subscribing to a deed, should be content to design himself by the title only of a barony.

From these marks, (God willing) the most vain trifler dreams, he has found out the forgery of this charter; but, reader, I will make it appear, if you will bestow a little attention, that there is nothing, as you will see, to be discovered in these, but the disgraceful ignorance of the man, equalled only by his impudence. To understand this the better, I have thought proper to lay before you a copy of the charter itself.

*To all who may see or hear this charter, Robert steward of Scotland, earl of Stratherne, greeting. Since long ago it was specially delegated to a venerable father, lord William, by the grace of God, bishop of Glasgow, by apostolical letters; and as he granted dispensation on the marriage, contracted betwixt us and unquile Elizabeth More, while in life, notwithstanding of the impediment of consanguinity and affinity standing in the way of the said marriage contract, providing we should found one or two chapels, as the bishop should choose; and the said venerable father weighing matters, duly dispensing to us on the foresaid impediment, by the foresaid authority, has enjoined us, that a chaplanry should be founded in the*  
L
church



church of Glasgow, at one of our altars; there, to enjoy yearly, a pension of ten merks sterling, out of certain of our rents for ever; and we have promised faithfully so to found the same chaplanry, within a certain time, now passed, then fixed on to us, by the said bishop. Know then, for the foresaid cause, us to have given and granted, and by this our present charter, to have confirmed for ever, for us and our heirs, to God, the blessed virgin, St Mungo, and for one chaplain, celebrating, and to celebrate for ever in the church of Glasgow; the foresaid ten merks sterling for sustentance of the same chaplain, to be uplifted yearly out of an annual rent of L. 40 sterling, arising from the lands of Cars-abbot, within the sheriffdom of Stryveline, and due to us and to our heirs, by the religious men, the abbot and convent of the monastery of Holyrood of Edinburgh, to have and to hold, and uplift yearly for ever to the said chaplain, for the time being, by the hands of the said religious men, at the terms of Whitsunday and Martinmas in Winter, by equal portions, in free, pure, and perpetual alms, as freely, openly, fully, and honourably, as any alms are granted, given, or enjoyed in any part through Scotland. And we for ever transfer, nevertheless, all right competent to us, by the charter of infestment of our sovereign lord king Robert, our grandfather, of worthy memory, or the obligation of the said abbot and convent, or every other evident, to compell the saids abbot and convent to payment of the said annual rent of ten merks to the bishop of Glasgow for the time, and to the chapter of Glasgow, during the vacancy of the see, by this our perpetual charter; and we make, constitute, and ordain them, and each of them, so far the assignees of us and of our heirs. And if by chance it may happen, which God forbid, that the said ten  
merks



merks yearly, not be uplifted by the said chaplain, as said is, either because, that the saids abbot and convent will not pay it, or cannot be compelled to the payment of the same, or because, that we, or some of our heirs may hinder or obstruct the payment of the said ten merks, against this our present investment and grant, or if we or they shall procure the same to be impeded by us or by any other, privately, publicly, directly, or indirectly, we bind us and our heirs, by all our effects moveable and immoveable, to pay the said ten merks out of any other of our rents, wherever the bishop of St Andrews, for the time, or his chapter, during the vacancy of the see, may think proper to choose, during the whole time that the payment of the said ten merks, to be uplifted out of the said annual, rent may be discontinued; subjecting us and our heirs to the jurisdiction and coercion of the bishop of Glasgow and his official for the time, that they may compell us and our heirs by every kind of church censure, to perfect all and sundry the above mentioned things, in case we or they fail (which God forbid) in any of the premises; and, moreover, we and our heirs foresaid, warrant, acquit, and forever defend this our donation and grant of the said ten merks, to be uplifted, as foresaid, out of the said annual rent, to the said bishop, the church of Glasgow, and to the chaplain, for the time being, against all mortals. In witness whereof, our seal, together with the seal of John Stewart Lord of Kyle, our eldest son and heir, is appended to these presents, before these witnesses, a venerable father Sir Robert, abbot of the monastery of Kylwynyne, and Sir John Stewart our brother, Hugh de Eglingtonne, Thomas of Fauside, knights, John Mercer, burges of Perth, John de Rose, and John de Tay-



lor, squires, and others. At Perth 12th January,  
A. D. 1364.

This is that memorable charter of Robert the steward, afterwards king of Scotland; whose authenticity, so many learned and famous men have confirmed with one unanimous consent: now let us proceed to answer Atwood's objections, or rather cavils against it.

The first, which is objected to this charter, is the use made of the plural number, which plainly shows Atwood a stranger to the manner of these times, at least to the Scottish customs. For altho' among the English, the custom of applying the plural in place of the singular, very seldom may have obtained, nothing yet has been more frequent among the nobility of the first rank in Scotland, from the time of Robert Bruce to this day. There are innumerable instances of this; but passing over such as are preserved in private charter-chests, (and not instancing those which Atwood impudently argues to be forged,) I say, we shall produce to public view a few of our king David II's, (who was co-temporary with Robert Stewart) and these from public acts which are entirely clear. The charters to be here mentioned by us, are of that kind called charters of confirmation, commonly called *in speximus* or *vidimus*, and which have the deed confirmed, verbatim, ingrossed in the charter.

1st, Is a confirmation of William earl of Sutherland, to his brother Nicolas, 17th October, of the king's reign 34, *i. e.* 1363.

2d, Confirmation of a charter of Patrick de Dumbar, earl of March and Moray, made to Alexander de Richinton, 18th April, of the king's reign 35, *i. e.* 1365.

3d,



3d, Confirmation of a charter of Thomas earl of Marr, made to Egon son of Fergus, 9th September, and of the reign 36, *i. e.* 1365.

4th, Confirmation of a charter of Patrick de Dumbar, earl of March, granted to Thomas Pa-pedy, 10th February, of his reign 37, *i. e.* 1367.

5th, Confirmation of a charter of Patrick of Dumbar, earl of March and Moray, made to the prior and convent of Coldingham, August, of his reign 38, *i. e.* 1367.

6th, Confirmation of a charter of Thomas Stewart, earl of Angus and lord of Bonkyll, made to Andrew de Perkenton, 10th March, of his reign 39, *i. e.* 1369.

7th, Confirmation of a charter of Walter de Lesley, lord of Filarth, made to John of Ur-chard, 8th December, of his reign 39, *i. e.* 1369.

8th, Confirmation of a charter of Donald, earl of Lennox, made to Maurice of Buchanan, 26th January, of his reign the 41st year, 1371.

Of these charters (in every one of which, these noble persons mentioned, always assume the plural number, when speaking of themselves singly,) the first is more ancient than the charter of Robert Stewart, by one year and almost three months, the second and third are both written in the same year, the fourth and fifth two years, the sixth four years, the seventh almost five years, and lastly, the eighth is six years later than that charter of Robert Stewart's. To this may be added, that Robert Stewart was of a higher rank than any of them, for he had been viceroy of Scotland all the time that king David was prisoner in England, and was appointed to be heir to the crown by his grandfather Robert Bruce's testament, and by an act of the estates of the kingdom,



dom, after David Bruce and his children. It is manifestly clear from these examples, that the use of the plural number for the singular was used at this time, not only by our kings but by our nobles; and so far from condemning this charter of Robert Stewart as forged, for this reason, that on the contrary, if he had applied the singular number speaking of himself, no slight suspicion might arise from thence, concerning the authenticity of the charter; since no one man of high rank in Scotland, so far as I know, used at that time any thing but the plural number in their charters.

Atwood's second argument, by which he endeavours to weaken the authority of this charter, does exhibit a remarkable specimen of his ignorance, or more properly of his baseness, and the little credit he deserves; for, says he, the fraud appears from this, that "Robert, as if he had been king, subjects himself and his heirs, in whatever dioceses they should happen to dwell, to the jurisdiction of whatever bishop." But Atwood, of design, wickedly corrupts this passage; for Robert does not subject himself to the power of any bishop whatever, but, according to the promise, by which he, in the beginning of the charter, testifies he was bound to William bishop of Glasgow, and submits himself and his heirs to that bishop, and him only, and to his successors, or their official for the time being, that he might be compelled to the annual payment of the ten marks, granted to his church by this charter; and that, if necessary, by church censure. How guilty then is Atwood of prevarication, who from these words of the charter, "Subjecting us and our heirs to the jurisdiction and coercion of the bishop of Glasgow," &c. to infer that Robert Stewart



Stewart meant to transfer himself from the jurisdiction of one bishop to another, and as he pleased? or there is no mention of any one bishop in this charter but the bishop alone of Glasgow, as I have said, to whose church that annual pension, therein mentioned, was due by the preceding promise, in whose diocesis many of the estates and possessions of Robert himself lay, such as the earldom of Arrick, lordship of Kyle, barony of Renfrew, and the island of Bute; but as to the clause itself, every body the least skilled in these matters knows, that nothing was more solemn in those days, than that such as granted lands, or other gifts to religious men and places, did subject themselves to be chastised by the most terrible ecclesiastical censures, if they failed in the performance of their promise. Nothing can be more absurd, than to alledge that these words bore "the appearance of affecting the sovereignty by Robert Stewart before the time," for kings never subjected themselves to the censure of any bishop, except the bishop of Rome; and that rarely, and only when they had business with foreign princes, in securing their treaties and conventions.

The third argument is unworthy of an answer; for what sort of reasoning, I pray you, is this, "That lord viscount Tarbat had not been able to discover by the narrowest scrutiny, that consanguinity which was a bar to the marriage of Robert to Elizabeth More; *ergo* it was null, and the marriage itself a fiction." For by this means, and the like reasoning, a man however noble, or any other man, because their origin may have been concealed for 300 years, for that reason it must be held as spurious. In vain then do learned men labour in discussing these ancient monuments



numents, if every thing that is found written in them must be deprived of credit, unless, forsooth, it be clear from extrinsic arguments, not only concerning the writts themselves, but of every accidental circumstance connected with them.

4th, What Atwood objects to the charter in the fourth place, plainly contradicts common sense; says he, "There is no mention of payment or demand supported by law, of the ten merks granted for support of the chaplain." What payment or demand does this silly caviller mean? could any other payment of this money, or demand of it be made, than what is plainly signified by the words of the deed? Robert in it, promises to William bishop of Glasgow, That he would found within a definite time, under a certain condition to be performed by the bishop, one or two chapels within his church. Robert acknowledges that the condition was performed, that the day of performing his promise was long passed; that he might therefore excuse what he had promised, by words or writing, he takes care to grant this charter, by which, he in the strictest manner, binds him and his heirs to pay yearly the ten merks sterling, to the chaplain who should say mass in the church, under the condition which the bishop demanded; (but Atwood may perhaps say, for what else, he can say, I do not see, "That Robert, now here in that charter, says, that he was called upon to fulfil the performance of his promise," as if every thing, which preceded any bargain, ought to be narrated in it when reduced to writing. It is probable, that Robert had been required by the bishop to found the chapel, and had indued it properly, the time being long ago elapsed: the words of the deed seem to insinuate this pretty clearly; but



but though this was wanting, it is sufficient to refute the cavils of Atwood, to say that Robert, of his own accord, and induced by no other cause but his own promise, had fulfilled it as became an honest man, by granting this charter.

The fifth and last argument of Atwood, at first appearance seems to have some weight, *viz.* “ That it appears ridiculous that he, who is designed earl of Carrick 1350, should 14 years after, in 1364, design himself by the plain title of lord of Kyle, *i. e.* by an inferior degree of honour.” Atwood here rests upon a foundation altogether false; for so far is this charter of David II. which viscount Tarbat mentions, in which John, the eldest son of Robert Stewart is designed earl of Carrick, from being written in 1350, that it was not written till the end of 1370, or beginning of 1371, and is therefore posterior to this charter of Robert, concerning which we are disputing, no less than six years. The typographical error in the book written by viscount Tarbat, afterwards earl of Cromarty, in which he vindicates the legitimacy of king Robert III. from the stain fixed on him by most of our historians, this error, I say, afforded a handle to Atwood’s mistake or rather fraud. In the earl of Cromarty’s book, page 26, speaking about this charter of David II. he says, that it was written 17 years before the death of queen Euphan, the second wife of Robert Stewart. This number 17, the carelessness of the printer has changed to 37, as is easy in such cases; the noble lord saw and amended that mistake in another edition of his book. Atwood, unless he intends to dissemble, has not been able by any means to catch him in another part of the book, except in p. 24, where the earl of Cromarty says, that this deed of David’s



was granted in some one of his last parliaments. But as to the thing itself, I affirm to have seen this charter with my eyes in the public records, the last of all the acts of David II. and placed posterior to 20 others of the 41st year of his reign; and therefore, I do assert, that it was written and granted, as I have said, in the 1370 or 1371 of the Christian æra: for since it is dated at Edinburgh, it could not for certain have been granted in the year 1350; for, from the 1346 to 1357, David was prisoner in England, and surely he could not in person hold any meeting of the estates of parliament, during all that period, at Edinburgh.

From these things, I think it has been demonstrated, how frivolous, and of no import, all the reasonings of Atwood are against this precious charter of Robert II. But, that this matter, if possible, may be yet more clear, there is a copy of this very charter in the excerpt from the larger register of Glasgow, written in the year 1556, as it testifies, at which time there had been no dispute concerning the legitimacy of Robert III. as yet moved; which register, Alexander Baillie, Esq; of Castlecary, a man of good taste, and while he lived, most studious of the antiquities of his country, gifted to the advocates library. Therefore, Atwood, of consequence, has been most unreasonable to alledge, that this charter has the appearance of being forged by the monks at Paris.

What has been said, is sufficient, concerning the Scottish charters, and the many advantages to be reaped from them, which makes up the first and principal part of Mr Anderson's performance.



## XXXV.

IN the next place, a few things are to be said of the seals of the kings of Scotland; of which, and of some others, there are engravings or plates exhibited in Mr Anderson's work. There is a particular part assigned for the rest of the seals, from our James I. where the charters end, to queen Anne, during whose reign the two kingdoms were happily united. There is no need for us to say much concerning the origin of seals and their antiquity, nor of the various sorts of them, ancient and modern, since Theodore Hoppingius a German lawyer, John Mabillon a very celebrated benedictine French monk, and John Michael Heinneccius inspector of the district of Magdeburg, have treated principally of this subject. It will be sufficient for our purpose, if premising slightly a few things belonging to this subject, we treat a little more distinctly concerning the first use of them among us, and the various methods of using them.

## XXXVI.

And, first of all, it is plain, that seals were invented that they might add credit and authority to transactions and writings; for, (as Mabillon's words are) "The marks formed by the leading of the hand could easily be forged by others; there was engraven on seals, some mark or effigy which could not be imitated, unless with great trouble, by forgers; nor yet (as he immediately adds) were these seals exempt even from this kind of forgery." For the innumerable deeds sealed by wicked men, with forged and stolen seals, almost in every age, confirm this.



## XXXVII.

We are informed from the sacred scripture, that the use of seals was very ancient; for when Pharaoh king of Egypt, choosed to set the patriarch Joseph over his people, he is said to have put the ring taken from his own finger, on the finger of Joseph; but that was given not solely for ornament, but as a badge of authority: therefore Abraham Gorlæus, Theodore Hoppingius and others, and after them Mabillon, judge, that it is most probable, that this ring was a seal-ring; for the ancients, as we shall immediately show, used rings for seals; and what confirms this opinion is, that there is express mention in the book of Exodus of seals and engraven gems. Likewise we read about the sealing-rings of Achab king of Samaria, and Ahafuerus king of Persia. From these eastern nations, the custom of sealing all kind of instruments, public and private, was derived to the Greeks and Romans, and the Romans, at first, allowed only the judges, and such as were of the equestrian order, to wear seals; afterwards, however, the use of them was promiscuous both to men and women. Mabillon says, that this custom passed from the Romans to the kings of the Franks, and then to the bishops of that nation and other nobility, of which he adduces a famous document of Childoric I. who began to reign in 456 or 458, which is preserved in the royal cabinet.

## XXXVIII.

Seals succeeded in the place of sealing-rings. The reason of the introduction seems to have been, because the first, as they were larger, exhibited characters



characters of letters and men, and the representation of other things more clearly and more distinctly than things, which were only of such a size as were proper for wearing on the fingers. For although the luxury of the Romans daily increasing, they came to that pitch of folly in wearing them, that rings were changed at different seasons of the year; to which these following lines of Juvenal alludes.

*Ventilet æstivum digitis sudantibus aurum.  
Nec sufferre queat majoris pondera gemmæ.*

Yet we must not imagine that these, even the biggest winter rings, to have been so big as the seals which kings and princes used afterwards. Indeed I believe seals at first were only public, and applied to confirm affairs of greater moment; while the use of rings, in sealing of letters, and other charters of less consequence, did not altogether go into disuse. But afterwards, when seals (as we have said of rings,) which only were first used by kings, judges, and other eminent men, became common to persons of inferior rank, and the promiscuous use of them was practised in all affairs consigned to writing; no other distinction remained, but that seals of a larger or smaller size was applied, according to the nature of the business transacted, public or private, or rather according to the greater or less rank of the users.

### XXXIX.

In the ancient sealing-rings, the engraving was various and manifold, and according to each person's fancy. In the beginning, as *Meursius* observes, simple letters were only engraven on them; soon thereafter,



thereafter, the images of men, of brutes, and of other things, began to be engraven. And at first, it was done on the materials of which the ring was made, either of iron or of gold, not upon the precious stone, which the luxury of after-ages introduced. Such as incline to know more about the marks and images, which were used to be inscribed upon these seals of the ancients, may consult, if they please, *John Kirchman* above cited, who treats of this subject, accurately and fully enough; but principally *Abraham Gorlaeus*, who spent a great part of his estate in collecting together gems, seals, and others, from every quarter; and has published engravings of them in a book, which he calls, for that reason, *Dactilio Theca*; which *James Gronovius* republished in the year 1695, much enlarged, with his explications. But after the destruction of the Roman empire, with which followed the loss of arts and learning, rings also, and seals, which came in their place, were distinguished in nothing so much, as in the excellent art and neatness of the family mark, and simplicity of the inscriptions; for as they were made most part for use, not for show, nothing was at first engraven, but the plain name of the owners, sometimes without any thing else, often engraven round the images coarsely stamped. Arts and learning reviving a little under *Charles the great*, a little more elegance shewed itself in these seals; and not long after, various figures, swords, standards, crowns, and other ensigns of supreme power and military renown were added; and at last, marks proper to each kingdom or family, came into use; which custom yet remains.



## XL.

What relates to the different kinds or divisions of seals, as *Hoppingius* describes these at full length, it will be sufficient for our purpose, to remark, That there was a greater and lesser seal; the first was denominated the *authentic* or *common* seal, the last, the *secret* or *privy* seal. The use of the *authentic*, which we now call the *great* seal, was in public matters, such as *diplomas*, which we commonly call charters, privileges, remissions, and the like: but the *privy* seal got its name from this, that it was used in more secret affairs, for example, in epistles. Letters sealed with this last seal, were for most part *shut*; and such as were sealed with the *authentic* seal, were *open*; thence *diplomas*, to which this last was affixed, were called to be called *letters patent*. Nor was the *privy* seal used only in private business, but it was likewise used in public transactions, being put on the back of the *great* seal; for which reason it was called the *counter seal*, because it used to be put on the opposite side of the *great* seal; sometimes, as *Dufresne* remarks, it is to be found hanging at the *great* seal; but *Mabillon* desires us to notice, that the *counter seal*, which is of equal size with the *great* seal, must be distinguished from the *privy* seal, as is the modern custom.

## XLI.

Seals of old used to be affixed to parchment or paper, then they were made pendent; which kind was first used by the French king Louis VI. surnamed *le Gros*, but seldom; but *Mabillon* says always by Louis IX. his son, and that he first brought in the custom of the reverse or counter seal; yet, before this time, he



he asserts, That some seals of bishops, and other grandees of France, were pendent; of which, he brings an example of the charter of Agnes, widow of Henry I. to which he saw the seal of Philip I. hanging, and he thinks that it was in imitation of these, that William I. commonly called the conqueror, who was the first (as we shall observe afterwards) who brought over the use of seals among the English, made use of seals hanging to the charters, and of counter seals; of which, there is a remarkable document from *Selden*, who exhibits a charter with the seal hanging at it, in his notes on Eadmerus's history of extraordinaries (*Novorum*), granted by that king to the monastery of *Battle-abbey*, so called from the victory obtained over Harold at it; on the fore-side of which, William, as duke of Normandy, is represented under the figure of a knight, armed cap-a-pee, with this inscription, "By this, acknowledge William for your patron;" on the reverse, the same person, as king of England, with a sword in his right hand, and a globe, adorned with a cross, in his left hand, with this superscription, "By this, you may confess this man for your king." The learned *Hickes* remarks, That this same William used a seal, in that noble charter in the Cotton library, granted in the year of the incarnation 1067, whereby these innumerable valuable gifts are granted to the church of Westminster, to which is affixed the king's seal, with four columns of seals, of the most famous witnesses of rank; which seal of the king, it is more than probable, was pendent, as he says.



## XLII.

We speak here of the public seals stamped on wax, all of which, as we have said, were in use to be affixed, before the 11th century, to paper or to parchment, but afterwards, used to be hung to them by a binding of silk, or of hemp, or of parchment. Of old, at least in the beginning of the 9th century, the then emperors of the east, and of the west, also the kings of the Franks, and other kings, ornamented their charters and letters often with gold seals, and sometimes with silver seals; but these were all hanging at the charters, which were written on both sides, and were called by another name, bulls. Lead seals were very rarely used but by the popes, among whom alone the use of such seals remained for many centuries; from whence their charters got the peculiar name of *bulls*; whereas, formerly, the charters of kings and princes, and the seals with which they were sealed, went under this common appellation.

## XLIII.

The use of seals was not introduced among the English till later, not till the time of William the conqueror; for, before that, the kings of the Anglo Saxons, the bishops, and other illustrious men, did no otherwise authenticate their charters, but by prefixing the sign of the cross to the names of the witnesses: for William, and the Normans, his followers, according to the testimony of Ingulphus, abbot of Croyland, “Fixed the authenticity of charters by the impresson of wax on the seal of each, below the mark of three or four witnesses present.” *Hickes* mentions a

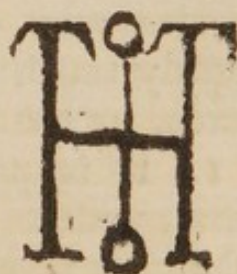


charter of Edward the confessor, which he had seen in the archives of the church of Westminster, yet extant, written in Saxon, and authenticated by the royal seal appended; but he owns, “That  
 “sealing of charters with pendent seals was not  
 “in use among the English before the time of that  
 “St Edward II.” And he adds afterwards, “In-  
 “deed, the use of any seals whatever, were rare  
 “among the Anglo Saxons, whose kings, we  
 “read, sometimes did authenticate their letters  
 “with them; but, says he, I do not know one  
 “instance, that they used seals for sealing char-  
 “ters or diplomas.” The before-named writer  
 of the chartulary of Canterbury, although he says, that no seals of wax, but only marks of  
 the cross are to be found in the ancient writings  
 before the conquest; yet, he excepts from this  
 number, some charters of king Canute, as being a  
 foreigner and conqueror: but these *Hickes* e-  
 steems to be spurious, nor does he doubt, “That  
 “if they were examined, their forgery would be  
 “detected.”



## XLIV.

In ancient times, besides seals, the use of subscribing charters by monograms or cyphers was very frequent. A monogram is the name of any one, described by blotting of letters, so that almost all the letters of the name are contained in it, as these in the margin, KAROLVS, OTTO. *Dufresne, Mabillon, Heinneccius*, and the often cited author of the *Chronicon Gotwicense*, prove from *Plutarch*, and from *Symmachus*, the custom of these cyphers to have been very ancient; they were first used in seal-rings, afterwards on the coins of the eastern empires, of which many examples are to be met with among the collection of coins by *Golzius, Vaillantius, Strada, Occo, Spanhemius, Bandurius*, &c. The cypher of the name CHRIST preceded the others in antiquity and dignity; which, if we are to believe *Lactantius*, *Constantine* ordered to be inscribed upon the imperial standard by advice from heaven; which custom, his successors long retained. From coins, cyphers passed to the reverse of seals; from which again they passed to charters themselves; which, custom the kings of the Franks, from Charles the great to Philip III. retained successively; besides, not to mention the Roman pontiffs and other emperors, *Dufresne* has published engravings of all of them that have come to his knowledge. *Joannes Peringskioldus* informs us, that the





ancient kings of the Swevi and Goths made use of cyphers of this kind; and *Hickes* remarks, that the Anglo Saxons sometimes used them, and that either the simple mark of the cross, or the standard cypher of Christ, was always prefixed by them to their charters.

#### XLV.

There are many things belonging to the substance of seals, such as the colour of the wax, their different shapes and sizes, the devices, and the like, inscribed on them; all which, since *Hein-neccius* and others have explained, we shall slightly touch upon, and run over their principal heads, as we hasten to conclude the subject.

1. It is probable, that in the most ancient times, yellow or dark coloured clay, in its natural colour, was used for making the impression of the seal upon; next, the white colour was more the taste, and commonly used by all princes of old; afterwards, it was only permitted to a few by privilege. The emperors of Constantinople, as well as the Roman pontiffs in their briefes, frequently used red wax, as approaching near to the purple. Sometimes, but very seldom, the emperors of the east, but oftener the kings of the Franks, used it also. The green colour, bordered most partly with yellow, obtained in the 14th century. They anciently made use also, frequently, of wax of different colours, in which one colour is on the seal, another colour on the counter seal. In very many, the innermost part of the seal or impression is either of red or green wax, the outer part like a mould of wax surrounds the former. In some seals, the one side is of red or green wax, the other of white or yellow; so that the border is plainly wanting.



wanting. But, to return to seals of one colour ; many changes were made on them, even by princes of the same nation, and by others at different times : for our kings mostly used white wax, which custom, I think, was followed till the time of Charles I. and now with us, green wax is used in such letters as we properly called *charters* ; in *commissions* red wax ; in *remissions* white wax is applied. At this day, the red colour of wax is for the most part used by the emperors and princes of Germany, as it is by the kings of Denmark, Sweden, and Poland. Among the kings of France, of old, the white wax, afterwards the red, then the green, was the fashion ; at present, every diploma there is sealed with yellow wax.

2. As to the shape of the seals, those that are round or oval, as the simplest are the most ancient. The kings of the Franks of the *Mero-vingian* line made use of round seals, as is clear from engravings of them published by *Mabillon* and by others, while the kings of the race of *Childerick* preferred the oval figure ; but those of the *Carolo-vingian* line, down to Charles the gross, rather choosed the oval figure, till he introduced again the round shape, which *Arnulph* and all the rest of the German emperors constantly retained. Oblong seals, sharp at both ends, are not so ancient ; for they began to be used in the 12th century, and were often used by bishops, abbots, and other churchmen of greater dignity ; also, sometimes by women of high rank. There are some seals to be met with of a triangular figure, bearing the shape of a heart, or of a shield, or of a leaf. The use of these, however, was not frequent among the nobility till before the 12th century ; as then  
coats



coats armorial began to appear upon seals. The rarest of all seals are those of a square shape, which *Heinneccius* remarks, that one or two of the popes made use of. The same *Heinneccius* mentions lastly, a couple of hollow seals, which have the impression in the middle of the round, very deep, but the inscription on the circumference raised; so that the whole seal seems like a broad plate. I myself remember to have seen some of this kind. At this day, among most nations, the plain and simple round shape of the seal is received in public deeds, and either the round or oval figure in private deeds.

3. As to the size of the seal, this is only to be observed, that in process of time, it increased to a greater and greater size; excepting gold seals, which the price of the metal restrained within moderate bounds. The wax seals of the kings of the Franks, such as the emperors Conrad I. and Henry I. as *Heinneccius* observes, do not exceed in size a German Florin. The seals of the three Othos measure almost three inches in diameter, those of Conrad II. four inches, of Lotharius four and an half inches, of Otho IV. Henry VII. and William, five inches, of Rodolph I. almost six inches, and the greatest of them all, that of Frederic III. measures seven inches. The like difference obtained in the seals of kings, princes, bishops, and others, of each of which it would be too tedious to define the size. But the size of seals towards the end of the 14th century, having been brought to the utmost, decreased by little and little, till they returned to the size which we now use at this day.

4. We have treated partly above of the various figures used to be marked upon the seals of  
the



the ancients, we shall proceed to a few others, when we come to describe the Scottish seals. Whoever desires to have a full and distinct knowledge of those things, we remit them to the often cited Heineccius, Mabillon, and the author of the *Chronicon Gotwicense*.

## XLVI.

It remains, to add somewhat concerning the different frauds committed by forgers upon seals as well as upon charters. The industrious *Heineccius* remarks, that there were six ways whereby a forgery or mistake may be committed in these, and illustrates them by examples. “ For, says  
 “ he, either false seals are appended to forged  
 “ charters; or false seals are appended to ge-  
 “ nuine ones; or true seals are appended to for-  
 “ ged deeds; or the charter is so artfully cut, as if  
 “ the seals had dropped from it, when there ne-  
 “ ver really has been any such at it; or the seals  
 “ are stamped on the back of the deeds; or lastly;  
 “ the seals themselves are inverted.” The in-  
 dustry of learned men have detected and condemn-  
 ed the greatest part of the first kind, in this and  
 the preceding century; among which is that for-  
 ged one of our Malcolm III. concerning which we  
 treated above, both the deed itself and the seal  
 appended to it. The forgery of the second kind  
 is more rare, and chiefly applied, when the ge-  
 nuine seals were much worn or had dropped a-  
 way from the charters; of which cheat Mabillon  
 gives some instances. Of the third kind, none is  
 better known than that infamous and most wick-  
 ed one, by which Phelim o’ Neil, an Irishman,  
 would have made it to have been believed, that  
 that most horrid massacre, detested by the more  
 moderate papists, was perpetrated on the Irish  
 protestants



protestants in the year 1641, by the authority of king Charles I. of Great Britain; for he procured a seal, taken from another charter of the king's, and fixed it to a new instrument made up by himself; by which that best and most merciful of princes is pretended to have given orders for that horrid villainy. Phelim himself, brought to trial and condemned to death, confessed it before several witnesses; so that it is most surprizing, there should be some, who harbour such an hatred against the memory of that good king, that they blush not to publish and defend this charter as true and genuine. I supercede to talk of other kinds of frauds and mistakes committed in the affair of seals, since there is not so great wickedness in them. The two last articles mentioned by Heinneccius, perhaps, owe their origin to ignorance and carelessness. But above all, Heinneccius deserves to be consulted, concerning the methods how the forgery of seals may be detected.

#### XLVII.

Having premised these things, concerning the origin and different use of seals among different nations, we must next subjoin something concerning the practice of our nation in this matter.

And first, it is very probable, that before the time of Malcolm III. called *Canmore*, we had not the use of seals, at least in sealing public charters; that therefore, the kings, and other great men in Scotland, who lived prior to his time, followed the example of their neighbours the Anglo Saxons, and that they no otherwise confirmed the authenticity of their charters, but by writing  
the



the names of witnesses who were present at the transaction; to which names, the sign of the cross was prefixed. What makes me believe this, is, that the charter of our king Duncan II. the son and successor of that same Malcolm, which is to be seen, number first, of Mr Anderson's collection, wherein the name of Duncan himself, and of the witnesses assisting, are subjoined, with a cross prefixed to each of their names, in manner above-mentioned: besides, Duncan's seal is added; but it is done in imitation of William the Norman, who first, as we have shown, brought in the use of seals among the English; and often, for the greater authenticity, joined both customs together, to wit, of writing the names of witnesses below, and likewise of appending the seal. Which practice, although his immediate successors William II. Henry I. and Stephen, seldom adopted; by little and little, however, it was received among the English, and the custom of writing the names of the witnesses below, was laid aside; they esteemed the appending of the seal to be sufficient to the validity of their charters. In affairs of greater moment, witnesses were adhibited; but their names were not, as formerly, written below, but used to be inserted in the instrument itself, towards the end of it: which practice was brought from the English to us, which all our kings, from Duncan II. observe to this day.

Secondly, It is to be observed, that Alexander I. introduced, first of all our kings, the use of the reverse or counter seal; for, before that, Duncan II. and his brother Edgar were content with a single seal, with an impression on one side only. It can scarcely be doubted, that a small seal, or what they called the secret or privy seal,



was made use of in such epistles, and other writings as were of a private nature. But I never have found, that it ever was adhibited together with the greater seal; which yet was the form, in those times, among the kings of France, as well as the earls of Flanders; for in every charter which I have seen of these kings, the fore-part, as well as the reverse, are of the same bigness. As to what pertains to the nobility of Scotland, the kings sons and heirs, it is probable, that they, in these ancient times, never applied but a single seal, without the secret seal or counter seal; for this reason, that the charters of David I. while he was earl, and also of prince Henry his son and heir, and of David earl of Huntington, the grand-child of David I. are only to be seen authenticated with one seal. To the seal, indeed, of Cospatrick younger, earl of Dunbar, there is another lesser seal added on the back; but that is not the seal of Cospatrick himself, but of Robert bishop of St Andrews, within whose diocese the church of *Erderham*, confirmed to the monks of Durham, was situated. In the century immediately following, among the seals of the nobility of Scotland, appended to that famous letter, written to the pope in the year 1320, the seal, only, of Duncan earl of Fife is double, or marked with an impression on both sides; the seals of the rest of the earls and barons are single.

Thirdly, it may be remarked, that Edgar was the first of the kings of Scotland, who is exhibited on his seal, remarkable by his royal dress, and other ensigns of supreme power: for Duncan II. who preceded him, is represented as a knight sitting on a horse, having his head covered with a helmet, a standard in his right hand, in his left, holding a shield, (which form was long after kept in counter seals, and used by  
illustrious



illustrious men of an inferior rank, who made use of a single seal) but, that he might show, that he was truly king, possessed of sovereign and independent authority, caused himself to be represented on his seal, sitting on a throne of majesty, adorned with a crown, a sceptre in his right, and bearing a sword in his left. From hence, by the bye, especially from the inscription round the seal, in these words, **IMAGO EDGARI SCOTTORUM BASILEI**; Anderson, among other arguments, rightly argues, that the above-mentioned charter of Edgar's is a forgery, by which he is pretended to acknowledge himself a vassal of William II. of England. But Edgar seems to have learned this practice, of representing these badges of supreme power upon his seals, from the kings of England, William I. or II.; or, rather may be said to have done it, after the example of his grand-uncle Edward the confessor, who has both these ensigns of supreme power represented on his seals, besides the title of **BASILEI** inscribed. Mabillon and the author of the *Chronicon Gotwicense*, notice, that the emperors of Germany, and the kings of the Franks, received this custom from the Byzantine emperors, among whom it had, a little before, been introduced: among the first of these were Henry I. then Henry II. who exhibited themselves on their seals at full length, sitting on a throne. The former kings and emperors, who only used rings for seals, seldom engraved any thing else on these but their head, either bare or adorned with laurel; afterwards, their picture or image, to the length of their breast. Charles the gross added the shield and standard. Conrad I. among the Germans, and Louis d'Outremere among the French, first introduced the crown on the seals.



They and their successors, to that Henry III. of whom we have spoke, are stamped half length upon their seals, except Otho III. who is sometimes represented standing at full length. Moreover, Otho I. introduced the custom of representing them holding the imperial apple, or, as it is called, the globe in the left hand; whom the kings of France, England, Scotland, and other European princes imitated.

Fourthly, It is worth notice, that although all the kings of Scotland, from Edgar to James VI. are represented on the fore-part of the seal, sitting on a throne of majesty; yet they did not make use always of the same ensigns, nor these placed the same way: for Alexander I. substituted a sword in place of the sceptre, which Edgar bore in his right hand, and bears an apple or globe, adorned with a cross, in his left, with which his immediate successors David I. Malcolm IV. William, and Alexander II. are represented. But Alexander III. and John Baliol seem again to hold the sceptre in their right hand; and the last, to put the sceptre in the palm of his left hand; and the former, to handle the gem of a chain hanging from his neck. Robert Bruce is beheld with a sceptre in his right and a globe in his left. David his son, as also Robert II. and III. and all the James's, except James VI. and VII. are seen bearing a sceptre in their right, with their left laid on their breast. Edward Baliol is represented holding a sceptre in his right, and laying his left hand on the globe. The seals of queen Mary, represent her, while she was unmarried, bearing a sceptre in her right, and her left hand upon her breast; after she was married, and when a widow, holding a sceptre with both her hands, but of a different



rent kind. All these kings are represented on the reverse or counter seal, in the dress of a knight; but, as shall be shown afterwards, in different forms. Lastly, James VI. and his successors kings of Great Britain to this day, changed that figure of a knight on horse-back, on the reverse of the seal, to the custom of expressing the arms of the three kingdoms upon the counter seal.

Fifthly, It is to be observed, that all the kings of Scotland, after Duncan II. are represented wearing the crown on their head, except William and Alexander II.; for the former is beheld with his head bare, the latter with a cape on his head; but the crown, which is seen placed on the heads of the rest, rises into three tops or rays, the middle one has the appearance of an entire lily, that on the right and left of half a lily; the crown is open on every one of them till queen Mary, who is the first beheld with her head adorned with a close crown. We shall afterwards observe, that James II. is represented dressed with a crown, having the upper part close; though his successors James III. and IV. sometimes James V. use the open crown in their coins, and always on their seals. Louis XII. first brought in the custom of bearing the close crown, and Edward IV. among the English. Its use is much more ancient among the emperors of Germany, though sometimes laid aside for a time.

Sixthly, The thrones, on which our kings are represented sitting, first, as they are less in size, differing nothing from common stools; so they are coarse and without ornament. They began afterwards to be more and more splendid; so that, if they did not excel, they, at least, seem-  
ed



ed to equal those of their neighbours, not only by the variety, ornaments, and figures, but in the elegance of workmanship; nor do our kings appear less conspicuous as to the royal dress, *viz.* The cloak, gown, vest, and the rest of the clothing, in which they rival their neighbours; but, as these may be better understood by ocular inspection, than by any description, I pass them over.

Seventhly, To proceed to the figure inscribed upon the counter seals; the first observation that occurs is, that all our kings, from Alexander I. to James VI. are shown mounted on horse-back, and ornamented with military arms; but the former, Alexander I. David I. Malcolm IV. and William, brandishing a lance or spear, adorned with a standard, the rest a sword, drawn; but all of them holding a shield on their left arm; all of them armed *cap-a-pied*, that is, with a coat of mail on their body, and a shield on their head, except William, who has a vest over his coat of mail, which may also be seen in the armour of Alexander II. and other kings. We observe various forms of these coats of mail on the seals of our kings, according to the custom of the ancients; for Alexander I. David I. Malcolm IV. wear a coat of mail of plates of iron, some of them overlapping one another like fish scales; others, again, as Alexander I. and III. likewise Robert Bruce, and both the Baliols, and, if I am not mistaken, David II. are clothed with a coat of mail, composed of small rings resembling a tirdles, linked together like a chain; in others, as in Duncan II. Robert II. and III. &c. the armour consists of different pieces, for the arms, breast, back, and thighs; in some, as in these of Edward Baliol,



Baliol, the legs are represented guarded with these small iron rings; others appear with most part of their legs and feet bare; others the greater part of their thighs bare, or covered with boots or some other thing, some with, and some without spurs.

Eightly, I proceed to the trappings and other ornaments of the horses, which are engraven upon the seals; in these, indeed, one may observe the wonderful modesty and simplicity of ancient times, compared with the pomp and magnificence of the modern seals; for, among the most ancient, as of the first earls of Flanders, remarked by Oliver Uredius, “ Sometimes  
 “ neither the bridles are to be seen on the horses,  
 “ nor saddles, nor stirrups, which were unknown  
 “ to the Romans, so that they had no name for  
 “ them, called now by a modern Latin word *stap-*  
 “ *pedes*; for (adds he) anciently they esteemed  
 “ it genteel to leap upon a horse, and manage  
 “ him by taking hold of the mane.” During  
 these times, saddles were very simple, and different in nothing from a cushion, unless that sometimes several tassels with nobs (which is the custom now) hung down along the sides of the horse for ornament and elegance. Saddles (as Heneccius observes) were not “ bound to the horse, as  
 “ is now the fashion, by bringing a girth under the horse’s belly, but with a strap passing cross the counter of the horse, or by a breast-leather, so that it could not fall off; and  
 “ they adorned this breast-strap, as a chief ornament to the horse, with many trappings, bells,  
 “ and knobs.” Breechings, afterwards, were added, which anciently came from the saddle over the buttocks of the horse, such as we put on  
 horses



horses which we yoke to carts, but not on those yoked to machines, in which we are carried; this is to be seen in the seal of our Duncan II. which, it is a wonder, is wanting in those of the following seals, down to Alexander III. nor is it to be seen in the seals of the kings of England before Henry III. or of the earls of Flanders before Baldwin, afterwards emperor of Constantinople. From that time, kings and princes showed great splendour in caparisoning their horses, so that they covered not only the hind-parts, but likewise the fore-parts of the horse with housings and saddle-cloths, beautifully embroidered with different colours, so that nothing was to be seen but the neck of the horse, sometimes only the head and ears. Besides these exterior coverings of horses calculated only for show, they also covered over the whole body of the riding horses, such of them as were denominated great horses, or war horses, with a coat of mail, interwoven with these iron rings, sewed together with thread, to protect them from the strokes of weapons: the exact representation of each of these, they took care to have engraven on their seals.

Ninthly, Among the ornaments used to be stamped on the seals, the family coat of arms held the principal place; William was the first of our kings who used them, or his son Alexander II.; the foregoing kings are represented carrying shields in their left hand, but these plain, marked with no certain symbol or emblem to distinguish them from the kings of other nations: from which it is most certain, that the use of ensigns of this sort, was much more modern among us than is commonly believed; neither ought the authority of John Fordun, or of Hector Boece, and other



other of our authors, to stumble us, who give a red  
 lion on a shield, (*argent*) as the coat of arms of the  
 kingdom, and which king Achaius surrounded  
 with a double tressure of lilies, in memory of the  
 league entered into betwixt him and Charles the  
 great. And the same authors relate, that the like  
 custom was constantly observed by all the kings  
 of Scotland following; for, in this, our histo-  
 rians have used the same freedom as the writers  
 of the neighbouring nations, France, England,  
 Spain, and others have done; by which they might  
 render the origin of their several nations more  
 ancient and more august, and make up coats-ar-  
 morial for their kings, many centuries before the  
 use of them was at all known in the world; as has  
 been long ago settled by the science of heraldry.  
 It is without controversy, that coats of arms,  
 taken in a more extensive signification of that  
 word, for figures of animals and other things,  
 put on standards and shields, is very ancient,  
 and co-eval almost with the beginning of kingdoms.  
 But these were of a very different kind from  
 the other, and destined for a different purpose;  
 the former were certain and fixed, the latter  
 vague and changeable, according to the fancy of  
 those that made use of them. The principal use of  
 the one was, to distinguish families in the time of  
 peace; the other to distinguish friends from foes  
 in time of battle, and the different bodies of men  
 in armies, the one from the other. From the simili-  
 tude, however, of these ensigns, no doubt, these  
 last, commonly called arms, and which the  
 French significantly call *armorials*, drew their ori-  
 gin; others derive them from the time of the exp-  
 editious into the Holy Land, commonly called *Croi-  
 zades*; others, again, derive them from combats,  
 P called



called by a barbarous name *tourneaments*. The former of these opinions, Spelman, Camden, Selden, Shefferus, and many others, defend: Menestre, a French author, very learned in antiquities, chiefly in heraldry, rather inclines to the latter. However this be, it is agreed on by all writers on this subject, that these coats of arms, fixed and hereditary as they are now used among almost all the European nations, had their beginning no earlier than the eleventh century. What puts the matter beyond controversy is, that the most ancient marble sepulchral-monuments of princes and noblemen, their seals, coins, nor buildings, have not any such ensigns carved on them before that age. To confirm this by examples, Louis VII. surnamed the Younger, who began to reign in the year 1136, first used the lily, but only a single one, on his seals; which practice, his son Philip Augustus, and his great-grandson Louis IX. followed; but Louis VIII. the son of Philip Augustus, though he sometimes has only a single lily on his counter seal, yet he often bears many of them, without any certain number; which custom was continued by all his successors (except Louis IX.) down to Charles VI. who first reduced their number to three. Among the English, Richard I. co-temporary with our William, was the first who has a lion painted on his seal; the same prince, when he returned from the Holy Land, substituted a new seal, upon which was engraven three lions; but this ensign does not seem to have been then fixed and proper to the English; for Matthew Paris, an author of these times, writes, that three leopards, *passante*, not lions, were conferred upon Henry III. the nephew of Richard, by the emperor Frederick II. about the year 1234: and the same conjecture



is to be made concerning the seal of Robert de Friso, earl of Flanders, in the year 1072, on which, Oliver Uredius represents a lion *rampant*, which coat of arms or badge, may be concluded, was assumed by fancy, not as hereditary; from thence, Philippus Elfatius first resumed that which had been laid aside by five of his predecessors, about the year 1163. With respect to the kings of the Swevi, Magnus Sadula was the first, on whose seal, Schefferus perceived the arms of that kingdom, *viz.* three crowns engraven on one in the year 1275, on another, in 1248. Lastly, According to the testimony of Heinneccius, Ludovicus Bavarus was the first of the western emperors who ornamented his seals with the eagle, about the year 1314; Sigismund of the two eagles, which were placed on each side of the throne, made one; and so the double eagle. The custom of stamping the coats of arms on coins prevailed much later, that is, not till the 14th or 15th century, as we shall hereafter show, when we come to treat on the subject of coins; in which age, symbols were borrowed from flowers, as the rose by the kings of England, and the thistle by the kings of Scotland.

But before I dismiss this subject of seals, I cannot pass over in silence, that very strong proof which the above-mentioned seal of our Alexander II. or rather, if we may credit Mr Nisbet, of William his father, does afford of the antiquity of the league betwixt Scotland and France; for, what can that double order of lilies put round the lion mean, unless, that the memory of that ancient friendship, then subsisting betwixt both nations, might be transmitted to posterity by this double symbol; the one adopted long before by the



French, the other then first assumed by the Scots, for their royal ensigns.

And these are the principal things which we had to say about the seals of our nation: if there be any other thing more particularly worth notice, we shall touch on them in the index of the charters and seals, so far as they seem necessary.

#### XLVIII.

We now come to the last part of Mr Anderson's performance; in which, such of the Scottish coins as are remarkable, at least, for their variety, are elegantly engraved; to which is added, as connected with coins, some heroic symbols of our kings, also engraved, to complete the work. These last, as they are designed, principally, to convey to the mind some moral precepts, by some beautiful and cunning emblems, we shall end the subject by making a recapitulation of them. But, as the first of these afford no small assistance for illustrating history, and the different manners of nations, they deserve a more full explication; for, to use the words of the marquis de Freher, "That money is not only a most useful engine in human society, but is also not among the least marks of sovereignty; for, in all ages, it has belonged to princes to use that method of publishing their name and representation, and have always kept the management of this article, as sacred in the state, above all others." The practice among the Romans can never be enough commended in this matter, who had regard not only to the conveniency of commerce, but, by their coins, they intended to preserve the memory of their exploits, by various inscriptions and representations. But since that time, the primary



ry use of coining money has been only retained, neglecting the other, as only secondary, yet there are many things which a skillful enquirer will find out, worthy to be known, from the coins of these later ages, and not a little conducing to elucidate history. No one will expect from us an anxious disquisition and long deduction on coins, or of the different excellencies and use of them. This subject has long ago been handled by so many very learned men, that the consciousness of our want of sufficient knowledge of the subject, added to the respect we have for our readers, whom we are afraid to tire by too much prolixity, forbid us to dwell upon. It is enough for us to explain in general, and in as few words as we can, whatever has occurred, concerning the affair of coinage among the Scots, which we have undertaken to treat of only in this place.

#### XLIX.

The first thing that falls to be considered in the Scottish coins, is their origin and antiquity; and here we must confess, that the use of coin was received much later among us, than among our neighbouring nations of the Saxons, Franks, Germans, and others. What almost persuades us, among other things, of this, is, that such as have treated about the coins of these nations, show many of them struck by their kings in the most ancient times, that is, in the 6th, 7th, and some even in the 5th century after the Christian æra; whereas, none are to be found among us, struck before Alexander I.'s time, who began to reign in the year 1107. It might indeed happen, that the money coined by our former kings, were either consumed by using, or by rust, or buried under ground; and so have never appeared.



appeared. But, that these are very few, and not more ancient than the age of that Alexander I. appears pretty plain from this, that tho' very many Roman, and other ancient coins, of other nations, are dug up in different places, yet no such chance or occasion ever discovered any Scots coins, older than those which we mentioned ; so that, I am apt to believe, in that ancient and rude age, the northern inhabitants of this island, situated in the outmost extremities of the world, and far from any place where the Romans had introduced luxury by conquest, and for that reason, passing their lives in sobriety, after the manner of the first inhabitants of the world, were ignorant of, or esteemed money very little, which had so captivated the eyes of the rest of the world ; but afterwards, when they came to learn from their neighbours, the Britons, or Saxons, perhaps, also from the Romans, from their commerce with them, which formerly was transacted by barter, the utility of current coin ; it is not improbable to think, that they came into this practice of their neighbours, by introducing the use of money. But, since even the use of money was rare among the richer nations, and foreign commerce yet less frequent ; thence I am of opinion, that many nations, living in countries not so fertile, such as Scotland was, had no coins of their own, either on account of the scarcity of mechanics, or rather of silver, and were content with money brought from other countries, in buying and selling, for some centuries. What does in no small degree confirm this, besides what we said above, is, that in the various hoards of money, dug up in Scotland in different places by accident, there are many more English than Scots coins found: a certain proof, that there was a much greater



greater plenty of current coin among the English than in Scotland in these times.

## L.

I am not ignorant, that the opinion of our historians is somewhat different in this matter; for Hector Boece, though he asserts, that there was no coined money in the time of king Reutha among the Scots; and also relates, that all the riches consisted in flocks and herds, long after, under *Tarastacus* the leader of the Siluri (whom he places among the kings of Scotland, but in my opinion, without just grounds) and of the Brigantes, whom he reckons among the Scottish tribes. But treating of Donald, the first of that name, who began to reign about the year of Christ 199, he says, "That he coined gold and silver money, with the sign of the cross on one side, and on the other his own effigy, that he might thereby hand down to posterity the memory of the Christian religion having been introduced among the kings of Scotland." And adds, "That our countrymen used before that time no coined money, but in place of it either barter, or Roman, or British coins." Lesley has the same account; but Buchanan, knowing that this was supported by no proper authority, (although Boece affirms it was so related in our annals) passes it over, as it deserves, in silence; nor does he, any where, speak of any money having been coined by our ancient kings. Indeed, writing of Donald V. he says, "That some believe, that at that time the silver money, which we at this day call Sterling, was coined in the town of Sterling." But Buchanan hints, as if that money had been struck, not by Donald king of Scotland,



land, which Nicolson thinks, but by the Anglo Saxons, who had reduced that part of Scotland under their dominion, which Boece and Lesley expressly affirm. I, for my part, esteem the whole to be a fable, and supported by no other reason than by a similitude of names; and the rather, that William Lowndes shows, that the denomination of money in *Sterlings*, was not introduced till some years after the death of William the conqueror.

### LI.

But leaving these matters, let us proceed to what can be said more speciously concerning the Scots coins. And this is first to be laid down as the foundation, that our kings, from the beginning, followed the customs of other nations; but chiefly that of their neighbours the English, in striking their coins. That will clearly appear from what follows, by making a comparison of the coins of both nations betwixt each other.

1st, There was the same method of computing money by both nations.

2dly, The same purity of metal was employed in coining, by both nations, for several centuries.

3dly, For some centuries, not only the same quantity and weight of metal went to the coins of the same name and species, but the same figure and thickness was preserved in both countries.

Lastly, Coins were struck by both nations, by the same mechanical art. It is necessary to treat of each of these a little more distinctly, that every thing may be the plainer.

### LII.

1. As to what relates to the method of computing money, our countrymen, just as the French  
and



and English, from the most ancient times, reduced all sums of money to three denominations, as we call them, *viz.* pounds, shillings, and pence. But although these denominations in current coin, always bore almost the same proportion or relation to each other, that is, 12 pence made one *shilling*, and 20 *shillings* one *pound*, as they at present do; yet the purity of the metal differed very much, at different times, as also, as to the quantity and weight.

In the more ancient times, among the English, and then, as we shall afterwards show, among the Scots, not only the purest silver, mixed with very little alloy, was used in coinage; but these denominations, generally, did answer to the weight of the coins from which they derived their origin. For, although the English do not use the same proportion in counting money, as in numbering other things, for with them, the pound is divided into 12 ounces, the ounce into 20 pennyweights; yet, the same quantity of metal was contained in the numeral pound as in the real *pound* weight; and the old penny was not only a denomination of money, but also the name of a weight, that is, it made the 20th part of an ounce, and the 240th part of a pound weight; from thence, that is called to this day a pennyweight. In process of time, partly owing to the poverty of princes themselves, or by their covetousness, partly by the frauds of the coiners and forgers, there was a great change made in the value of money, among most part of the nations of Europe; for the pounds in money, which, in the beginning, equalled a real pound weight, by degrees, though it retained its name, its weight diminished, and its purity began to be corrupted



and adulterated with the mixture of other and baser metals.

How much princes have hurt themselves and their subjects by these devices, this is not the proper place to treat of, since there are so many complaints of sensible men concerning it; this only it is proper to observe, that from this change, and debasing of the coin, there arose a twofold rule for valuing coins, the one taken from the intrinsic, the other from the extrinsic value or price of the money. The intrinsic value of money is always the same, and every where consistent with itself, established by common consent of every nation, by which the same price is fixed to the same quantity of gold or silver, whether bullion or coined. But the extrinsic value of money, is that value which kings and princes put upon it as they please, and therefore it varies, not only among different nations, but changes at different times; moreover, this extrinsic value of money, consists in the form and appearance of the coin. But we measure the intrinsic value, by the goodness and weight of the materials: we call this by another name, the *allay*. The allay is a degree of base metal mixed with the pure metal in a certain proportion; therefore coiners have established this rule for distinguishing the purity of gold or silver; they divide each mass, of the one or of the other metal, into certain degrees or parts, the gold into what they call 24 carrats, the silver into 12 penny-weights. By this means, they say, that pure gold, refined to the highest degree, has the purity of 24 carrats; if one twenty-fourth of silver or brass be mixt with the gold, it becomes gold of 23 carrats; if one twelfth, it is of 22 carrats; if one sixth, it is of 20 carrats, and so on. In  
the



the same manner, they denominate the purest silver to be of 12 penny-weight fineness. If, in place of the silver, one twelfth of base metal be substituted, it is said to be of 11 penny-weight fineness; if one sixth, of 10 penny-weight; if one fourth, it is of 9 penny-weight, and so on. These degrees of metal used to be subdivided into smaller parts, differently, by different nations. The Germans divide the carrat into 12, the penny-weight into 24 grains. The French, in mentioning fractions of carrats, proceed to 32, which they express by 2, 4, 8, 16, 32, always doubling the preceding fraction, having no regard to the intermediate fractions or small parts, as 3, 5, 7, and of those that follow; the penny-weight into 24 grains, and subdivide that again into one half, one fourth, and one eighth part. But the English distribute the carrat into four grains; and measuring the purity of silver, they divide the pound into 20 penny-weights, and this last into 24 grains. And the Scots, which is surprizing, rejecting both the custom of the English and French, according to the German custom, divide the carrat into 12, the penny-weight into 24 grains; in dividing the grains, they seldom proceed beyond halves or quarters, neglecting altogether the more minute parts. Yet all agree in this, that they determine the true and intrinsic value, from the greater or lesser quantity of other metals mixed with the gold or silver, in these proportions. From this mixture, of baser with more precious metal, the *standard* of money has its origin. Now, the standard of money is, that bounds prescribed by the sovereign, in tempering the materials of which money is coined, within which, the coiners, as far as in their power, are obliged



to confine themselves. The French call it *piéd de monnoye*; and also, call the money which has greater or less alloy mixed, *monnoy foible ou fort*: thence it is, when money is raised to its greatest purity, it is said to be *refortiata*. To this belongs that which the coiners call *remede*, by which is to be understood, a deficiency allowed by the sovereign permission, in coining a certain quantity of gold or silver: for, since it scarcely ever can happen, that the precise limits for the purity or weight can be preserved in coining, therefore, some grains are indulged by the sovereign to the master coiners, which they are allowed to pass from or be deficient in. From this custom, the common expression, *grains of allowance*, has taken its rise. Having premised these things in general, for the greater perspicuity;

## LIII.

2. The next thing we proceed to, is the intrinsic value of the Scottish money. The essays made of it, and the coins of our neighbours of England, whom we mostly followed, do demonstrate, that it was at first of the finest and best standard. And, it appears from their records, and principally, from the contracts which their kings and the master coiners entered into about this matter, that the English silver money, (for it shall afterwards be shown, that Edward III. first caused gold coins to be struck) I say, it appears, that from the beginning, certainly from Edward I.'s time, that 116 ounces 2 penny-weight was in each pound, that is, 222 penny-weight of pure silver was mixt with 18 penny-weight of base metal; or, which comes to the same thing, that the proportion of base metal, contained in coined money, bore this proportion to the silver, as 3 to 37. All the kings of  
of



England followed this rule till Henry VIII.; who, after having squandered away, by unbounded luxury, the immense riches heaped up by his avaricious father, and also the riches which he himself had acquired, from the seizure of the revenues of the monasteries, in order to supply his treasury, reduced to poverty, and drowned in debt, by a most wicked device, corrupted the state of the coinage in England, first by mixing with it a sixth part, then a half, then two thirds of base metal. But, above all the rest, Edward VI. who debased his coins, by a refuse of three parts in four of the whole, of base metal. From thence it is, that no small commendation is due to queen Elizabeth, as she recalled the current coin to its ancient purity; which prudent resolution, the subsequent kings of Great Britain looked on themselves constantly obliged to follow hereafter.

But, to return to the Scots; it appears, that they struck their coins, for the most part, of the same fineness with the English, not only from royal statutes, made in that behalf, of which hereafter, but chiefly from this, that the value of money continued the same among the English and Scots, almost down till the year 1355. There is a notable proof of this extant in Rymer's *Fædera*, viz. a precept of Edward III. directed that year to the sheriff of Northumberland, entitled, "A proclamation concerning the new coin of Scotland," which, as it comprehends other things belonging to this subject, I have thought proper to place it at full length in the notes. A little before this time, on account of the scarcity of money, which had been wasted very much by the continual wars betwixt the two nations, and by the captivity



captivity of David II. in England, there seems to have been a considerable change made, not only in the weight, but in the purity of the Scottish coins, which gave rise to this proclamation of Edward III. And, although it was provided not long after, in the year 1366, by a law of the same David II. of Scotland, that a remedy should be applied to the evil, that is, “Money might be  
 “ made of the bullion brought into the kingdom,  
 “ which might equal, in weight and metal, the  
 “ money current in England;” yet, in the next year, 1367, the scarcity of money still increasing, as is probable, from the payments made for the ransom of David II. it was statuted, “That pre-  
 “ serving the like fineness of the money as in En-  
 “ gland, the weight of the pound of silver should  
 “ be lessened ten penny-weights; so, that out  
 “ of the pound should be made 29 shillings, four  
 “ pennies, numeral or current shillings;” for which cause, it was ordered, by a law amongst the English, by the same Edward III. in the 47th year of his reign, that is, 1373, of the following tenor,  
 “ Because the Scots people, by their cunning,  
 “ have drawn the good silver money out of the  
 “ kingdom, and have settled their coinage at a  
 “ lower value than the money of England, and  
 “ so their coin is current in the said kingdom, to  
 “ our great damage and defraud, and that of our  
 “ nobles and commonalty of the said king-  
 “ dom; it stands ordered and agreed on that  
 “ head, That four pennies Scots be current for  
 “ three pennies, and so of lesser money, according  
 “ to the quantity; and, if it happen, that the said  
 “ money of Scotland should be debased, then the  
 “ money so debased shall be put down to a less  
 “ value, according to the degree of the diminu-  
 “ tion.”



tion." Nor is this caution in the end of the statute fruitless; for, not long after, sometime before the year 1393, there was still a greater debasing of the Scots coin; for the ounce, which in the time of David I. was 20 pennies, contained 21 in the time of Robert Bruce, and is said to contain 32 pence money in the time of Robert III. in the year 1393. Wherefore, in the 14th year of Richard II. that is, in 1390, it was enacted, That the groat, half-groat, penny, and half-penny of Scotland, should not be current any longer in England, but for half their value. Lastly, The value of money daily increasing in Scotland, or, which comes to the same thing, the weight decreasing, perhaps, also its purity, its currency was altogether prohibited in England; and it was enacted, That no other regard should be had to it, than according to the proportion of silver bullion contained therein.

Almost the contrary fate happened to the English money, current in Scotland; for, although, while the money of both nations was of the same fineness and weight, the same value continued in both nations, as was reasonable; yet, no sooner was the extrinsic value of money changed among us, at least beyond what it was in England, it could not otherwise be, but that in a short time, a greater value would be put on their coins, than in ours of the same kind; thence it was, that the pence, groats, and other English coin, which were, till the year 1355, of equal value in both kingdoms, on account of the intrinsic decrease of our coin below theirs, by degrees, began to be estimated at a higher value among us; and, first three, then two, afterwards one of their pennies became equal to four of ours, till about the year  
1600,



1600, it came that length, that the pound, shilling, and English penny, were equal in value to twelve of the same denomination in Scotland, which does yet hold among us. But we shall afterwards treat more particularly of this determined value of Scottish money, as well as about the comparative value of it with the English money, at different periods.

## LIV.

3. The figure and size of our coins, ought next to come under our consideration; and, even in this, as in almost all the rest, we followed, step by step, the example of our neighbours the English; for, as among them, so with us, the coins were not only small, but, for some centuries, of the same model or shape; for, at that time, there were no other coins struck in Britain but only pennies, which behoved, therefore, to be of a thin or slender shape, and small, since their weight did not exceed 24 grains, that is, one twentieth part of an ounce, and seldom arising beyond 22 grains; but, for the conveniency of smaller money, these pennies were divided by a double cross, extending to the edge of the coin, and touching it, and was first broke into semi-circles, each of these again in two parts likewise; so that the semi-circle of the penny was the halfpenny, the semi-circle halved, served the purpose of a farthing; and, *Stow* remarks, that this rude and absurd custom continued till the year 1279, that Edward I. ordered halfpennies and round farthings to be coined; nor can it be doubted, that these smaller pieces of coin began to be struck among us about the same time, in imitation of the English, and of the same shape.



The pennies themselves were anciently called *sterlings* or *esterlings*, from this, that the best refiners and coiners had come from Royal Prussia, which lies east from England, and, on account of the excellency of their coin; so that afterwards the custom prevailed, that not only the money got the name of *sterling*, but the intrinsic value of money, coined according to the rule of these eastern artists, was understood to be thereby meant; from thence, we denominate money of the purest standard, by the name of pounds *sterling*.

But, although the origin of coining pennies came at first from the English to the Scots, it may be doubted, whether the English or Scots first coined these sort of coins, of four pennies in value, which the French call *gros*, the Germans *grofche*, we *groats*. *Speed* gives us the figure of a groat struck by Edward I. of England; but *Nicolson* shows, that that coin of Edward, was rather of Edward III. or IV. but certainly, not of Edward I.; for *Nicolson* affirms, no coins of that kind were struck before Edward III.'s time. But there are many groats of our David II. extant, who was co-temporary with Edward III. and coined in different places, many of them which bear the name *Robert*, and are to be seen in the collection of coins in the advocates library at Edinburgh; but which of the *Roberts* this may be, it is not so easy to determine. *Nicolson*, and Mr *Anderson*, following his authority, rejects all the groats that have the name of *Robert*, from being the coin of *Robert Bruce*, for this chief reason, that none of the coins of that sort were then coined in England; and therefore, ascribes all those, which exhibit the profile of the king looking to the right, to be of *Robert II.*; but such as exhibit him full faced, to



Robert III. But Mr James Sutherland, royal professor of botany, a most accurate collector and searcher into all kinds of coins, but principally, into Scottish coins, does not hesitate to give the former of these to our Robert I.; for, although he knew, that almost every thing pertaining to coinage, was introduced among the Scots from England; yet, he was of opinion, that there was nothing to hinder, but that, from our ancient amity with the French, we might have borrowed something from them: but Fr. Blancius shows, that the French fabricated large coins of this sort long before Robert I.'s time; and who asserts, that it was not Louis IX. who first was author of them, but *Philip the august*, who began to reign in the year 1180. The letter B, which is seen above the king's head, in some of these groats, and placed behind in others, he thinks, stands for the initial of the name *Bruce*; and which, indeed, seems to support his opinion in some measure; certainly, by that letter, cannot be meant the place where it was coined, since that groat itself shows, that it was coined at Dundee; and many think, it was not decent for the coiner, to place his name in such a remarkable part of the coin; but, it is not quite settled, that Edward II. was the first king, in the island of Britain, who coined groats, since there are extant, in the collection of coins in the advocates library, two half groats, one of Alexander II. the other of Edward I.; from these, it is probable, that entire groats, though they may be now lost, have been struck by these kings.

But these groats, whether introduced by Robert I. or by his son, David II. were the largest size of coins we had, till the time of queen Mary; after which time, there is no more men-



tion of groats, half groats, pennies, or half pennies to have been coined in Scotland; for, from that time, as Nicolson rightly infers, the price of silver (which daily increased under former kings) augmented so much, beyond all bounds, that these lesser coins, which borrowed their name from pennies, went into disuse, and the coins which thereafter came to be struck among us, began to get their name from shillings and merks, which is two third parts of a computed pound; so, about the same time, and for the same reason, pennies being forgot among the French, *pounds* and *shillings* succeeded in their place. There is no mention of these coins in the Scottish statutes before the beginning of James VI.'s time, which the French and English call *testoons*, from their having the king's head stamped on them; but Nicolson is of opinion, that their name was common enough in the time of queen Mary, mother of James VI. Certainly Fr. Blancius expressly calls some of the coins of Francis II. of France, and Mary of Scotland, his wife, *testoons*. Their value in England was always the same as shillings, but among the Scots, at first, they were five shillings, and then raised to a higher value, as we shall show hereafter.

Queen Mary having returned home to Scotland in the year 1561; and being married to Darnly, in four years after, these large pieces of money began to be coined among us, which were then called *reals* or *royals*, but now *crowns*; than which, excepting medals, or Spanish or Dutch *ducadoons*, I do not believe, that there are any of a larger size coined in any part of Europe.

LV.



## LV.

We must now say something of the gold Scots coins; and Nicolson is of opinion, that their origin is not to be carried farther back, than the time that the Stewart family came to the throne. The oldest gold coins yet found among us, bears the impression of the name of Robert; and the same learned Nicolson, conjectures it to be Robert II. or III. but not Robert I. by the same arguments that he uses in the silver coins, that Edward III. was the first who struck these kind of coins among the English, and he reigned after our Robert I. It is to be acknowledged, that there is no small force in this kind of argument, but no body will esteem it invincible and altogether decisive; since it might easily have happened, that the Scots might first borrow the custom of striking gold coins from the French, among whom they had been in use before that time. It is certain, that the inscription we see on the gold coin, of whatever Robert it was, *viz.* XPC. REGNAT. XPC. VINCIT. XPC. IMPERAT. was brought to the Scots from the French. The first, as Nicolson himself acknowledges, who used this inscription, which the coiners call the *legend*, was Henry V. of England, who put it upon his coins, in imitation of the French, who, however, did not begin to reign till seven years after the death of Robert III. and last of that name in Scotland: but not to dissemble any thing in this matter, I rather incline to be of Nicolson's opinion, because, for this good reason, that there are no gold coins of David II. who reigned many years after Robert I. yet found.

It



It is more than probable, that the Scottish gold coins were struck, of old, not only of the same intrinsic fineness, but of the same extrinsic value and stamp as those of the English. Before James of Scotland, there is nothing to be found in our public acts, relating to gold money. But, the year that he returned from his captivity in England, 1424, it was enacted in parliament, That both the gold and silver coin should be conform to that of England in fineness and in weight."

The Scots gold coins were almost of the same figure, and size, and shape, as those of other nations, and principally of the English; for they were all, anciently, accustomed to be struck of a broad and large surface, but very slender and thin. James V. was the first among us who contracted their figure, by increasing their thickness; so that a greater weight was contained within narrower bounds, than in these ancient coins: certainly the gold pieces of that prince, commonly called *bonnet pieces*, are so remarkable, not only for their compactness, but for the art of engraving, that I do not know if there ever was any coin, either then, or at present, in all Europe, that comes nearer to the Roman coin in elegance.

It is not well known, by what names these more ancient coins of our kings were denominated; it is probable, that our people followed the example of the English in this also, who gave the general name to all their gold coin, of *florins*, from the *Florentine* or *Tuscans*, who then excelled in the art of refining, and striking gold and silver coins; or they called them *nobles*, because they were made up of the noblest, or the purest metal.

Anciently,



Anciently, also, it was a custom among the English, that the gold coins were denominated by the same names as the silver; for they called the florins or gold coins, of the largest size, *pence*, the half of these, *half pence*, their quarters, *quadrantes* and *ferlings*; but afterwards, these pieces got their names from the devices inscribed on them, so they were called *angels*, from the impression of the angel trampling the dragon; the *rose-nobles*, from the English rose, surrounded with the regalia; *reals* and *sovereigns*, were so called from the picture of the king, or from other symbols of sovereignty: for almost the same reason, the names of *florins* and *nobles*, I believe, were put on the Scottish coins; as afterwards, the name of lions was more used, borrowed from the figure of the lion, the arms of our nation; and, I find the gold Scottish coins, called by that name, in the public acts and private contracts. Perhaps, as anciently, the *Darici* and *Philippi*, so now the *Jacobuses*, *Caroluses*, *Louises*, and *Joanneses*, have their names from the kings, whose images they bear; thus of our kings, each gave names to the coins, on which their images were stamped.

## LVI.

At what time copper money began to be coined among us, is quite uncertain; I have seen none older than James III. It can scarcely, however, be doubted, but their origin is somewhat older, and perhaps may be referred to the time of Robert III. or II. The reason why no coins were struck of that metal by the preceding kings, may be attributed to this, that as they were of a small size, and consisted, besides, of that kind of metal which



more liable to rust than any other, they are all worn out by use, or destroyed by time. Our countrymen, in this, did not follow the English custom, who struck no coins of copper before the time of James I. but perhaps they followed the practice of other nations, or of the Irish. There was a kind of money introduced among the French, from the time of Louis IX. which they call *billion*, that is, silver mixed with a considerable quantity of copper; there were two kinds of this money among them, the one of which, they term *billion supericure*, under which is comprehended all the money, the intrinsic value whereof descended from 10 to 5 *deniers*; the name of *billion infericure* is put on another kind, under which is classed all the money, the intrinsic value of which is below 6 *deniers*; they call both sorts of this money *blanche* or white; which name is sometimes given to copper money laid over with silver, to deceive the eye of the vulgar, though they be not worth scarcely two pence: from this kind, is to be distinguished the money called *noire*, black, because in it the copper colour prevails most. Although there be no mention in our more old public acts of mixed money, it is probable, that our kings, even from David I.'s time, misled by imitating the bad practice of the French, and other nations, in this matter, did prepare, and melt down, and mix their coins with a greater mixture of base metal than ought to have been, which we call *allay*. The proclamation of Edward III. which we cited above, shows this, by which the intrinsic value of the Scottish money is indicated to have been changed; and though it was prescribed by the statutes of our kings afterwards, *viz.* of the same

David



David II. Robert III. and James I. and II. that the money should be made of the same fineness that the English money was; it can scarce be doubted, but, that in these times, either by pretences used by our kings themselves, or by the trick of the coiners, and others, the silver money with us, departed from that which the law prescribed. Certainly, among other things, it was objected to, by the rebellious subjects of our James III. and of which crime he was chiefly accused, that he had caused to be struck black money, that is, copper coin mixed with a small portion of silver. It is true indeed, this king's proceedings were unsuccessful; yet no greater hatred should have been raised against him, than against the other kings of Europe, who endeavoured very often, by the same contrivances, to relieve their straitened circumstances, by a no less hurtful consequence: but that kind of black money which was coined by James III. was different from these coins, which the same king had ordered to be coined of purer copper, in his first parliament 1466; for it was then, at length, ordained by an ordinance of the states, *That for sustention of the king's lieges, and almous-deeds to be done to the pure folk, that there be cuinzieit copper money, four to the penny, havand on the tae part the croce of St Andrew, and the crown on the other part, with the subscription of Edinburgh, and an R. with James on the other part.* Nicolson says, “these  
 “ were of the same kind which his successors con-  
 “ tinued to coin, and which, during the reign of  
 “ James VI. were called *atchisons*, from the  
 “ name of a famous coiner, at that time, in Scot-  
 “ land; and in the time of Charles II. passed for  
 “ 4 boddles or 8 pennies Scots, but are now quite  
 “ wore



“wore out:” so far Nicolson; but, with reverence to that great man, I must be excused to differ from him in this matter; for these *atchifons*, of which, not a few are yet extant, are very different from those copper coins of James III. of which, also, some are extant, both in size, as well as in value. The statute itself shows, that the one exceeded the other, as much, almost, in value, by which that copper money is ordained to be worth no more than one fourth of a penny; but it is incredible, that a coin, which was in value the fourth part of a penny, in the time of James III. should thereafter rise to eight entire pennies, that is, thirty-two times the value. But, if I may be allowed to make a conjecture in this matter, I should think, that these *atchifons* approached the nearest to the black coin of James III. which we have mentioned before; for the first whitish colour, which discovers itself in these *atchifons*, seems to indicate, that they are mixed with a little silver, or laid over with that metal. Perhaps, of the same kind were the Scots coins, mentioned by *Fynes Morison* in his *Itineraries*, “Of these (says  
 “he) some are called *babees*, estimated by them  
 “of old, at six pence, others, *placks*, which were  
 “worth four pennies, others, *hardheads*, worth  
 “one penny half-penny; and he mentions, that  
 “all these had been lately taken away,” that is, before 1617, when he published his book. It scarcely can be doubted, but that there are some of these coins extant, but I confess I am not prepared to distinguish their species, and the different values of them from each other; but these small copper coins called pennies Scots, worth one twelfth of an English penny, with this inscription, *NEMO ME IMPUNE LACESSET*, seems to have been coined in James VI.’s time;



and the like were coined in the time of Charles I. So far as I know, the copper coins of two pennies, commonly called *twopenny* pieces, *boddles* or *turners*, and also *babees*, containing sixpences, or half a shilling Scots, such as the English call *half-pennies*, began to be coined after the restoration, in the beginning of Charles II.'s reign; these coined under William and Mary are yet current, and our countrymen complain, that since the union 1707, the coinage of these was altogether laid aside, whereby these old ones being almost consumed, there is no small stagnation in the commerce of things of low price, and hinderance to the relieving the necessities of the poor.

## LVII.

Before I finish this part, about the different kinds of Scots coins, of various metals, it will not be foreign to the purpose, to add a few things concerning these coins of a larger size, which some call memorable and historical, others, honorary and symbolical, commonly called medals and medallions; and it is no wonder, if very few of these have been struck in Scotland, since, before the period that Britain came under the dominion of one prince, they were seldom struck even in any part of Europe, far less in this island. John Evelyin, an English author, in his learned treatise of medals, after having explained the notable use to be drawn from coins of this sort, complains much of the sloth of his countrymen in this matter, who should have neglected to transmit to posterity, the illustrious deeds of their kings, and other famous men; and from thence, this industrious and skilful searcher into antiquities, endeavours to bring to light a few English medals struck before queen Elizabeth's time; but if this be any failing  
in



in the English, it is what they have in common with their neighbours the Germans, French, Italians, &c. among whom these sort of coins of record, if they may be so called, were not much more frequent in these times; so that the learned Christopher Schlegelius has asserted, that the use of that kind of coins did not prevail till about the 16th century, and that very few of them were struck before that century. James IV. was the first among us, who ordered a medal to be struck, the representation of which, and its explanation, we owe to the celebrated Evylin.

*Here the engraving of a medal is inserted, not necessary in this translation, because of the following exact description.*

On the foreside of this medal, James IV. is represented quarter-length, turning his face to the right, his head adorned with a crown, closed above with two thin plates of metal, with a coat of mail, together with the ensigns of the order of St Michael round his shoulders, the inscription round the head, JACOBUS. III. DEI GRATIA REX SCOTORUM. On the reverse is inscribed a Dorick column, standing on a rock or rising ground near the sea, on the top of which is the bust of *Janus*, or a double bust, crowned with laurels, which looks to two opposite promontories, a bay of the sea lying betwixt them; above the double bust is the word UTRUMQUE. Evylin thinks this piece had been struck a little before that fatal affair of Flouden, in the year 1513, in which, that illustrious prince, with the flower of the nobility fell in battle. The next of the medal kind extant among us, is the gold piece of John Duke of Albany, and regent of Scotland in the minority of James V. struck in the year 1524: Ni-



colson ranks in this class, the three coins of the same James V. ; but concerning these, and others of that kind, there will be a more convenient place to treat in the general review of the Scottish coins.

## LVIII.

Fourthly, I now proceed to explain the agreement betwixt the Scottish and English money. As to what relates to the art of coining money in Scotland, there can be no doubt, but our people made use of the same method, and the same kind of instruments as their neighbours of England, as well as the *Italians, French,* and others did, in essaying, shaping, and striking their coin. At first, the manufacture of coins, for many ages after the decline of the Roman empire, by the barbarous nations, was very rude and coarse over all Europe, as well as in Scotland ; so that, in those days, the pretended artificers of coining money, differed very little from vagrant tinkers in our times : and, I am not certain, but that these coiners, who frequented and made part of the attendants of the courts of princes, did not coin money at whatever place the court resided. What makes me, in some measure, believe this, is, the name of the coiner, inscribed on the reverse, in the first of the coins of our kings, *viz.* Alexander I. David I. and William, and the co-temporary kings of England ; the name of a town, indeed, is added ; but, I shall not affirm, whether it be the name where the coins were struck, or the birth-place of the coiner ; but, as in a little after, the name of the coiner was left out, and the name of the town is only mentioned, it is more than probable,



probable, that in both the former and in the latter, it denotes the place of coinage. Of old, among the English, and other nations, the right of coining belonged not to kings exclusively, but also, to some men of the highest rank, laymen, as well as ecclesiastics: but, as it was found, that this opened a door to many inconveniences and losses in money matters, it was, very rightly, taken from subjects, and reserved only as the property of kings. The prince alone, so far as I know, from the beginning, claimed, from his royal prerogative, the exclusive right of striking money in Scotland; to whom also, all mines of gold and silver, wherever found, are acknowledged to belong, by the royal prerogative. But, it came to pass, that, in imitation of our neighbours the English and French, various mints for coining money were established in different places. The inscription on the first coins, yet extant, indicates this, that money was coined in the principal towns of Scotland, as at Edinburgh, Aberdeen, Perth, Berwick, Stirling, Dundee, Linlithgow, Dumbarton, and Roxburgh; perhaps, some others, coined in other places, are lost.

The chief instrument used, from the beginning, in coining, was a hammer, with which the figures or images, cut in steel types, were stamped on the metal for coinage, that being before cut into thin plates, and prepared for framing the money of the proper weight and size; but when, by this method, opportunity was given to wicked men, of clipping the edges of the money when struck, nor could the growing evil be stopped, at length, in the succeeding century, or somewhat earlier, there was a new contrivance thought on, of coin-

ing



ing money by a mill and a prefs; by which, and another invention found out, of stamping on the margin of the coin, letters or small notches, a stop was almost entirely put to the mischievous fraud. It is not well known, who was the inventor of these ingenious contrivances. Fred. le Blanc, will have the invention of the mill and prefs in coining money, to have been owing to his countryman *Nicolas Briot*; which invention, when the French coiners would not follow, as not for their advantage, he, in spleen, left them, and came over to England, and first taught the workmen there to strike money in that fashion. However this be, the English authors do confess, that the best method of fabricating money was not brought to perfection, till the reign of Charles II. that is, about the year 1673.

## LIX.

But, time presses me to leave these things, and to enquire more exactly concerning the different state of the coinage, at different periods among us; and principally, concerning the cause of the continual rise in the value, for some centuries. But though the loss of the accounts respecting that matter, in Scotland, renders it much darker with us than among the English or French; yet there are not wanting a few public acts, and private vouchers, which, though they do not render the affair of the Scottish coinage clear, they do at least throw some light upon it. And, in the first place, it very clearly appears, from that famous proclamation of Edward III. published in the year 1355, that both the intrinsic and extrinsic value of money was the same in Scotland as in England; for, it is therein mentioned, in express words, “ That the ancient money of  
“ Scotland had been of the same weight and al-  
“ lay



lay as the Sterling money of England, for which, it was current in our kingdom of England." By this means, we learn from the authors of these times, that, in the time of William the conqueror, and of some of his successors, kings of England, not only an exact fineness of metal, but likewise the value of the computed pound, was the same with the real pound weight; and, among the co-temporary kings of Scotland, viz. Alexander I. and such of our preceding kings, (if any did coin money before him,) and David I. Malcolm IV. William, Alexander II. and III. and John Baliol, the same regulation prevailed, that is, that the coins of these kings were struck of metal as pure as in England, and the computed *pound* with us, equalled the real pound weight, as it did among them. The statute of Robert III. confirms this; in which, it is said, "That the pound in David I.'s time, ought to have weighed 25 *solidi*, shillings, or otherwise, 15 ounces: and, a little after, in the time of that king, the ounce contained 20 penny-weights."

In the time of Edward I. and the age co-temporary to our Robert I. the weight of the pound of money began to be diminished by both nations; for, out of the pound weight of silver, there were coined 20 shillings and 3 pence, in England; with us, 26 shillings and 4 pennies; the former is shown, by the very accurate Fleetwood in his *Cronicon pretiosum*, the latter is confirmed by the before-mentioned statute of Robert III.

But, as the ounce is said to have there consisted of 20 and one quarter penny weights, and here, of 21 penny weights, we may estimate both ounces to have been nearly the same weight. The English pound, which contained 12 ounces with them,



them, was lighter than the Scottish pound, near one fifth part; because in this last, there were 15 ounces. Not only the above-mentioned proclamation of Edward III. but also, the statute of Edward I. seem to import this; by which the currency of every kind of coin, except his own and that of Scotland and Ireland, is prohibited.

But, in the time of David II. that sort of coin was struck amongst us, which Edward III. complains, “was less in weight, and of greater  
“allay.” From thence, it was, as we have said formerly, that four pennies Scots are ordained to pass for three pence English; and, although it was ordained by our David II. in his parliament, eleven years after, that is, in the year 1366, that the Scottish money should be brought back to the standard of the English, yet, the next year 1367, it was statuted, That because of the scarcity of silver money, that preserving the same fineness of metal as among the English, the pound of silver “should be diminished in weight  
“ten penny-weight; so that out of a pound of silver, there should be made 29 shillings and four  
“numeral pennies.

I find nothing recorded about the coin of Robert II.; but that statute of Richard II. above-mentioned shows, that they were a little diminished or vitiated, by a greater mixture of base metal, about the year 1390, which was the last year of our Robert II. by which, two Scots coins are ordained to be equivalent to one English coin, of the like species.

In the time of Robert III. in the year 1393, the value of money, increased more, so that the ounce of money, of that same king, is said to contain 32 pennies.

Under



Under James I. it was statuted, "That the king should cause mend his money, and order it to be coined of the same weight and fineness as the English." From this law, it appears, that the money struck by the preceding kings, was of worse kind than it ought to have been; but whether, that this law of James I. may have been observed with that care as it ought to have been, or because, that the baser coin of preceding kings had been allowed to have currency, or that it proceeded from some other cause, there is no doubt, but that the value of money increased somewhat among us, even under that most politic king. What almost convinces me of this, is, that money still rose under the subsequent kings.

For, in the time of James II. it was statuted, "That there be stricken new money conformit, even in wecht, to the money of England, and that of the unce of brint silver or bulzeon," (for so they called silver well refined, and reduced to an exact fineness) "of that fineness, 8 grotes, and of the samen matter and wecht as effeirs, half-grot, pennie, half-pennie, farding; the grot for eight pennies, the half-grot for four pennies, the penny for two pennies, and the half-penny for one penny, and the farding for a half-penny." This was in the year 1451, the 14th year of his reign; but in the year 1455, the value of that new groat was heightened to 12 pennies, and in the like proportion in lesser coins.

In the first year of James III. that is, in 1460, these copper coins, and not long after that, the black money, which we before mentioned, which was most partly base metal, were ordained to be coined; by which a handle was given to wicked subjects, to rise in rebellion against a king, who did not



deserve it. In his third parliament, in the year 1467, the Scottish groat, which they named the crown, was ordained to have course for 14 pennies; and the coinage of black money was prohibited, under pain of death. In the next parliament, in the same year, and within a few months, a parliament being held, the groat of the crown was cried down to 12 pennies. In the sixth parliament, in the year 1471, the new groat, of a base mixture, is ordained to pass for six pennies, the half-groat for three pennies. In the eighth parliament, in the year 1475, twelve groats, from one ounce of refined silver, of the same allay with the English groat, and the pennies and half-pennies of like fineness, these of the value of three-penny-pieces, the other of one and a half-penny, are ordained to be coined. In the 13th parliament of this king, 1483 or 1485, it was statuted, That a silver coin, equaling the tenth part of an ounce, and in fineness, the old English groat, also half-groats should be coined, and of the same materials; the one of which should be current for fourteen, the other for seven pennies. At the same time, it was ordained, that gold money should be struck, corresponding in weight and fineness with the English piece of money called the *rose-noble*; and that gold coin should be in value thirty groats. Lastly, In the said parliament, all the four-penny-pieces, vulgarly called *placks*, whether struck by the king's coiners, or by others, should be called in to be re-coined; and two for one, of good coin, are ordained to be told out by the masters of the coin, within a certain time.

About the beginning of James IV.'s reign, the same weight and value of the Scottish money still continued, as in the last years of his father's reign;

for,



for, in the first year of James IV. 1488, it was statuted, That ten groats should be coined out of one ounce of silver, equal to the old English groats; and each of them should be current for fourteen pennies; likewise a piece of money of gold, equal in purity and weight to the *rose-noble*, which should be equal in value to thirty groats; and the like rule was prescribed the next year, concerning coining other groats. In the fourth parliament of this king, *anno* 1493, it was statuted, That none should presume to refuse the king's coin, though struck by different coiners, because cracked, providing it was of proper fineness, under the penalty of the forfeiture of the merchandise or money refused in payment. In the year 1503, a marriage was entered into, betwixt James IV. and Margaret, daughter of Henry VII. of England; from the contract of marriage it appears, that three Scottish pounds was equal in value to one English pound; for in this contract, which mentions the dowry agreed to be paid by James IV. it is said, in express words, that "L. 2000 sterling  
" did make L. 6000 Scots, now current in Scot-  
" land." By this method of reckoning, the extrinsic value of the Scottish money, must necessarily have been a little diminished, below what it was some years before.

In the time of James V. we find, that there was a change made in the regulations of the coins by public authority. The celebrated lawyer, Sir Thomas Craig, in his treatise concerning the union, says, "He had been informed by Mr  
" Henry Balnaves, that, during almost the whole  
" reign of James V. the English penny was e-  
" steemed in value, only three Scottish pennies;" which easily might happen, because it had recei-



ved a mixture of a baser metal, by which Henry VIII. did debase his coin. Sir James Balfour, whom we have often cited above, writes, That during the reign of James V. the groats, called *Douglassians*, were introduced, of value 10 pennies; and also, the *babees*, worth three pennies. About the time of the death of that prince, the same gentleman tells us, that the ounce of silver was esteemed worth 19 shillings 9 pennies, but the gold L. 12 in value. But what furnishes to us a very clear, and much more certain proof of the value of money in those days, is the contract betwixt Gavin Dunbar, bishop of Aberdeen, and William Sutherland of Duffus, 5th August 1529, that is, in the 16th year of James V. to which, among others, this remarkable condition is added: *Providing, moreover, that, if it shall happen, the money of Scotland, or of any other kingdom, that passes in Scotland, to be raised to a higher price than it is now taken in payment for; by which, the reverend father, his heirs or assignees whatever, be made poorer, or in a worse condition; and I bind, (says William Sutherland) me, and my fore-said lands of Queratwod, and Lidge, to pay to the possessors, whoever they be, of the said annual-rent, for every merk and 32 pennies, one ounce of pure silver, which shall be at least alewyne penny fine, (that is, eleven pence fine,) or else its true value in the usual money of the kingdom of Scotland."* From which words, it is most perspicuous, that the ounce of the best silver did weigh 16 shillings. But, in the remaining thirteen years of that king's reign, it is probable, that no addition was made to the value of the Scottish money; for Gavin Dunbar seems to declare, by the addition of this caveat, that such a thing would happen; and what happened



happened afterwards in our affairs relating to money, shows, that his opinion was not ill founded.

For, in the second year of the reign of queen Mary, that is, 1544, one English pound made four Scottish pounds. This is plainly ascertained by the mutual indenture, betwixt Henry VIII. king of England, and Matthew, earl of Lennox, made 26th June that year; in which, that king promises in marriage to the said earl, lady Margaret Douglass, his sister's daughter, by the second marriage of that sister with the earl of Angus; and promises to give her in name of portion, lands and estates, to the value of 6800 merks Scots, which sum is mentioned, in express words, to amount to 1700 merks sterling. In a few years thereafter, there was no increase of value in the Scottish money; for, on the 16th March, 1555, according to the Roman computation, 1556, it was ordered by an act of privy council, That out of the ounce of gold, four gold pieces of money should be coined, each of them to be of value *three pounds Scots*; so that, if the same proportion was observed betwixt the prices of gold and silver, as in James IV.'s time, it behoved to be, that the pieces of money coined out of one pound of silver, at that time, must have been almost exactly equal in value to thirteen numeral pounds. But since, about the same time, sixty shillings or three pounds, was coined in England out of the pound of silver, and which rule is followed to this day, by this means, a little more than four pounds Scots, was required to make up *one pound English*.

It is wonderful, however, how much the value of money increased among us by different augmentations, and with how quick a pace; for, about the year 1560, one English pound seems to have



have equalled in value five Scottish pounds; because, not long after, that is, 22d December, 1565, it was ordained by an act of privy council, that the silver piece of money, above-mentioned, of the largest size, *viz.* a crown, which was in weight, one ounce Troy, and eleven penny-weight of fineness, should be current for thirty shillings; and also two other coins, one should pass for twenty, the other for ten shillings, of the same fineness and proportion of allay. The lovers of coins have preserved a good many of these in their collections; but, from this description of them, it clearly appears, that the Scottish money, compared with the English, bore the proportion of six to one: for, at that time, the ounce of silver was valued at five shillings in England. Moreover, the coins struck in the beginning of James VI.'s reign, that is 1567, and four following years, do show this, which were also of one ounce weight; on all of which, the number XXX is stamped, denoting, that they were as many shilling in value. In the first of these, coined in the year 1567, the wonted fineness of eleven penny-weight is retained, and likely in the rest of the coins of that kind. In the year 1561, it was ordained by the earl of Lennox, then regent, and the lords of the secret council, that two silver pieces should be struck, the allay whereof should only be nine penny-weight, that is, they should have a fourth part of copper mixed therewith; that the weight of the one should be eleven penny weight twelve grains Troy, to be called *merks*; the other, one half of that weight, and to be called *half a merk*: and, lastly, that on the foreside of both should be inscribed JACOBUS VI. DEI GRATIA. REX SCOTORUM; on the reverse, a thistle crowned, with the addition of this motto, NEMO IMPUNE



IMPUNE LAEDET, 1571; and on the sides of the thistle, of the one XIII. 4, of the other VI. 8. But the disturbed situation of affairs among us, and the slaughter of the regent, which happened not long after, seems to have stopped that kind of money, there being no Scottish money that I know of, extant with that inscription of *nemo impune laedet*. But, indeed, the inscription of *nemo me impune laceffet*, which is more ingenious and more to the purpose, is not to be seen on our coins till 1678. However, from the description of these coins, it is clear, that the regent, and others at the helm of affairs under James VI. did ordain, that the extrinsic value of money to be coined out of one pound weight, should exceed what it weighed in the year 1557, by *L. 1, 19s. 4d. 1f.* computed money.

From the contract betwixt James earl of Morton, then regent, and John Atchison the master of the mint, and Abraham Paterfon a Flemish coiner, 5th March, 1566, according to the Roman computation 1567, we find, that our silver money was reduced to the regulation of eight penny-weight, that is, debased with a mixture of a third part of base metal; for the parties contractors make bargain that this was to be done. It is not mentioned in the contract, what kind of money, nor of what value it was to be of: but, if as many merks, shillings, and pennies, were to be coined out of one pound of silver, mixed with so great an allay of base metal, as was proposed to be done by that former act of council, of the regent Lennox; of consequence, the value of our money must have been raised yet further one eighth part of a merk, shilling or penny. What makes me rather believe this, is the avaricious disposition of Morton,



ion, who was more attentive to his own private affairs than to the good of the public. But what puts the matter almost beyond doubt, is the law passed in parliament, 25th July, 1569, by which the money is recalled to the fineness of twelve penny-weight; and authority was committed to persons appointed for that purpose, that they should enter into measures, that the exportation of the thirty, twenty, and ten shilling pieces, and likewise of the *testoons*, out of the kingdom, might be discharged. And the thing appears still more clear, from another law, published a little after, *viz.* 24th October, 1581, by which, after mentioning, “*That the lait silver coin had been the occasion of great dearth, and of many other inconveniencies, arising from the heightning the price thereof higher than it ought. It is statted, that the lait cunzie* (no doubt these coined by Morton’s order) *extending to 211 stane, and ten pounds, shall be reduced, and brought in again to the mint, to be cuinzied a-new in ten shilling pieces, of eleven pennie fine, containing each four in the ounce: and alluence is granted to the master coiner, to break down the present current money within the realm, of eleven pennie fine, especially the thirty, twenty, and ten shilling pieces, and testoons, and to coin the same in the said new money devised at fourty shillings the ounce, of eleven pennie fine.*” There are engravings of all these in Mr Anderson’s diplomata Scotiæ, and also of those which were struck the year following, 1582, marked each of them, according to the stated price of each, with the numbers XL. XXX. XX. X. From this also, it is manifest, that L. 24 computed pounds Scots, was made out of one real pound weight, and,



and, that it required eight of these to make one English pound.

In the mean time, the value of money increased more and more among us, notwithstanding of the various laws made to put a stop to it; so that the three estates of the kingdom, not willingly indeed, but in order to put some stop, if possible, to the evil which daily increased, were compelled to heighten its value still more, or rather truly, to reduce the price of silver money, coined out of one ounce, within the value of 50 shillings, and that of Gold within 30 pounds, by an act made in 1597. By this method, matters were brought to this, that one English piece of money came to equal ten of the same denomination in Scotland. But when, neither by this, nor by the former laws, the pernicious inclination of increasing the value could be repressed or restrained, at length, in order, at least, to put off a little the pernicious consequences arising therefrom, the king and parliament resolved, that all the money, both gold and silver, either coined abroad or at home, should be brought to the mint to be re-coined into other money of different sorts; which the act of secret council, dated 1st December 1601, shows to have been done, by a law in September that same year; in which, among many other things relative to this, it is ordained, among the rest, that the gold money should be of 22 carats fineness, the silver of 11 penny-weights, allowing to the coiners some grains above or below that fineness; and, that the value of the money made from one ounce of such metal, if silver, should be estimated at L. 3 Scots, but if gold, at L. 36 Scots. From this act of council, we certainly know, that the English money was twelve

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times.



times the value of the Scottish money, and that the same proportion of both the gold and silver was settled at that rate.

And here, at last, a boundary was fixed to prevent the increase of the value of the Scottish coin, which never could formerly be restrained within bounds, and which rule is still observed; and, unless James VI. who the year after succeeded to the crown of England, had ordered, that henceforth the Scottish money should be made conform to that of England, which since that time has remained almost unalterable, there is no doubt, but that the extrinsic value of our money would have gone on to have been augmented, from time to time, as formerly.

#### LX.

Though it may seem somewhat foreign to my purpose to enquire, in this place, into the cause from whence so many alterations have happened in the value of our money; yet, as I understand it will be acceptable to a few, to whom this matter is less known, my other readers will pardon me, if, in compliment to the former, I explain my opinion upon this matter. The causes of the increase of the value of money, not only in Scotland, but among most other nations, were principally the following:

First, It took its rise from the necessities and poverty of princes; who being misled by the mistaken opinion, that they could supply their treasury by this method, ordered money to be coined, adulterated with too great a mixture of baser metal, to pass for the same value as good money. But as princes were not able, by the most severe prohibitions whatever, to bring about, that their subjects should esteem good and bad money to be  
of



of equal value, or prevail on them to change the intrinsic value of money established by the laws of nations; so, in a short time, it happened, when they durst not venture to diminish, by laws, the value of the base money, they increased the value of the good money, as much as the good money exceeded the bad in intrinsic value.

To this cause is to be attributed, that the money coined by foreigners, which being for most part below the purity prescribed by law, if it be allowed to become current, raises the value of good coin.

The second cause of increasing the value of money proceeds from this, that in fixing the value of money, coined of different metals, the just proportion that these metals have to one another, among other neighbouring nations, has not been observed; for, by this means, if, for example, gold, when compared with silver, was estimated at a higher value than among our neighbours of England or France, of consequence, an exportation of silver coin necessarily followed; which nothing could stop, but by diminishing the price of money at home; or, (which happened more frequently) by increasing the price of the silver: and the gold would have had the same fate, if the price of silver was extended beyond a just proportion. But nothing had a greater influence in increasing the price of gold and silver among us, than by estimating the value of base coins beyond the intrinsic value, or by too great a quantity of them being coined. For, since almost every where, copper is of mean value, and small estimation, in comparison of gold or silver, it must happen, that if money, made of such base materials, of a less weight than it ought, and coined in greater quantity than things demanded; I say, it



must have followed, that the value of coins of more precious metals must have been raised.

Thirdly, What increased the value of current coin with us, was the importation of foreign coins of all kinds; for, as the people could not settle the true value of the various sorts of coins by an accurate examination, but were obliged to estimate the price of it from its size, or from the value it bore in currency, it necessarily happened, that the comparative value of our own coin must have varied, and either sometimes be kept under its true value, or sometimes, (which happens more frequently) must have been raised above that value.

From this arose another cause of advancing the price of money, *viz.* that our people, in order to draw greater plenty of coined money from foreign countries, of which they were in scarcity at home, by a very imprudent resolution, augmented the value of such foreign money beyond its adequate value; not adverting, that by this very method, their own of Scotland, being thus lessened in its value, would be exported to other nations. Two acts of parliament of James III. afford us proofs of this, the one made *anno* 1467, the other in 1475; by which, because of the scarcity of money in Scotland, (arising from the exportation thereof to other countries, being of lower value at home than abroad,) fixed values were put on the several kinds of money, enumerated in these acts, and which values, were much higher than what they formerly bore.

The fifth cause of heightening the price of money, arose from the pernicious custom of clipping the edges of the coin; which, altho' almost in every age, had done no small damage in money matters,



matters, and consequently, to trade; yet, this evil never prevailed so much as in our memory, and that of the preceding generation; by which, almost all the coins, unless what the invention of the mill and press preserved from that injury, were so clipped, that often one third of the true weight, sometimes even only one half, was left. But how much this very base cheat contributed to raise the value, not only of coined money, but also the price of gold and silver bullion, the thing itself demonstrates; for, not long ago, in the reign of William prince of Orange, matters were brought to that pitch, by this wicked practice of clipping the coin, and other contrivances, so that not only the gold coins called *guineas*, which were first struck to pass for twenty shillings English, rose to thirty shillings; but the ounce of silver bullion, which before weighed five shillings and two pence, as it does now, was raised to the price of six shillings and five pence sterling. Neither had a stop been put to this destructive growing evil, had it not been enacted by a very severe, though a very necessary law, and that too, passed during the time of a destructive war, "That all the silver money, except what was stamped by the mill and press, should be called in to the mint to be recoined."

What, in the last place, may be reckoned among the causes of raising the value of money, is, what we commonly call the balance of trade; that is, as Civilians define it, the settling the account or balance of cash, arising from the mutual dealings betwixt nations; for, if any nation has its accounts so settled, that the money brought into it, by commerce from foreign nations, exceeds or equals, what is exported from it, it is easy for that nation to prevent, unless some other



ther cause intervene, the immoderate increase of the value of money, or that it should not occasion much damage; but, if any nation should be so misfortunate, that the money exported, should exceed the quantity which is imported, it must happen, that the money becoming scarcer and scarcer, must also rise more and more in its value in that nation.

And these are the principal, if not all the causes of the increase of the value of money among us; and these, as I have said, are by no means peculiar to the Scots, but almost common to every nation who have made use of money; which, if I had time, would be easy to demonstrate for the most part was the case. But, among the English, the greatest assiduity and attention, in regulating the affairs of money, by the prohibiting the currency of foreign coin among them, has brought it about, that their money has been less increased in value, than among other nations; for, from the days of William the conqueror, to this time, the value of money in England has only been tripled, or, perhaps, a little more; for anciently, there was twenty shillings coined out of the real pound weight, whereas now, there is only sixty-two shillings. But, the fate of money has been quite different among the French, although abounding in riches; for, twenty shillings, which, from the time of Charles the Great, to the time of Philip I. as le Blanc relates, equalled, almost, a real pound weight, or twelve ounces; at the time he wrote, which was in the year 1690, it weighed no more than seven deniers three grains; so that the modern *sols*, is forty times the old French *sols*; and now, the value of French money having been often increased, the numeral



numeral French pound, scarcely retains one fiftieth part of the pound in the time of Charles the Great. And, if we pass to the other nations of Europe, the Germans, Dutch, Italians, &c. we will find, if not an equal, surely, at least, a no less increase of the value of money among them, at different periods. But, to return to the Scottish money; from what has been said, it appears, that the extrinsic value has risen thirty-six times above the value it was in David I.'s time.

## LXI.

Before I dismiss this part, there is one article deserves greatly our animadversion; to wit, that remarkable loss which has happened, not only to the fortunes of private persons, but also to the revenues and patrimonies of princes, from the frequent increase of the value of money. But this happened, principally and necessarily, in these specific payments, covenanted to be made for a perpetuity, or for a long time, by charter, or by any agreement of a certain precise sum. For, as in deeds of this kind, either so many pounds, shillings, or pence were to be paid; or, which very rarely used to be done, the words *good* and *lawful* money of this or that kingdom, were added; it must have happened, that when the value of money increased, there must have been a deficiency in the sum, of so many pounds, shillings, and pence, as were bargained for at that time, in proportion as these first pounds exceeded in weight these last, although the number and denomination of them were the same; neither did the addition of the word *sterling*, which we frequently find in more ancient charters and contracts, help the matter  
one



one bit; for, although this word seems to have been at first taken to denote the weight, as well as the fineness of the money; yet it happened, much more frequently, that it signified no more, as is observed before, than the *goodness* of the coin to be paid. From this increase of the value of money, contrary to the intention, or even the expectation of parties, many law suits and disputes have arisen from the loss accruing therefrom, which have afforded a rich field to lawyers for pleading, as well as writing on the subject. In order to avoid these, as much as possible, various laws were made, and various conditions were insert in the deeds themselves; among the first, this one, by which it was provided, that if the extrinsic value of money should happen to be increased, as much coin should be weighed out as would make up the sum, answering to the current coin in that kingdom, at the time of writing the deed. Sometimes, as in the above-mentioned agreement betwixt Gavin Dunbar and William Sutherland, the fineness and weight of the money to be paid for each pound or merk, is expressly defined. But by far the greatest part, neglecting this caution in securing their bargains, incautiously subjected themselves to the losses arising from the change of the value of money; the high or low prices of things, as they appeared at the time, having deceived them: for one person, when a determined number of bolls of victual was to be paid out of a certain estate, granted in feu, or set in tack for a long time; if a dearth of victual followed, so that the boll of wheat did rise, for example, to half a merk, which was an exorbitant price in the time of our James I. judging of futurity,

from



from the present state of things, thought it would be profitable, if he could persuade the feuer, or tackfman, to convert the corn into money, and to pay half a merk for each boll; another person, on the contrary, who possessed ground for a certain yearly sum of money, thought he consulted his interest well, when the scarcity of corn was very great, if he could persuade his landlord to agree, to receive for the future, in place of the money, in use to be paid, as much victual as would produce the like sum, if the victual was sold at the then market price. I have often heard of these and the like bargains among our ancestors; but how much their hopes deceived the bargain-makers, and how detrimental such transactions have been to their successors, is sufficiently demonstrated, from the frequent increase of the value of money above related.

None have suffered greater loss from the endless increase of the value of money, than the governors and great men of the nation; nor can it be expressed, how much their revenues have been diminished by this means alone; among innumerable others which might be adduced, I may be permitted to mention one. About the time of our king Alexander III. or thereby, William de Maul, baron of Panmore, was bound to pay for the relief or entry of an heir, L. 122. 10 s. to the king, his superior; of that sum, Edward I. king of England, who assumed to himself the right of superior lord of the kingdom of Scotland, gifted or remitted L. 82 to William baron of Panmore; and ordered the remaining L. 40 to be paid to himself, by the hand of the chamberlain of Scotland, at three following terms. We have, as an evidence of this affair,



the king's precept, directed to Alan de Dumfres, whom he had appointed his chancellor, which the author (Mr Ruddiman) has published, engraved from the original, preserved in the tower of London. But, I have it confirmed from the testimony of the honourable Mr John Maul, advocate, brother to the Earl of Panmore, That the heirs of this most ancient family, from that day to this, are in use to pay no more than L. 40 for their relief, however much the intrinsic value of the pound be diminished: by this means, these forty pounds, laying aside the rest of the sum remitted by Edward I. when brought to the foregoing calculations, would be equal to thirty-six times forty pounds Scots, that is, L. 1440 Scots, or L. 120 English at this day, of intrinsic value. And, since the royal property, has sustained so much loss from the increase of the extrinsic value of our money in this one instance, how great must we esteem the loss to be, in an infinity of other articles of a familiar kind, arising from the same cause.

These, and the like inconveniencies, arising from the increase of the value of money, seem deservedly to have happened to these kings, who, by debasing their money, increased its value; and, by that means, did not enrich their treasury, as they proposed, but greatly impoverished it. Princes more prudent, and knowing in the affair, as also the nobles of the kingdom, on whom no small part of the evil did fall, struggled hard, with all their might, to withstand the daily rise in the value of money; but the remedies which were applied to this disease, as they did not penetrate to the fountain-head, and to the origin of the evil, were most partly fruitless and to no purpose.

Having



## LXII.

Having thus explained the state and value of the money in Scotland, through various centuries, so far as could be got by searching into the statutes, and other public and private documents; that every thing may be understood the more easily and distinctly, I have thought proper to subjoin two tables; in one of which, the purity or fineness, mixture, and value of our gold coin; in the other, that of the silver coin, at different periods; and, in the first table, the proportion betwixt the gold and silver are exposed to view, so that each of these can be known by a cast of the eye.

X 2

TABLE



## T A B L E I.

*In which is shown, how many numeral pounds, one pound weight of gold; also, their intrinsic to the silver.*

<i>Anno Domini.</i>	<i>Anno regni.</i>	<i>Fineness.</i>			
		<i>oz.</i>	<i>pw.</i>	<i>gr.</i>	
1371 &c.	Robert II.	—	11	18	18
1390 &c.	Robert III.	—	11	18	18
1424	James I.	19	11	18	18
1451	James II.	15	11	18	18
1456	—————	20	11	18	18
1475	James III.	16	11	18	18
1484	—————	24	11	18	18
1488	James IV.	1	11	18	18
1529	James V.	16	11	18	18
1556	Mary	14	11	0	0
1577	James VI.	10	11	0	0
1579	—————	13	10	0	0
1597	—————	31	11	0	0
1601	—————	35	11	0	0
1633	Charles I.	9	11	0	0
1738	George II.	12	11	0	0



## T A B L E I.

*shillings, and pennies Scots, were coined out of sic fineness, and the proportion that the gold bore*

<i>Allay.</i>			<i>Value of the coin, coined out of one pound of gold.</i>			<i>Pound of pure gold, weighed of pure silver.</i>			
<i>oz.</i>	<i>pw.</i>	<i>gr.</i>	<i>L.</i>	<i>s.</i>	<i>d.</i>	<i>lib.</i>	<i>oz.</i>	<i>pw.</i>	<i>gr.</i>
0	1	6	17	12	0	11	1	17	22
0	1	6	19	4	0	11	1	17	22
0	1	6	22	10	0	11	1	17	22
0	1	6	33	6	8	9	8	4	14
0	1	6	50	0	0	9	8	4	14
0	1	6	78	15	0	10	2	0	20
0	1	6	78	15	0	10	5	7	9
0	1	6	78	15	0	10	5	7	9
0	1	6	108	0	0	10	5	7	9
1	0	0	144	0	0	10	5	8	6
1	0	0	240	0	0	10	5	8	6
1	10	0	240	0	0	11	5	2	20
1	0	0	360	0	0	12	0	0	0
1	0	0	432	0	0	12	0	0	0
1	0	0	492	0	0	13	2	7	11
1	0	0	560	14	0	15	2	10	7



## T A B L E II.

*In which may be clearly seen, how many numeral  
coined out of one real pound weight of silver, at  
ney, or the different degrees of fineness in it,*

<i>Anno Dom.</i>	<i>Year of the reign.</i>	<i>Purity.</i>
		<i>oz. pw. gr.</i>
From 1107	Alexander I. } David I. } William } Alexander II. } Alexander III. } John Baliol. }	II 2 0
To		
The 1296	Robert I. }	II 2 0
From 1306	David II. 38	II 2 0
To 1329	————— 39	II 2 0
1366		
1367		
From 1371	Robert II. }	II 2 0
To 1390		
1393	Robert III. 4	II 2 0
1424	James I. 19	II 2 0
1451	James II. 15	II 2 0
1456	————— 20	II 2 0
1475	James III. 16	II 2 0
1484	————— 24	II 2 0
1488	James IV. { 1 }	II 2 0
1489	————— { 2 }	
1529	James V. 16	II 0 0



## T A B L E II.

*pounds, shillings, and pennies Scots, have been different times; likewise, the standard of such money under the reigns of different kings.*

<i>Alloy.</i>			<i>Value of the money coined out of a pound weight of silver.</i>		
<i>oz.</i>	<i>pw.</i>	<i>gr.</i>	<i>L.</i>	<i>s.</i>	<i>d.</i>
0	18	0	1	0	0
0	18	0	1	1	0
0	18	0	1	5	0
0	18	0	1	9	4
0	18	0	1	9	4
0	18	0	1	12	0
0	18	0	1	17	6
0	18	0	3	4	0
0	18	0	4	16	0
0	18	0	7	4	0
0	18	0	7	0	0
0	18	0	7	0	0
1	0	0	9	12	0



## T A B L E II. continued.

<i>Anno Dom.</i>	<i>Year of the reign.</i>		<i>Purity.</i>		
			<i>oz.</i>	<i>pw.</i>	<i>gr.</i>
1544	Mary	3	11	0	0
1556	—————	14	11	0	0
1565	—————	23	11	0	0
1567	James VI.	1	11	0	0
1571	—————	5	9	0	0
1576	—————	10	8	0	0
1579	—————	13	11	0	0
1581	—————	15	11	0	0
1597	—————	31	11	0	0
1601	—————	35	11	0	0
1738	George II.	12	11	2	0

## LXIII.

From what has been said, and more especially from these two tables, it may be easily understood, how much, not only the unlearned vulgar, but even learned and sensible men have blundered so egregiously in computing the proportional value of our ancient money; who, when they found it mentioned in old writings, or heard by report, that, for example, a boll of wheat was valued at ten, twelve, fourteen, &c. pennies *per* boll, a flagon of wine at two pennies, a hen at one half-penny; immediately think, that the intrinsic value of these denominations of money, was the same as now-a-days: alas! cry they, what a great scarcity of money must have been among us in those days, when things, so dear now, might have been bought for so small a price. But, from what has been above set forth, it is clear, that things were



## T A B L E II. continued.

*Allay. Value, &c.*

oz.	pw.	gr.	L.	s.	d.
1	0	0	9	12	0
1	0	0	13	0	0
1	0	0	18	0	0
1	0	0	18	0	0
3	0	0	16	14	0
4	0	0	16	14	0
1	0	0	22	0	0
1	0	0	24	0	0
1	0	0	30	0	0
1	0	0	36	0	0
0	18	0	37	4	0

were quite otherwise; and, particularly, that the penny, the shilling, and the pound, in the time of David I. and for a long time thereafter, was thirty-six times, in James I.'s time, eighteen times, in James II.'s time, nine times, in queen Mary's time, double the value almost, that the same denominations are of intrinsic value at this day, or did exceed in that proportion the weight of bullion. And, that this whole affair may be more manifest, I thought it would not be improper to lay before the reader's view, the proportion betwixt our ancient money, and the money current among us at this day, (1738) from some examples, drawn from our ancient laws and other monuments.



T A B L E III.

*In which, the ancient prices of some things are reduced to their value in our modern money.*

*Prices of things.*

	<i>In ancient Scottish money.</i>			<i>In present Scot. mo.</i>		
	<i>lib.</i>	<i>sh.</i>	<i>d.</i>	<i>L.</i>	<i>s.</i>	<i>d.</i>
Of a boll of wheat, in David I.'s time, A. D. 1124, &c.	—	—	10	1	10	—
Of the fame.	—	1	—	1	16	—
Of the fame. (t)	—	2	—	3	12	—
Of a gallon of wine. (u)	—	—	2	—	6	—
Of two ditto of ale. (x)	—	—	1	—	3	—
Of two sheep. (y)	—	1	4	2	8	—
Of a young cow or heifer. (z)	—	3	—	5	8	—
Of a cow. (a)	—	6	0	10	16	—
Of a hen, (b) in the time of John Baliol, 1292.	—	—	1	—	1	6
Of one gallon and a half of ale. (c)	—	—	1	—	3	—
Of a boll of wheat, (d) in the time of James I. 1424.	—	2	—	1	18	—
Of a boll of rye, barley, and peafe.	—	1	4	1	5	4
— of oats	—	—	6	—	9	6
Of an ox.	—	6	8	6	6	8







T	A	B	L	E	III.	continued.	lib.	fb.	d.	L.	s.	d.
					-	-	-	2	-	-	6	-
Of a wild goose.					-	-	-	5	-	-	15	-
Of a heron and of a swan.					-	-	-	-	6	-	1	6
A black cock. ( <i>k.</i> )					-	-	-	-	4	-	1	-
A woodcock.					-	-	-	-	2	-	-	6
A quail.					-	-	-	-	-	-	-	-
A capon					-	-	-	1	-	-	3	-
A hen.					-	-	-	-	8	-	2	-
A chicken.					-	-	-	-	4	-	1	-
A pig or young fow.					-	-	-	1	6	-	4	6

From



From these few examples, picked out of a great number, it is easy to determine the price of any other thing, having regard to the period, and the rise in the value of money, and by the help of these tables to reduce the price of it to our present money. From thence, also, we may be allowed to add, that it is plain, that one thing told by Hector Boece, is not only false, but also incredible, That William king of Scots, when captive in England, agreed to pay to Henry II. *one hundred thousand pounds sterling*; one part of which (which bishop Nicolson explains to be the half,) he immediately proffered payment of, and pledged Cumberland, Huntingtown, and Northumberland, for the remainder: for, in the first place, it appears from our more ancient authors, as well as from all the English historians, and more certainly from the treaty itself, that the only condition granted to king William for obtaining his liberty was, that he and his nobility, of the kingdom of Scotland, should subject themselves to the perpetual vassalage of the English king, by first delivering up hostages, and then five of the principal forts in Scotland, for more security for performance of the promise made. But, moreover, dropping these things, who (to be silent on the injustice of the English) can think, that our king William would be so foolish, as to bind himself to pay to the king of England so great a sum of money, which at this day would exceed three hundred thousand pounds sterling; for, I am persuaded, had all the money then in Scotland, been scraped together, it would scarcely have made out a third part of that sum. It is true, indeed, William performed a great thing, who, according to the relation of the historians of both kingdoms



kingdoms, in order that he might redeem himself and his subjects, and restore them to their ancient state of freedom, told down to Richard I. son of that Henry, ten thousand merks of silver; which, in our present money at this day, would amount to twenty thousand pounds sterling.

From the foregoing tables, we may likewise judge, how grievous a famine, happened in Scotland, during the reign of James I. in the year 1435; since, as the Continuator of Fordun tells us, a boll of corn was sold for eighteen shillings Scots; and again, a more grievous one, in the beginning of James II.'s reign, in the 1438, and the following year, when, as the same author relates, the boll of corn got up to thirty shillings; for, by this means, the price of the former boll, being reduced to the value of our present money, must have been, L. 10, 16 s. Scots, the latter, L. 18 Scots.

#### LXIV.

I have thought proper to subjoin here, in the conclusion, a remark or note which I received from Mr David Drummond, advocate, a gentleman of primitive virtue, and singular probity, treasurer for many years in the bank of Scotland; which was this, That, at the union, 1707, the last thing which remained to be executed, was, that all the coin, throughout Great Britain, should be brought under the same regulation, and be made of the same fineness and value with that of England; and, for which purpose, an act of the privy council of Scotland was made, whereby it was ordained, That all the silver coin, at that time, current in Scotland, as well foreign as domestic, except the late English coin, should be brought into that  
bank,



bank, and be carried from thence to the mint, to be recoined into new money.

That worthy gentleman, who had a chief hand in this business, for his own pleasure, recorded in his memorandums, the sum totals of that whole money, reduced to some general heads; these, he communicated to me, which I now lay before the reader, because they will in no small degree, illustrate the state of our money, and also, may furnish some proofs of the quantity of the current coin in Scotland, at that period.

There was brought into the bank of Scotland, in the year 1707.

*Value in sterling money.*

	L.	s.	d.
Of foreign silver money,	132080	17	00
Milled Scottish coins,	96856	13	00
Coins struck by hammer,	142180	00	00
English milled coin,	40000	00	00

---

Sum total of all these, L. 411117 : 10 : 09

And this sum, no doubt, made up by far the greatest part of the silver coined money current in Scotland at that time; but, it was not to be expected, that the whole money of that kind, could be brought into the bank; for, the folly of a few misers, or the fear that people might have of losing their money, or various other dangers and accidents, prevented very many of the old Scots coins from being brought in; a great part of these, the goldsmiths, in after times, consumed by melting them down; some of them have been exported  
to



to foreign countries; a few are yet in private hands. No certain rule can be found, whereby to determine the precise quantity of gold coins in Scotland at that time; however, there are a few which seem to convince us, that there was as great plenty of that, as of the silver, (balancing the price of each). What principally makes for this opinion, is a few acts of the mint of Scotland, which I have had occasion to see; these are what were made out from 16th December, 1602, to 19th July, 1606; and, again, from 20th September, 1611, to 14th April, 1613; for, it appears from these, that there was coined in Scotland, in these different periods, 51 stone, 11 pounds, nine ounces, twenty-three penny-weights, sixteen grains of gold bullion; but, of silver, five hundred and ninety-six stone, seven pounds, thirteen ounces, twenty-three penny-weights, twelve grains, weight. By this means, according to the way of counting in those days, there were issued, about L. 39726 sterling; but of silver, only L. 38172 sterling; so, that the gold coins, struck in these years, exceeded the silver in L. 1554 sterling value. I do not deny, that this rule is liable to errors; but, we have none more certain, for the present, and we here only seek for probability. From what has been said, we may be allowed to conjecture, without much absurdity, that the sum total, of the money over all Scotland, at the time of the union, 1707, both gold and silver, amounted to a sum not less than nine hundred thousand pounds sterling.

And here, at length, I have finished this long and tedious labour. There are a few things only, which, in the conclusion, I would beg the reader to grant me; the first is, that I hope he will not



not find fault, with too great a severity, if he discovers mistakes, which I may have fallen into from the variety of arguments, and the difficulty of the subject matter ; wherein, though, I will not affirm, there are no errors, yet I hope they are not many ; next, that he may have been tired, because, I thought best to make use of an humble and less ornate style, and even, sometimes have used barbarous words, since I was anxious, only, to be clear on the subject : for in this, above any other kind of writing, it will be found true, which the poet sung, who was about to undertake a work not unlike the present, viz.

*Ornari res ipsa negat contenta doceri  
Et si qua externa referunter nomina lingua,  
Hoc operis, non vatis erit. Non omnia flecti  
Possunt, et propria melius sub voce notantur.*

Z

NOTES



## N O T E S

O R

## P R O O F S

Of what is advanced in the Text of the Preface, which are placed by Mr Ruddiman at the bottom of each page; but which method could not be followed in the translation, because of the smallness of the size of the book; and, to avoid confusion, in making references minutely from the text to the notes, by interlining figures or letters, the notes are here ranged under each particular chapter or section, to which they properly do belong.

I. to VII.

**G**ermonius de Arte Secernendi Antiqua Diplomata, vera a falsis, tom. I. p. 17.

Hichsius in Dissertatione Epistolari ad Barthol. Schowerum Thesauro Linguarum, &c. vol. I. p. 79.

Beda



Beda Historia Eccles. Ang. lib. cap. 13, and 23. And Prosper Aquitanus, who lived about the same time, has the same account in his chronicle.

## VII.

Fordun, lib. 4. cap. 48.

Rymer, in his second letter to the bishop of Carlisle on this subject.

Atwood's Superiority of the crown of England over Scotland, p. 332, and 564.

Dalrymple's Historical Collections, p. 87.

Abercromby's Martial Atchievements, vol. I. p. 111.

Sir George M'Kenzie's Defence of the Royal Line, see p. 109, 110, 111, 155, 158, and 184.

Boece's History, lib. 10. fol. 188.

David Chalmer's Historical Epitome, fol. 95.

Innes's Critical Essay, vol. I. p. 297.

Eginhart's Vita Caroli Magni, cap. 16.

## VIII.

Germonius de Arte, &c. cap. 1.

Buchanan's History, lib. 8.

## X.

The charter of the foundation of Dunfermline by Malcolm III. is to be found in Dugdale's Monasticon Anglicanum, vol. II. p. 1054, which was sent him by Sir James Balfour; but Sir James Dalrymple rather thinks that charter to have been of Malcolm IV. see p. 228. Hist. Col. There is also handed about, a charter of Malcolm III. granted to Hunter of Polmoud, written in Scottish rhyme; but many circumstances, and this one in particular, that about the same age, there was a charter granted by William the Conqueror to one Hunter, written, almost, in the same words; which Stow,



in his chronicle, p. 111. relates, he had taken it out of an ancient chronicle in the Richmond library. Speed, lib. 9. cap. 2. p. 424. says the same; but the style not agreeing with the times convinces us, that it is suppositious, and this particularly, that the feu-duty, payable for the land, is ordained to be a bow with arrows, when the king comes to the river Yarrow: but this district, lying on Yarrow, which divides the forest of Ettrick, or shire of Selkirk, was never under the dominion of the English.

The chartulary of Dunfermline, in the advocates library, a manuscript; the characters of the writing of which appears co-temporary with Alexander III.

But, as these words are not to be found in David I.'s charter, confirming the donations of his father Malcolm III. to this monastery, it may be said, that it must only be understood of the subsequent kings.

The book of the priory of St Andrews, wrote, as Sir James Dalrymple thinks, in the time of David I. now in the possession of the earl of Panmure.

Sir James Dalrymple is of another opinion in his Hist. Col. p. 226; from the words in the book of St Andrews, "That the lands of Admore, granted by Edelreid, the son of Malcolm III. king of Scotland, to the abbot of Dunkeld; and, moreover, by the earl of Fife, which was afterwards confirmed by his brothers, Alexander and David." Sir James asserts, that donations made to church-men, were anciently completed by words, till the time of Alexander I. and his brother David I. before certain illustrious witnesses, without the formality of any writing. But the



the same author, p. 151, though he affirms, he never saw any written documents, during the reign of Malcolm III. ; yet, says he, he does not doubt, but there may be some of that kind extant.

## XI.

The charter of Malcolm II. in a collection in the advocates library, p. 53. which shows itself to have been written in Robert II.'s time.

See Dalrymple's Hist. Col. p. 135.

Nicolson's Scots Hist. lib. p. 210. p. 47.

Dalrymple's Hist. Col. p. 136.

## XII.

See Boetius, Paris edition, *anno* 1522.

Mabillon's de re Diplomatica, lib. 2. cap. 21.

57.

Rymer's Fædera, tom. I. p. 203, 671. and tom. II. p. 1064, 604.

## XIV.

Hist. Col. p. 129.

See the Apostolical Canons, 27 or 34, and Beveredge on these, and Petrus de Marca, de Concr. Sacer. at Imperii, lib. 1. cap. 3. and lib. 6. cap. 1.

Fordun, on the bishops of St Andrews.

See an account of Andrew Winton in the edition of Buchanan's history, published by Freebairn, in the preface, p. 15.

As to the custom of binding the evangelists, in gold and silver, and adorning them with precious stones, see Schlegelius's Treatise on the coins of the abbots of Hersfeld, p. 16. Chronicon Gotwicense, lib. 1. cap. 1, 32.

See Dalrymple's Hist. Col. p. 127.

See Sir Robert Sibbald's Treatise on the Independency of the kingdom and church of Scotland,

p.



p. 6. And he, in narrating the excerpts, has not the words, *summi archiepiscopi*, which appear to be more correct.

See the reverend and learned Mr John Gillan's Animadversions on Sir James Dalrymple's Collections, p. 6, and 145.

See Wharton's *Anglia Sacra*, tom. II. p. 234. his preface, p. 13.

Sir Robert Sibbald's book was published at Edinburgh, 1703, but Wharton's Works, at London, 1691.

See Sibbald, p. 16, 200, and 237.

Some of the successors of Constantine the Great, retained the title of Pontifex Maximus. See Anton. van Dale of the heathen oracles, dissertation first, page 251. Thus, there is extant in Lofemus's history, lib. 4. a saying to Gratian the emperor, when he rejected the habit of the high-priest, offered to him by the inferior priests, "If the prince will not be called Pontifex, in a very short time he will become Pontifex Maximus." By which they meant, that *Magnus Maximus*, who afterwards assumed the purple, and procured Gratian to be slain by his guards, would in a short time become Pontifex Maximus. But it appears, that Gratian himself assumed the title of Pontifex Maximus, from an inscription of Anselmus Bandurus, in his coins of the Roman emperors, tom. II. p. 482. and the emperor Justine, long after, from another inscription from Van Dale, p. 158.

See Boece, lib. 10. fol. 201. George Buchanan, lib. 6. in the beginning. Spottiswood, lib. 1. p. 4.

And much clearer in the seals, not only of Robert, Arnald, but others who succeeded them,

*viz.*



*viz.* of Richard, Roger, William, Malvasine, and William Frazer, engravings of which are in Mr Anderson's book.

Geo. Martin's manuscript, intitled *Reliquiæ Divi. Andreiæ*, cap. 2.

Sir James Dalrymple's *Hist. Col.* p. 133, 129. above cited.

Mabillon, lib. 2. cap. 2, § 5, § 9.

Boece, lib. 10. fol. 206. lib. 10. fol. 201. as we remarked before, that he says, that the bishop's see of the Picts was translated from Abernethy to St Andrews by our Kenneth II. who ended his reign, *anno* 854; but yet the same author says, that the kingdom of Scotland was not then divided into dioceses; and adds, that this division did not take place till Malcolm II.'s time, for so his words are to be read, not Malcolm III. which, what follows, requires to make this author consistent with himself, and others, who narrate the same thing; and, we must agree with the reverend James Dundas, in the supplement to his *Treatise of the Election of Bishops*, in the primitive church of Scotland, p. 207. That, though these ancient bishops, some of them fixed their abode at St Andrews, others at Glasgow, others, again, at Whithorn, in Galloway; yet their office was not circumscribed to these places or countries.

See *Hist. Col.* p. 125, 127.

Fordun, lib. 4. cap. 17.

Winton's *Chronicle*, cap. 106, 107.

Dalrymple, p. 125.

The best manuscript of Fordun, in the college library, at Edinburgh; as also, the books of Perth and Coupar, in the advocates library. But these  
words,



words, probably, not appearing in the copies of Gale, and of Kearne, they left them out in the editions published by them.

The book of Coupar, as has been said, kept in the advocate's library.

If, indeed, *avites* be written in the book; but we shewed above, that the true reading is *aviti*.

Concerning this matter, see the epistle of Nicolaus to Eadmerus, mentioned before.

See Martial's Epigrams, lib. 14. epig. 191.

See St Matthew, cap. x. v. 2.

See Innes's Critical Essays, tom. II. p. 782, 203, 588.

(*Regnasse*) a way of speaking, which Mabillon shows, some Irish bishops used, who stiled themselves REGES.

Fordun expressly says, that Kellach was bishop in the time of Gregory.

The chronology of these bishops, is thus settled from that old fragment, and from Fordun, who relates, that *Malifius* was eight years bishop; and the fragment says, he died under Culen; but we infer, that his death must be placed in the last year of Culen, which was in the year 970, because Fothad, who preceded him immediately in the see, is said by the old fragment, to have died under king Duffus, who began to reign 961. But eight years, which Malifius was in the see, are sufficient to fill up that space, from the death of that Fothad to the election of Malifius: the same may be inferred from Fordun, who relates, from the period allotted to Fothad, who, being expelled by Indulphus, is said to have lived eight years after he was driven out. XVII.



## XVII.

Boece, lib. 11. fol. 236.

Lesley, lib. 5. p. 201.

The year 996, in which Kellach II. died, as we have shown.

Chronicle of Melrose, p. 158.

John Brompton, p. 966. inter decem scriptores of Twifden.

Dalrymple's Col. p. 157, and 185. Simeon of Durham expressly relates, that this marriage was celebrated in the year 1070. And Turgot in Fordun, lib. 5. cap. 15. and the chronicle of Melrose, though it contradicts itself, p. 160. agree in this.

Simeon Dunelmensis, p. 208, and 232.

Dalrymple's Col. p. 234. Wharton's Anglia Sacra, tom. II. in the notes on the above cited epistle of Nicolaus, p. 234.

Balfour, who writes, that Catharus was elected from among the Keledees of Lochleven; from which, and from his name, which, in Greek, signifies *Pure*, Dalrymple infers, that he must have been a puritanical bishop, see p. 232; but the conjecture from the similarity of that name, is frivolous; nor can it be argued, that because Cathre or Catharus, was among the number of the Keledees, that he was a puritan; that is, at that time an opponent to the church of Rome, more than any other Scottish bishop; since all the monks in Scotland, were called Keledees, at that time, as Dalrymple himself owns.

Boece, lib. 12. fol. 261. relates the same thing before Spottiswood, and also Lesley, lib. 6. p. 218. who writes, that this privilege, that the kings



of Scotland should be thereafter anointed, was obtained from Urban II. the Roman pontiff, at the solicitation of St Margaret, the mother of king Edgar. But, what makes me doubt exceedingly of this, is the bull of pope John XXII. granting this privilege of unction to our Robert I. in the year 1329; in which last, there is no mention of Urban II. nor of that ceremony having been used in Scotland prior to this last time. The original of this bull is in the advocates library; a copy whereof, David Wilkins, archdeacon of Suffolk, published in his noble work, the Councils of Great Britain, tom. II. p. 555.

The appendix to Spottiswood's history, is commonly believed to be done by one Jo. Middleton.

See the whole of the dispute betwixt Alexander I. king of Scotland, and Eadmerus, in a work of Eadmerus himself, entitled *Historia Novorum*, published by Selden, lib. 5. p. 130.

Dalrymple's Collections, p. 250. where he tells, That the charter granted by this Robert, to the priory of Coldingham, 16 calend, Augusti, *anno 1127*, in which, he styles himself, not *elect*, but simply, by the grace of God, bishop of St Andrews, is preserved in the register of charters at Durham.

The chronology or series of the bishops of St Andrews, from the death of this Robert, which happened in 1160, is accurately enough settled by our authors.

The liberty or privilege, understood in this place, is such as he had above described.

## XIX.

Fordun, lib. 4. cap. 21.

Buchanan, lib. 6.

Innes's.



Innes's Critical Essays, vol. I. p. 139.

Fordun, lib. 4. cap. 3. writes, that Kenneth II. succeeded to the kingdom of Scotland, 834, and to the kingdom of the Picts, having conquered them, in the year 839. But the same author, in the same book, cap. 8. says, "That Kenneth, "having completed full sixteen years of a reign, "in the monarchy of Scotland, and of the Picts, "departed to the Lord at Fortviot." By this means, according to him, as Kenneth died in 854, he must have obtained the complete empire of all Scotland, as it now is; having destroyed the Picts, their king being dead, and this about the year 838. But, I cannot here pass over the remarkable, and most astonishing mistake of Innes, in other respects, a learned and accurate man, who, in volume I. p. 140, overturns the very propositions, which he himself endeavours to establish; "For, says he, in that very ancient chronicle of "the kings of Albany, are these words, As Ken- "neth II. is said to have died on Tuesday, the "ides of February, it plainly appears, that he "died in the year 859; as, in that very year, the "ides, that is, the 13th day of February, fell "upon the third day of the week, Tuesday;" but this learned man's conclusion is erroneous; for, in that year, 854, in which Fordun, and all our other authors relate, that king died, the ides of February fell upon the third day of the week, or Tuesday, as all the chronological tables informs us; for, in that year, the dominical letter was (G), Easter was the 22d April, the indiction was 2, the golden number 19; but, in the year 859, the dominical letter was (A), and therefore, the 13th of February was the second day of the week, or Monday. Consult Calvisius, Petavius,



Pagius, and other writers on chronology, who all superabundantly confirm this.

## XX.

Eginhart does not make mention of any letters sent from Charles the Great, to the kings of Scotland; but, as he says, That there were letters extant, sent by them to Charles, by which their good inclinations to him are testified; we cannot doubt, but that some letters were sent by Charles the Great to them, since amity cannot subsist without being mutual.

Salust Bell. Cat. cap. 9.

Cicero de Oratore, lib. cap. 9.

Treatise of the independency, p. 15.

## XXIV.

I except one, Abercromby, who, in his Scots warriors, following the authority of public acts, affirms what is true and just, vol. I. p. 469.

Rymer's Fædera, tom. II. p. 529, and 530.

It may be asked, if this first seal on the left be Robert Bruce's, and whether taken away by accident or by design.

Rymer's Fædera, tom. II. p. 558, 567, 545, and 548.

## XXV.

We except from these, John Sage, in his preface to the edition of Hawthorndean, p. 29. John Gillan's Animadversions on Dalrymple's Collections, p. 157, and John Major; but the opinion of George earl of Cromarty, seems to be preferable, and likewise that of Sir James Dalrymple, who maintain, that John Major erred in this point, as well as the Continuator of Fordun, Boece, Lesley, and Buchanan; and, though he tells  
the



the things confusedly, yet they think he meant to write the same account as the rest did, concerning the legitimacy of Robert III.

Rymer's *Fædera*, vol. XII. p. 156, and Mr Thomas Ruddiman's notes on Buchanan, lib. 12. for the treaty betwixt Edward and the duke of Albany.

Buchanan, lib. 12.

A charter in the public records, to the duke.

Rymer's *Fædera*, tom. XII. p. 172, and 174.

There is extant in the records of the parliament of Scotland, from 27th June to 8th July 1483, a trial, by which Alexander, duke of Albany, and James Lidale, of Halkerston, are condemned, by the three estates, as guilty of treason.

See 12 act, par. 1. James IV. in which is the proposition of the debate of the field of Striveling, Black Acts, fol. II. 82.

Rymer's *Fædera*, vol 12. p. 328.

## XXVII.

Cap. 27. I have noted many such errors in chronology, in notes on Buchanan, and brought them to truth by the help of public records.

Such as would desire to know more about the manifold use of diplomas, and other charters, may consult Mabilon de re diplomatica, Leibnitz codex juris gentium, Ludewigius reliquias omnis ævi diplomatum, Godefredus's Chronicon, Gotwicense, Madox's English Formularies, Hickes's *Theſaurus Linguarum*, in his prefaces.

Concerning detecting of forgery in charters, Mabilon, in his excellent work de re Diplomatica, deserves to be perused, lib. 3. cap. 1, 2, and 6. and supplement to chap. 1st, § 3. Hickes, in his preface to his *Theſaurus*, criticizes on the rules delivered



delivered by Mabilon in lib. 3. and preface. But, in my opinion, Ruinart has vindicated Mabilon, in the preface to the second edition of his works, and shows, that Hickes did not either well understand these rules, or else wrested the sense of the author to another meaning than what he intended.

Mabilon, in his supplement, lib. 4. treating of the different kinds of forged writings, thus, without hesitation, concludes, "From all these false  
 " or interpolated, I am of opinion, none can be  
 " so framed, that the forgery or fallacy of them  
 " may not be discovered by skilful antiquarians;  
 " for truth is so strong, and supported by so many  
 " circumstances, that it shines forth of itself, so  
 " that always something is wanting, however art-  
 " fully veiled by a lie or by falsehood."

Horace, lib. 1. epist. 10.

### XXX.

Cap. 30. Rymer's letter to the bishop of Carlisle, p. 18.

See Menestrier de l' Origine des Armoires, cap. 3. p. 53. and the authors he there mentions in support of his opinion; yet I wonder that he, cap. 7. p. 172. narrates the story concerning the coat of arms, granted to Hay and his posterity by Kenneth II. on the authority of Hector Boece, lib. 11. ; and, I do not know, if Sir George M'Kenzie, and Nisbet, ought to be excused, who not only mention these arms granted to Hay, but raise the origin of coats of arms to be much more ancient, to the time of Achaius or the ninth century.

I thought it would not be improper to adduce what Hickes, who was a very proper judge, has advanced, to demonstrate the forgery of this charter



ter of Malcolm III. in his said preface, p. 25.  
 “ Lastly, says he, The celebrated Thomas Ry-  
 “ mer, a man of excellent parts, and very skilful  
 “ in the belles lettres, particularly of dramatic  
 “ poetry, closes up the rear; who, being entire-  
 “ ly ignorant of Saxon literature, published with  
 “ great splendor, and elegantly engraved, that  
 “ forged charter made up about 200 years ago;  
 “ and, which he pretended to be corroborated by  
 “ king Malcolm’s seal, by which the kings of Scot-  
 “ land are said to have promised homage to Saint  
 “ Edward II. king of England, as superior lord  
 “ of the kingdom of Scotland. But, if he had  
 “ been acquainted with the language, antiquities,  
 “ and words of stile; if he had known even  
 “ the Saxon letters or characters, or the shape  
 “ of their type, he would have condemned it at  
 “ the first view; for, the hand itself in which  
 “ the charter is written, and the word parliament,  
 “ which is never to be met with before the 28th of  
 “ Henry III. in English records, and the words  
 “ of the feudal law, such as, leige subjects, leige  
 “ fealty, leige homage, superiority, record of  
 “ the crown, were unheard of in England before  
 “ the Norman conquest; or the seal which bears a  
 “ family coat of arms, not to say any thing con-  
 “ cerning the time it is said to have been made  
 “ up and sealed, all of these evince that it is false.  
 “ Indeed, I cannot but lament the fate of that very  
 “ learned man, who, by publishing that parch-  
 “ ment, exposed himself to be chastized by the  
 “ Scots; one of whom, a very learned man,  
 “ George Ridpath, demonstrates, that the vassal-  
 “ age of king Malcolm was a mere fiction, in the  
 “ preface to Scotland’s Sovereignty Asserted,  
 “ which he published at London, 1695.”



On this subject, see Nicolson's Scottish Historical library, p. 277, and his preface to the Border Laws.

See Anderson's Independency, in the appendix, No. 2, 3, and 4. where there are copies of all those spurious charters, as well as other five genuine charters; see also, the appendix to the edition of Bede's history, published by Smith, p. 760, and 761, and the appendix to Nicolson's Border Laws, No. 4. p. 349.

I am surprized, that Mr Hickes, who was so acute in detecting forgery of charters, did not advert to this, who, in his epistle to Showrum, p. 74, reckons, not only this charter of Edgar genuine, but another of king William of England, which confirms it; and still more, that he attributes this charter to William the conqueror; his words, concerning seals pendent to charters, without witnesses, are as follow: "Of this kind, " says he, are the letters patent of William the " Conqueror, who confirms to the church of Dur- " ham, corroborated with his great seal hanging " thereto, lands in Lodonea, in Scotland, which " king Edgar, son of king Malcolm of Scots, had, " before that time, gifted to him;" for nothing is more certain, than that William the Conqueror died, at least, nine years before that Edgar reigned in Scotland; which charter, if we suppose it granted by William Rufus, the son of the Conqueror, it will appear to be no less a forgery, because there was no such bishop of the name of William, bishop of Durham, during all Edgar's reign, as is quite clear from the testimony of English writers; to this, may be added the arguments used by Nicolson in the preface to the Border Laws, p. 36.



Tyrel's Introduction to the History of England, vol. III. p. 9.

See a copy of this charter in Anderson's Independence, No. 7. appendix, and p. 105.

## XXXII.

Nicolson's Scots Hist. lib. p. 28. last line.

I shall, in a little after, give my reason, why I doubt whether the 1333, or 1334, answers to the 5th year of David II.'s reign.

I say further, that an absurd story must be here narrated; for, by that means, Robert, against every rule of right and decency, must have married the daughter of his own brother and sister.

See a copy of the treaty in Rymer's Fædera, tom. VI. p. 696. Dumont Corps Diplom. tom. II. p. 2, and 81. and principally, in a manuscript in the advocates library, the title of which is, "Traidez entre les Roys de France, et les Roys de Ecoffe, p. 40." which Louis XIV. of France, made a present of to the viscount Preston, ambassador from Charles II. to France.

See the said manuscript, fol. 88. and the last treaty is dated at Edinburgh, 16th March, 1511, and 10th July, 1521, and the same manuscript, fol. 105. the date 2d January, compared with the original, 18th April, 1515.

This appears from the steps of the treaty in the above manuscript.

## XXXIII.

See Atwood's Superiority, p. 96.

I do not insist on the charters of John Baliol, who cannot be called David Bruce's predecessor.



See Rymer, tom. IV. p. 536, 539, 548, and 590.

See Rymer's *Fædera*, tom. VI. p. 12, 31, 37, 39, 65, 66, and 68.

Edward, and his ambaffadors, do once and again, ftile David, king of Scotland; fee Rymer, tom. VI. p. 15, and 69. but this feems to be owing to the careleffnefs of the tranfcriber, fince the English king refrains from beftowing this title on other occafions.

And, as vouchers of what is advanced in p. 77, and 78, part 79. of the tranflation, fee Rymer's *Fædera*, vol. VI. p. 722, 736, 737, 746, and 733, 742, 759, 789, 815, and 748, 788, and the before cited manufcript of French Treaties, in the advocates library, fol. 20.

I was of opinion, that the forgery of that charter, fathered on our king David II. ought to be the more accurately difcuffed, becaufe that celebrated English hiftorian Brady, in his Continuation, p. 198. and likewise Nicolfon, in his English Hiftorical Library, p. 68. efteemed it a genuine charter; though the laft, being better informed, retracted his opinion. Though I do not dwell on the authority of thefe charters of Henry VI. VII. and VIII. above noticed, which are adduced in fupport of thefe forged charters of our kings, as I am not ignorant, that it was ufual for thefe kings, when they choofed to pick a quarrel with their neighbours, to feek out reasons from the moft trivial caufes, fometimes altogether groundlefs.

It is to be remarked, that the Scots college at Paris, is not a fraternity of Jefuits, as Atwood has dreamed.

I could adduce numberlefs instruments, in which, not only princes, but great men among  
the



the Germans, Italians, and French, speaking of themselves alone, used the plural number, at this time, and before.

But the examples are not so very rare among the English, as may be found in Dugdale's *Monasticon Anglicanum*, and others.

These charters of confirmation, got their name of *inspeximus*, because, almost always the princes who granted them, used the words *inspexisse* or *vidisse*.

No 8. In marking the years of the Christian æra, corresponding to the year of David II.'s reign, I have followed, so far as I know, the rule observed in these charters of his; but, I must confess, there occurs a very surprizing thing, and exceeding belief, unless it had been confirmed by the most certain proofs; it is this, That in the public acts of this reign, there is only the small error of one year, which is, that the first year is numbered for the second, 2d for 3d, and so on. It appears very evidently, however, that the matter stood thus, because, not only our own historians, but the public acts of England, confirm, that Robert Bruce, the father of David, died in the month of June, 1329; (and, as our historians say, on the ides or 7th of June). Compare Rymer's *Fædera*, vol. IV. p. 397, 400, 406, 445, and 462. This being settled, the first year of the reign of David, is to be numbered from the 7th June, 1329, to the same day of the year 1330; the second, from that to 7th June, 1331; and the third year, from that again to 7th June, 332; and so on till 7th June, 1370, on which day, the 40th year of the reign of David ought to begin, which was the last; for he died 22d day of February thereafter. Although all these things, are as certain and unchangeable as the revolutions of the year, and of



the fun, yet, it is no less certain, that our king David II. and his ministers, had used another, and different rule of counting, in numbering the years of his reign. It would be endless to recount the examples which might be adduced to confirm this; let it suffice to bring the following, which I have picked out, mostly, from records, which I myself examined

*1mo.* From the records of Scotland. (1.) Charter of David, No. 166. granted to Alexander Cockburn, 1361, *regni* 31. (2.) No. 235. To Thomas de Rate, 23d October, 1369, *regni* 40. (3.) No 237. To Sir James Douglas, 8th December, 1369, *regni* 40. (4.) No 239. To Alexander Lindsay, 15th January, 1369, *regni* 40. (5.) No 256. To William earl of Ross, in full parliament, 23d October, 1370, *regni* 41. (6.) No 257. To Donald Macnayre, 24th October, 1370, *regni* 41.

*2do,* From Rymer's *Fædera*, vol. VI. p. 68. the ratification for the king's redemption in full council at Scone, 6th November, 1357, *regni* 28. (8.) Rymer, p. 632. the form of truce for fourteen years with Scotland, Edinburgh, 20th July, 1369, *regni* 40.

*3tio,* From the same Rymer's Letter to the bishop of Carlisle, p. 38. (9.) The bond granted to the king by David Bruce at London, 4th June, 1370, *regni* 40.

*4to,* From the above-cited Treaty, betwixt John king of France, and David king of Scotland, p. 36. in which the power (10) committed to the ambassadors by David, is dated 10th May, 1359, *regni* 29. I might bring other evidences from the chartularies of our monasteries; but what we have already set forth, are sufficient to put the matter beyond all doubt, that David, or those  
of



of his privy council, or secretaries, have missed one year in marking the chronology of his reign. In this surprizing affair, after making all the conjectures I could, I can assign no other reasons for it but the following, That, during the destructive war that raged in Scotland for many years, David, to be out of danger, retired to France; and, it may be probable, that no charters, at least very few, were issued; but when he returned, 2d June, in the year 1342, that is, towards the end of the thirteenth year of his reign, the person who oversaw the writing the records or acts, not adverting that the 7th day of that month of June did begin the 9th year of the king's reign, by a surprizing and intolerable inadvertency, has reckoned the whole following years as beginning a new year of his reign; but, if this mistake was once admitted, it continued till the end of David's life, by the same carelessness, or by concealing of the true calculation, though it was discovered. Some, perhaps, may think, that, anciently, our kings reckoned the beginning of their reigns, not from the day of the death of their predecessors, but from their inauguration; and, that David followed this manner of numbering the years of his reign. Buchanan was in this mistake, who therefore, only allots 39 years for the reign, for this reason, that David II. was not crowned till 24th November, 1331; but many evidences, besides the records of David, of which there are many dated the 41st year of his reign, clearly demonstrate, that this was not the custom of our kings in reckoning the years of their reign. Moreover, the two instruments of this king, formerly mentioned, one 20th July, 1369, and of his reign 40th; another 4th June, in the year 1370, and likewise of his reign the 40th,



40th, manifestly show, that the ministers of David reckoned the commencement of his reign, from some day betwixt the 4th of June and 7th July, but not from the 24th November, which is far distant from these first two months. But, since Robert, the father of David II. died 7th June, as we said before, that is, in the middle, betwixt the 4th June and 20th July; hence, it is more than probable, that that 7th day of June was fixed as the term; from which, the copiators in that king's time, (though they, by carelessness, slipped one year,) did, however, compute the beginning of his reign, in their reckoning of them. Some things may be seen concerning this matter, in Mr Ruddiman's notes on Buchanan's history, Freebairn's edition, p. 432, in which, at the time I wrote them, which I am not ashamed now to own it, I had not adverted to this error in chronology from the public records, which was not to be expected. I may yet add here, that the original receipt for ten thousand merks, from David king of Scotland, is in our records, the copy whereof is to be found in Rymer, vol. IV. p. 445. which original receipt, as it differs very much from the copy, I thought proper to give here, and put down in Italicks such words as are left out in the copy given by Rymer.

*Translated thus:*

“ Edward, by the grace of God, king of Eng-  
 “ land, lord of Ireland, and Duke of Aquitaine,  
 “ to all to whom these present letters may  
 “ come, Greeting. Know ye, That we have  
 “ received, and to have *fully in money down told,*  
 “ from the most excellent prince, David, *by the*  
 “ *grace of God, illustrious* king of Scots, our  
 “ dearest



“ dearest brother, ten thousand merks sterling,  
 “ from the term of the Nativity of St John, the  
 “ Baptist, last by past, in part payment of thirty  
 “ thousand merks, which the foresaid *lord*, the  
 “ king, was bound yet to send, by virtue of the  
 “ peace betwixt us and the lord Robert, king of  
 “ Scotland, father of the lord king David himself;  
 “ of which ten thousand merks, we acknowledge  
 “ us to be fully *paid*, and the said *David*, and his  
 “ *heirs, and successors, and others, whom it may*  
 “ *concern*; and, by the tenor hereof, we dis-  
 “ charge them *forever*. In witness whereof, we  
 “ have caused make out these our letters patent.  
 “ Witness myself, at Wodstock, 15th July, *in the*  
 “ *year of our reign 4th*, that is, *anno Domini 1330*.

I may be allowed to give one instance of very  
 many, from the chartulary of Moray, fol. 82.  
 and the rather, because it confirms, that, not on-  
 ly the custom, of which we are presently speak-  
 ing, whereby great men, making donations to  
 pious uses, submitted themselves to be compelled  
 by the censure of the bishop of the place; but it  
 also confirms that other practice, of using the  
 plural for the singular number, had prevailed long  
 before 1364, in Scotland. It is the charter grant-  
 ed by that forever illustrious patriot Thomas Ran-  
 dolph, earl of Moray, lord of Annandale and  
 Man, dated at Elgin, 16th May, *A. D. 1328*; by  
 which, “ says he,” (these are the words), “ We  
 “ will and promise, to found for the honour of God,  
 “ and the enlargement of divine worship, five per-  
 “ petual chaplains, for the salvation of the soul of the  
 “ magnificent prince, and *our lord*, Robert, by the  
 “ grace of God, illustrious king of Scots, *our uncle*,  
 “ his heirs and successors, and for the salvation of *our*  
 “ soul, and of the souls of our progenitors, rela-  
 tons



“ tions, and friends, to celebrate in the said church,  
 “ (that is, of Moray.) For the sustention of which  
 “ five chaplains, *we give, grant and assign*, and by  
 “ *our* present charter *confirm*, for *us, our* heirs and  
 “ successors, L. 23 : 13 : 4 sterling money of annual  
 “ rent, to be forever enjoyed out of the,” &c.  
 And, at a good distance after. “And if it happen,  
 “ which God forbid, that *we or our* heirs, or suc-  
 “ cessors, should in any ways oppose, contradict,  
 “ or contravene this *our* pious donation and  
 “ grant ; *we will and grant*, and for *us*, and our  
 “ heirs and successors confirm, that the bishop of  
 “ Moray, for the time being, or during a va-  
 “ cancy of the see, the dean and chapter, to  
 “ whose JURISDICTION and censure, as to this  
 “ point, *we expressly submit us, our* heirs and  
 “ successors, by every kind of church censure, as  
 “ well respecting our person, as our lands, that  
 “ he may freely compel and distress for the ob-  
 “ servance of all the foresaid obligations,” &c.  
 From these we may perceive, that one egg can-  
 not be more like another, than this charter of  
 Robert Stewart’s is to the charter of Thomas  
 Randolph. How great, therefore, is the igno-  
 rance or perverseness of Atwood, who is not a-  
 shamed to obtrude on the incautious reader, the  
 very reasons which chiefly establish the truth of  
 the charter of Robert Stewart !

Fordun relates, that these espousals were ca-  
 nonically celebrated (as it is expressed) in the year  
 1349, whose words, as they comprehend a true  
 relation of the matter, I have thought expedient  
 to subjoin.

“ This Robert, begot on a daughter of Sir A-  
 “ dam More, knight, sons and daughters before  
 “ marriage, whom he afterwards espoused cano-  
 nically,



“ nically, and in face of the church, in the year  
 “ 1349, having obtained, for that purpose, a dis-  
 “ pensation from the apostolic see.” Thomas  
 Hearne, in his preface to his edition of Fordun, p.  
 176. conjectures, and rightly, as I think, that  
 this narrative, which is in all the editions of For-  
 dun that I have seen, to be the story and words  
 of Fordun himself, not of Bowmaker his Con-  
 tinuator; for, otherwise, Bowmaker would not  
 so shamefully contradict himself, who, in an-  
 other part of his book, says, That the marriage  
 was celebrated after the death of Eupham Rois,  
 which, according to his own account, did not  
 happen till the year 1387. This charter of Ro-  
 bert Stewart demonstrates the thing to be entire-  
 ly false; but, what Bowmaker himself tells con-  
 cerning Robert Stewart, regent of Scotland, who  
 died at the age of 80, on the 3d of the nones of  
 September, in the year 1419, renders the sto-  
 ry incredible; for, by that means, he must have  
 been born in the year 1339; but, since he was  
 third son of Robert Stewart and Elizabeth More,  
 as Mr George Crawford demonstrates in his peer-  
 age, p. 6. and born after one or two daughters,  
 it follows, that John, the son of Robert Stewart,  
 must have been born, at least, in the year 1337,  
 that is, fifty years before the death of Eupham;  
 but, it is contrary to all probability, that Robert  
 should connect himself in marriage with Elizabeth  
 More, who was then past child bearing, an old  
 woman stripped of every charm; and, at the  
 same time, when Robert himself was far advan-  
 ced in years, and incapable of government; so that  
 the very next year, 1389, as Bowmaker relates,  
 they named his son Robert, earl of Fife, viceroy  
 of Scotland. I only have further to add, that Mr



Richard Hay, a diligent searcher into the antiquities of Scotland, in his Vindication of the legitimacy of Robert III. places this marriage of Elizabeth More in the year 1334, and which marriage, he contends was lawful from the very beginning. But the reasons given by him do not, however, satisfy me; nor can I approve of the argument of the judicious and reverend Mr John Sage, in his preface to Hawthorndean's works, p. 41. by which he is inclined to place the time of that marriage in the year 1335 or 1336; for I conclude nothing from these, but that John the eldest son was then born; but, it does not from thence follow, that he was begot in lawful marriage. What is related by Fordun seems more likely, to wit, That John, and many other sons and daughters, of Robert Stewart, were begotten out of lawful wedlock, to which the mother's consanguinity was a hindrance; but that obstacle being removed by the Roman pontiff's dispensation, they became all legitimated, the marriage being celebrated and completed according to the then received canons of the church, in the year 1349.

The charter mentioned by viscount Tarbet, is that statute approved by the three estates of the kingdom, by which the Scots bishops are empowered to dispose of their moveables by testament, and insert in the rolls of David.

Mr Sage has observed many other errors in figures, in that book of the earl of Cromarty's, which are all rectified in the 2d edition.

From the computation constantly observed in the charters of David, for otherwise, the charters granted from 7th June, 1370, to 22d February, 1371, the last day of David's life, should, as we have noted above, be placed in the 42d year of his reign. The



The reader may here consult our notes on Sage's preface above mentioned, p. 36, and at that time republished in the letters to doctor Robert Gray, in Hearn's preface to Fordun's chronicle, p. 187.

See Dalrymple's Collections, preface, p. 36. who asserts he saw these excerpts from the larger register of Glasgow.

Those that incline to be informed of the different controversies, agitated among the learned men, concerning the authenticity of instruments, let them have recourse to Ludevigius's preface to his treatise, entitled Remains of charters and monuments not yet published; wherein, that celebrated antiquarian has discussed a long series of what he calls the diplomatic disputes, from p. 23, to p. 78. The most famous, was that one which was agitated about the authenticity of the charters of the kings of France, of the Mero-vingian and Carolo-vingian race, carried on for many years betwixt Germonius and Mabilon.

### XXXV.

Hoppingius, in a book entitled a Practical Treatise of ancient and modern seals, in Latin, tom. IV. *anno*, 1642.

Mabilon, in his work de re Diplomatica, twice published at Paris, 1681, and 1709, fol. cap. 14. to cap. 20. Supplement, cap. 11.

### XXXVI.

Heinneccius, in his book entitled de Vetibus Germanorum aliorum nationum Sigilli, Lips. 1709. To these may be added a book of Kirchman's de Annulis, and Longus, keeper of the Ambrosian library, his treatise concerning sealing-



rings; and Gerlæus, in his preface to his *Dactylio Theca*, in which he treats of the origin of rings, and their various kinds and uses among the ancients.

Mablon, de re Diplomatica; lib. 2. cap. 14.

## XXXVII.

Gerlæus's proeme to *Dactil.* p. 4.

Hoppingius, de *Jure Sigillorum*, cap. 2.

Mablon, lib. 2. cap. 14. and Drufius, Gro-tius, and others, are of the same opinion with regard to the seal given by Judah, the son of Jacob, to Tamur in pledge.

Exodus, chap. xxxviii. 11. xxxv. 22. xxxix. 22. Kings, chap. xxi. 8. Esther iii. 12. See Hein-neccius, part I. cap. 3. de *Sigillis*. And, as Kirch-man shows, the ancients sealed not only letters, charters, and other instruments, but the doors of their houses, their bags of money, and chests, their vessels wherein liquor was kept, and, in a word, every household provision and furniture, as he shows at full length in the forecited book, cap. 10.

See Alexander ab Alexandro *Dierum Genial.* lib. 2. cap. 19. Kirchman, cap. 15. and 16. Ma-blon as above.

Mablon, lib. 2. cap. 14, and 16. This seal-ing-ring of Childerick's, excepting the Greek or Roman seals, is by far the most ancient of the monuments of that kind now extant, and was dug out of the burying place of that king, at Cam-bray, 27th May, 1653, and which Chifflet caused be engraved, and illustrated with an excellent commentary, in a book entitled *Anastasis Childo-rici I. anno 1650*, from which, Heinneccius caused delineate the representation of his seal, tab. I. n. 4.

## XXXVIII.



## XXXVIII.

Meursius's Exercit. Critic. p. 2. cap. 9.

Juvenal, Satyr I.

Ateius Capito, in Macrobius, lib. 7. cap. 13. expressly relates this. See Pliny's Nat. Hist. lib. 33. cap. 1.

## XXXIX.

Kirchman de Annulis, cap. 11, 12, and 13. to which, add Longus de Annulis, cap. 6. Chifflet's Anastasis Childorici, p. 108.

## XL.

Hoppingius de Sigillis, cap. 4.

Dufresne, in Glossario voce *Sigillum*.

Heinneccius shows, that the counter seal was not always of the same bigness with the original or principal seals, part I. cap. 15. and which appears from the earls of Flanders seals.

## XLI.

Mabillon describes accurately, lib. 2. cap. 16. the method of affixing, or rather tying, these ancient seals of the French king. The author of the Chronicon Gotwicense, treating of the same subject, lib. 2. cap. 1. adds, "That the back part of the wax remained bare without any impresson." See Heinneccius, cap. 16. § 2.

Louis le Gros began to reign, *A. D.* 1108, and Louis VII. in the 1137.

Mabillon, lib. 2. cap 19. § 1, and 3. lib. 2. cap. 16. lib. 5. p. 428. lib. 2. cap. 16.

Agnes, widow of Henry I. died *anno* 1060.

Battle-abbey: in those days, any particular battle was called Bellum, as Bellum Standardi, de Bannockburn, de Cressay. Hicke's



Hicke's Epistolary Dissertation on the use of the northern tongues, p. 72.

## XLII.

The first of these charters, which Selden described, is not older than the year 1067, in which Walkelinus, named by that king, is a witness, as appears from Simeon of Durham, Hoveden, Dicoeto, Brompton, so that Heylin is somewhat mistaken, who, in his treatise entitled an Help to English History, writes, That he began or entered into the see, *anno* 1073.

See Mabilon, lib. 2. cap. 19.

Rofarius in Apparatu ad Stemmata Lotharingica, makes the origin of gold seals 200 years anterior than Charles the Great; but Heinneccius de Sigillis German. p. 1. cap. 4. shows the authority of that author to be deservedly suspected.

## XLIII.

It is doubted amongst writers, who was the first who introduced the use of seals of metal; Dufresne voce (Bulla), attributes the invention to the kings of the Franks, with whom Polidore Virgil de re Inv. lib. 8. p. 605, agrees, as does Thulemarus de Bulla Aurea, cap. 2. and whose opinion Mabilon seems to favour, lib. 2. cap. 16. But the opinion of Malincrotius pleases me more, in lib. de Cancell. Imp. p. 116. and of Heinneccius, who attribute their origin to the emperors of Constantinople; and, that from them, they spread to the Franks, as many other customs did.

See Mabilon, lib. 16. § 15. Dufresne voce (Bulla) Chronicon Gotwicense, p. 83, 162, 212, 230, 310, but principally Gunter, in a particular tract



tract on the gold, silver, and lead seals, and Heinneccius, p. 1. cap. 4, and 5. But, not to mention very many other seals of the same metal, appended to the charters, from Charles the Great to Leopold, also by the kings of France, England, Spain, Sicily, Italy, Hungary, Bulgaria, and the popes; the most remarkable, and therefore for its excellence, called *the golden bull* of Charles IV. the description of which, as signed at Nuringberg, and Metz, *anno* 1356, and preserved at Frankfort on the Main, Gunter Thulemarius relates to be as follows: “ The books, says he, “ is composed in the Latin tongue, in “ Monkish characters, consisting of forty-three “ leaves of parchment, containing the general “ contents of the chapters on the second and “ third page, and a particular rubric prefixed to “ each chapter; the seal, or bull which hangs at “ it by threads of yellow or black silk, drawn thro’ “ every single leaf, is round, and of solid gold, “ equalling the thickness of a double Joannes; on “ the one side, bearing the effigy of Charles IV. “ sitting as emperor, in his robes and ornaments, “ wearing the imperial crown, the sceptre in “ his right hand, and holding the apple, with “ the crucifix fixed on it, in his left; on whose “ right hand, is the figure of a single eagle, not “ the double eagle; and, on the other side, the “ lion with a double forked tail; in the circum- “ ference, in capital letters of that age, CARO- “ LUS QUARTUS DIVINA FAVENTE CLE- “ MENTIA ROMANORUM IMPERATOR, “ SEMPER AUGUSTUS ET BOEMIE REX; “ on the other side of the seal, a large castle; “ which some think, means the capitol, others the



“ the city of Rome, with three towers, which  
 “ has in the middle an open gate, with letters  
 “ engraven in the end.

A U R E A R O M A.

On the edge this verse,

*Roma caput mundi, regit orbis frena rotundi.*

Hoppingius describes it in the same manner as he saw it 2d June, 1639. We have a representation of it by the same Thulemarius, p. 55, and by Heinneccius, tab. I. p. 90. Of the same kind is that remarkable golden bull, which Spelman mentions in his Glossarium, and which I saw in the register at Westminster, it is of Francis I. king of France, appended to the treaty betwixt him and Henry VIII.; on the fore-part of which these verses are described, “ Plurima servantur fœdere  
 “ cuncta fide.” Dufresne vouches the same thing, concerning the golden bull hung to that treaty, as does Peireſceus, in his manuscript Memorandums, and which, he says, he saw in the royal archives, and was of a bigger size, and weighed ten gold crowns Spanish, on which is stamped the arms of England, with the regal crown, collar, and garter. Spelman relates the same thing; and, that the golden bull was appended to the diploma of Clement VII. who conferred the title of defender of the faith, on the same Henry VIII.

XLIV.

The doges of Venice, from the time of Alexander III. the pope, that is, from the year 1177, were in use to seal their letters with lead, as Kirchnerman informs us, p. 54. and Thulemarius, p. 29.

Ingulphus,



Ingulphus, Hist. p. 901, edit. Savill. is a sufficient evidence in this matter, who was made abbot of the monastery by William the Conqueror, *anno* 1076, as he himself tells us.

What further confirms this matter, is what is to be read in Hickes's Differ. Epist. p. 7. on Stillingfleet's *Origines Britannicæ*, taken from the chartulary of the monastery of the Augustines at Canterbury, preserved in St Thomas's hall at Cambridge. See same author, p. 64, and 71.

In the same we may decide, concerning that ancient charter, which is said to have been found by the Scots in their incursions into Cumberland, *anno* 1386, and which the Continuator of Fordun tells us, was brought to their general Robert Stewart, earl of Fife, as follows: "Among other spoils, says he, there was presented a most ancient charter, sealed with a large wax seal, of the following tenor, *I king Adelstan, gyffs here to Paulayne, Oddan and Roddan, als gude and as fair as ever they myne war, and thairto wytness Malde my wyffe.*" I do not doubt, but such a charter might have been found; but though Craig, in his book *de Feudis*, lib. 1. dieg. 7. § 4. esteems it genuine, yet that large seal of wax, said to be appended, demonstrates it to be a forgery.

Dufresne in Gloss. voce Monogramma.

Mabilon, lib. cap. 10. Diplom.

Heinneccius, de Ger. Sig. p. 1. cap. 9. § 51.

Chronicon Got. lib. 1. cap. 1. and elsewhere, in which the cyphers of the German emperors, from Conrad I. to Frederick II. are accurately described.

Lactantius demor. Per. cap. 44.



Bandurius aduersus Hardwinum, tom. II. p. 250, 273.

## XLV.

See Mabilon, lib. 2. cap. 16.

Heinneccius, part I. cap. 7. § 6, and 8.

But, in these gold seals, the vanity of the kings and emperors appears, who sometimes melted down a great weight of gold in these seals. It is worth mentioning what Hein. adduces out of Chron. Goslar. *viz.* moreover, the emperor Henry III. gave to the church of St Simon and St Jude a certain letter, sent to him by the king of Greece, with a gold seal, so weighty, that a gold calix, or communion cup was made of it, and of "the letter itself an altar cloth."

See Heinneccius de Sig. Germ. p. 1. cap. 28.

Mab. de re Dip. lib. cap. 16.

Chron. Got. Tib. lib. 2. p. 106.

## XLVI.

Hein. cap. 17. Mabilon, lib. 2. cap. 19.

Concerning the affair of Phelim o' Niel, consult Clarendon Hist. of the affairs in Ireland, p. 16. Nalson's Collect. vol. II. p. 527. Thomas Carte's life of the duke of Ormond, vol. I. p. 179. and his Treatise on this subject, in which he excellently defends Charles I. from the false imputation of that horrid crime, which Chandler endeavours to fix on him.

See Hicckes's Epist. Differt. p. 72.

See the seals of Philip Auguste, Lodovicus VIII. and IX. in Mabilon, lib. 1. p. 431, and 433.

See Olivat. Ured. de Sig. Comitum. Flandræ, p. 19.

See



See Anderson's *Independency*, p. 77.; also, Selden's *Titles of honour*, p. 1. cap. 2. Dufresne *Glossarium* voce *Basileus*.

See the representation of Edward the Confessor, in Speed, p. 398.

Mablon, Tab. 39. p. 423.

Chron. Got. lib. cap. 6, and cap. 5. where there are two seals of Otto III. mentioned, in which the emperor is said to be represented sitting on a throne; but he says, these are rare, and of which he never saw any like them. But Mablon has fallen into a mistake, in saying that the seal of Charles le Gros, was of the same shape; for I can find no such seal in the authors mentioned by Mablon, except one impression of lead, where that prince is represented with a shield and spear. See Mab. Sup. cap. 11. p. 48.

As to the stamping the picture of princes on seals, see Heinnec. Part I. cap. 9.

There were frequent changes made in these ensigns; as for example, a standard, frequently a baton, more frequently a sceptre, adorned with a lily or a bird, and sometimes with a flower in their hand.

See Chron. Got. tom. I. p. 107. Mablon, lib. 2. cap. 17. lib. 5. p. 416.; but, forgetting what he had said before, lib. 2. cap. 17. relates, that the crown was first assumed by Lotharius, the last of the Carolo-vingian race.

See Chron. Got. tom. I. p. 164. Evelyn's *Treatise on medals*, p. 34.

As to thrones, see the seals of the emperor Henry II. in Chron. Got. p. 227. of the kings of France, Mablon, Tab. 39. Of the English, Sandford, in the *Genealogical history* of these kings. And Uredius, of Arnold, earl of Flanders.



As to stirrups, Magius, in his *Miscellanies*, lib. 2. cap. 14. and *Salmasius ad Spartianum*, p. 718. show, that they are not of modern invention. St Jerome mentions them by the name of *stapia*, and *bistapia*.

Trappings of horses, we see on the seal of Alexander II. on the reverse, the arms of Scotland, inscribed, not only on the shield, but on the back part of the saddle; and these arms are the same as at this day; and although the shield of his father, king William, is quite plain, as those of former kings; yet Nilbet, a celebrated author on heraldry, asserts he saw in Sir Robert Sibbald's answer to the second letter of Rymer, p. 110. a charter granted by William to Philip Seton, to which a seal of white wax was appended, on the reverse of which, there was stamped a lion rampant, surrounded with a border of lilies; I cannot doubt of this seal, as he says it was in the charter-chest of the family of Winton; but it is probable, that our king William imitated the example of Richard I. with whom he was in great friendship, and having laid aside his first seal, has taken up this last.

See Fordun, lib. 2. cap. 12. Hector Boece, lib. 1. fol. 7.

See Spelman, *Aspilogia*, p. 36, 43, 44.

Cambden's *Remains*, tit. *Armories*, p. 180.

Spelman's *Titles of honour*, p. 2. cap. 8.

Shefferus de *Antiq. Sueaci* infig. cap. 3.

Mestrier de l' *origine des Armoires*, cap. 4.

As to the French lilies, see Mabilon de re Dip. lib. cap. 16. Spelman and Spilo, p. 37.

As to the lion on the English arms, see Nicolson's *Eng. Hist.* lib. p. 178. who writes, that Richard I. had two lions on his seal; and which

Speed,



Speed had asserted of the first seal, p. 479 ; but I find only one in Speed and in Sandford. What Nicolson asserts of three lions, that John son of Richard I. bore on his shield, must be a mistake ; because Speed and Sandford, say it was Richard II.'s seal.

Matthew Paris Hist. Ang. p. 351. Uredius de Sig. Com. Fland. p. 6, 19. Schefferus, cap. 2. p. 128. Heinneq. de Sig. Germ.

Concerning the impression of arms on seals, there is an exception of the Swedish money, on which, in the most ancient times, three crowns are to be seen inscribed, as the arms of that kingdom, about the years 1018, or 1034, and 1129. But that piece of money is much ancients, which Schefferus has caused to be engraved, on which are three crowns, and which Brennerus attributes to Olaus of Tretelia, who reigned about 800. But as that old piece of coin, is of that kind, which is of a very thin plate, and only stamped on one side ; and that Schefferus pronounces it to be of Olaus, for no other reason, than that it has the letter V. on it ; he will pardon me, if I somewhat doubt of the very great antiquity of that coin.

## L.

See Boece, lib. 2. fol. 20. Nicolson, in his Scottish Historical Library, p. 288. brings, as evidence for this affair, the catalogue of the kings of Scotland, prefixed to Hector Boece's History ; but he doubts, or rather denies, that it was written by Boece, because it ends with the two husbands of queen Mary ; but this is no good reason, for these were added, some how, in the last edition of Boece's History ; but, what puts the thing beyond doubt, is the first edition, published



blished in Boece's lifetime, in which the catalogue of our kings to James V. is expressly in the same words. What Lesley relates about leather money of king Reutha, must be esteemed a fable.

See Lowndes Essay on the amending the English silver coin, p. 16.

## LII.

Le Blanc, in his Historical Comment on the French coins, p. 94. shows, that, in the age of Charles the Great, the pound, or French livre, contained 20 sols, that again 12 deniers; and that the computed and numeral pound was the same. Under the Anglo Saxon kings, there was the same quantity of metal in the computed and numeral pound; but they did not number their parts in the same way as the French. Hickeys says, that the Saxon pound contained 60 solidi, or shillings; but Fleetwood, more rightly, in his Chronicon pretiosum, cap. 27. following Cambden, Spelman, and Lambard, says, that the Saxon pound consisted of 48 shillings, the shilling of five pence; so that the penny made the 24th part of the pound, as it now does. But William the Conqueror, having introduced the French method of computing money, divided the pound into 20 shillings; each shilling was made out of one ounce, and contained 16, sometimes 20 pence, and, at that time, there was 15 ounces in the pound; so far Fleetwood, p. 35.; but which does not agree with what he asserts in the next page, that the English Norman pound was the same with the French pound, which was of 12 ounces, each ounce consisting of 20 penny-weights; and which he confirms by the testimony of Dufresne.

Penny-weight, I here speak of Troy weight, by which the more precious things are in use to  
be



be weighed, not averdupoise, by which coarser things are weighed, and of less value for their size.

See Bodinus of the increase and decrease of gold and silver. Molinæus of the change of money, quest. 100. § 91. Klochius de Orario, lib. 2. cap. 84. Le Blanc, Prolegomina p. 19. Jo. Evelyn, of Medals, p. 227.

Concerning the division of the degrees of metal, see Rudelius de re Nummeria, cap. 8. Savotius de Nummus Antiquis. part. II. cap. 6.

## LIII.

See Nicolson's Eng. Hist. lib. cap. 7. and a narrative by an anonymous author, on English coin, 1726. Fleetwood, p. 52. &c. Lowndes, 1695.

The precept issued by Edward III. is of the following tenor.

“ The king to the sheriff of Northumberland,  
 “ Greeting. Altho' the ancient money of Scot-  
 “ land was of the same weight and allay, as  
 “ our money of England before these times; for  
 “ which reason, it was current in our kingdom of  
 “ England; yet, because there is certain money,  
 “ like to that ancient money, and conform thereto,  
 “ which is less in weight, and baser in allay, newly  
 “ struck in the said kingdom of Scotland, and is  
 “ current in our kingdom; which, if permitted any  
 “ longer, will manifestly turn out to our own loss  
 “ and defraud, and that of all our subjects of our  
 “ said kingdom: We, willing to obviate such da-  
 “ mage and destruction, order you, immediately  
 “ on sight hereof, that you make proclamation in  
 “ the cities burghs, market-towns, sea-ports,  
 “ and other parts under your jurisdiction, where  
 “ it shall seem most fit to you; and on our part  
 firmly



“ firmly discharge, that none, under our higheft  
 “ forfeiture, presume to receive in payment the  
 “ forsaid new money of Scotland, just now struck,  
 “ or to be struck; but, immediately, when it shall  
 “ be offered in payment, to be current with our  
 “ money, in whose ever hands it be, it be ar-  
 “ rested, and remain forfeited to us. But we  
 “ will, and it is our intention, that every one  
 “ may be allowed to purchase the said new mo-  
 “ ney for value, that it may be brought into  
 “ our mint, there to be melted down, and mo-  
 “ ney to be received of our coin for the value  
 “ of the said money, so melted. And, if you  
 “ shall find any one making use of the said new  
 “ money of Scotland, in any other manner of  
 “ way than above, after the issuing of this pro-  
 “ clamation and prohibition, then to seize on  
 “ such persons, with the money, and detain them  
 “ in prison, and answer to us for the money,  
 “ which you have caused so to be arrested, and  
 “ that you certify us of the names of the persons  
 “ arrested, and of the money so arrested, from  
 “ time to time. Rymer, tom. 5. p. 813.

See Rastali statuta Angliæ, title *Moneta*, fol.  
 277. compared with Rymer's *Fædera*, tom. VII.  
 p. 41.

## LIV.

See Anonymous History of English money,  
 p. 6.

Stow's History of England, p. 200. also Fleet-  
 wood, p. 46. Simeon of Durham shows, that the  
 half-pennies, at least, in Henry I.'s time, were  
 made round. Nicolson, in Scot. Hist. lib. p. 307.  
 says, he had a very small piece of money, which  
 he conjectures to be a half-penny of David I.;  
 but,



but, as he says, it weighed fourteen grains, I rather think it to be a penny, worn in the edges; because, as it is certain, none of these pennies exceeded twenty-four grains, few of them 22 grains; it is not probable, that the half would weigh fourteen grains.

There is in Mr Anderson's *Diplomata*, engravings of half-pennies of Alexander III. and John Baliol; which the French and English, and likewise, probably, the Scots, denominated *Maille*. See Dufresne, concerning the etymology of this word.

See, concerning the origin of the word sterling, Spelman, Dufresne, Lowndes, Nicolson's English Hist. Library; the last of whose opinion, is the most probable.

*Grotes*, that is, big or great.

Sutherland's valuable Collection of Coins, deposited by him in the advocates library.

The half-groat of Edward I. is extremely rare, as no English writer mentions it.

There is not a more frequent denomination of money in Scotland than the merk, and also frequent in England; it seems to have had its beginning among the Anglo Saxons, and was, at first, accustomed to be taken by them for a weight then, and now, for a certain denomination of money. It passed to France from England, about *anno* 1093, as le Blanc thinks, p. 150.; but, among the French, it has always been received for a weight of eight ounces, or two thirds of a pound; not for a denomination of money. Thence, among them to this day, weights are numbered by merks rather than pounds. Further, I must here observe, that there were never any coins of gold, struck of that denomination, but in



Scotland, in the reign of James VI. when six pounds Scots was only equal to one English pound. The half-merk was first struck, or a piece of money of six shillings four pennies, in the year 1572; and lastly, 1601, when the value of the pound Scots was doubled, whole merk pieces were coined, as was the half, and quarter-merk. Under Charles II. two, and four merk pieces were coined, on the first of these, XXVI. 8. on the last, LIII. 4. were inscribed. See Dufresne, and Fleetwood.

## LV.

Florins, was, of old, a common name to all gold coin. See le Blanc, p. 9. Nicolson's Eng. Hist. lib. 257. but is now a different appellation of money.

In like manner, various names were put on the gold money among the French, borrowed from the figures on them; as from the figure of a sheep or lamb, came *angels* and *mutons*; of *masses*, from the mace or sceptre; *pavillons*, from *tents*; *escus*, from shields; *couronnes*, from crowns, &c.

The *Caroluses* and *Jacobuses* are of the purest gold, struck both in England and Scotland; their value, at first, was twenty shillings Eng. afterward, the *Jacobuses* were raised to twenty-five shillings, the *Caroluses* to twenty-three shillings, by a gradual increase; but, when the clipping them could not be restrained, all these coins were ordered to be called in to the mint, and re coined in new money, in the year 1732, by act of parliament.

## LVI.



## LVI.

Buchanan, lib. 12. writing of the copper money, coined by James III. says, former kings had coined some of that kind of money, more for the necessities of the poor, than for their own profit.

See Nicolson's Eng. Hist. Lib. cap. 7.

The learned Craig, in his Manuscript on the Union, cap. 5. recounts, among other objections against the union, that, at that time, there was no copper coin in England, so that, if the Scots and English money, should afterwards be made of equal value, a considerable hurt would be done to the poor, by depriving them of the use of these small coins; and it was for this reason, that James I. caused coin money of this base metal, which had been done a little before by Henry III. in France. That there was copper coin struck in England and Ireland, *anno* 1339, appears from an order of Edward III. See Rymer's Fædera, tom. V. p. 113.

See Par. 1. cap. 23. James I. and Par. 8. cap.

33.

Black money. See Buch. lib. 12. Lesley, lib. 8. Ferrer. Pedement. in Append. ad Boetium, p. 395. Hume's History of the Douglasses, p. 226. Ferrarius says, That the king was compelled by necessity to strike them. Ninian Winzet, against Buchanan, p. 239, says "That he coined certain copper money, being obliged to do it by necessity, which the people unwillingly submitted to; I should therefore say, that the people were in a greater fault than the king;" but even this black money, is ordered to be current by act of par. 5. cap. 4. Jac. III.



There are of these *atchifons*, in the cabinet of coins, in the advocates library.

Bodles, is a corruption from one Bothwel, the name of a coiner.

Turners, this name is taken from the French, who were used to call their gros, dernier, and doubles, tournois, from the money coined with a great mixture of brass in the city of Tours.

## LVII.

Evelyn says, if we except some pieces of money, struck on the coronation of two or three of our late princes, on their births, or marriages, we cannot show any piece which deserves the name of a medal, before the time of Charles I. p. 84.

## LVIII.

John Evelyn relates of Charles the Great, that the coiners attended the court.

As to the names of the coiners being put on the money, Obadiah Walker, in his treatise on this subject, prefixed to Cambden's *Britannia*, shows, that this was the custom among the princes of the Norman line in England, and several of the Anglo Saxon kings. Andrew Fontan, in his *Illustration of Ang. Sax. coins*, and Thoresbius, in *Ducatus Leodensis Topograph.* p. 340, do also show the same.

Cardanus, as Evelyn reports, mentions a Venetian tradesman, who had contrived that machine of the mill and press, by which the money is stamped, cut, and rounded, by one and the same operation. Pighius, in *Herculo Prodigio*, p. 156. describes, very elegantly, that machine invented at Hall, by which money is stamped, which he said he saw 1574. See Lowndes.

Upon



Upon the statute of David II. no small doubt arises; for, if this pound of David's had been of the same weight with the pound of Robert I. his father, which contained fifteen ounces English, at the same time that the English pound consisted of no more than twelve ounces, as it now does; and thus, the Scottish pound was three ounces heavier than the English pound; and it necessarily follows, that the pennies Scots of David II. were heavier than the English pence; which does not seem to me, likely, to be the case. It must, therefore, be said, that the Scots seem to have made use of the English pound in weighing their money, not their own pound.

The dowry to king James IV.'s queen, is to be found in Rymer's *Fædera*, tom. XIII. p. 57. and Haddington's Collections, manuscript, advocates library, p. 291, and 386.

That the Scottish money was somewhat diminished in James V.'s time, appears from these acts of James III. and IV. That out of one ounce of silver, money was to be made which should be current for 140 pennies or eleven shillings eight pennies; but in England, at the same time, according to Lowndes, p. 41. and Fleetwood, p. 53. the value of money coined out of one ounce, was only three shillings, one penny half-penny. It necessarily follows, that the pound English ought to have equalled three pounds, two thirds, Scots, more in value; but, how it should have happened, that the extrinsic value of the Scottish money, which had grown to quadruple, almost, of the value of the English money, and within twelve years thereafter, was reduced to triple the proportion when compared with it, I can assign no other reason, but one of these two, either, that the king of Eng-  
land



land had permitted his money to be adulterated, though no authors say so; but which was not very improbable for such an avaricious prince to do, or he had some other way increased its value; or that the Scots, contrary to their usual custom, had lessened its price; but, probably, what occasioned this, was the luxuriant plenty of corn and fruit, which Buchanan mentions, lib. 13. to have happened at this time, but more especially, that most beneficial commerce, arising from the fisheries, which James VI. solicitously took care to encourage. See James VI. par. 4. cap. 49. by which trade, there was brought into Scotland such a great plenty of gold and silver, if we believe Sir James Balfour, in his Manuscript Annals, that the quantity of money was tripled in Scotland at this time.

Henry Balnaves, who was chosen one of the senators of the college of justice, 1562, and in the year 1568, was one of the ambassadors, who, together with James Stewart, earl of Moray, then regent, were sent to York to treat with the ambassadors of Mary, and of Elizabeth, concerning the affair of Mary, queen of Scots.

Sir James Balfour's Waste-book, written with his own hand, concerning the money affairs in Scotland, preserved in the advocates library; and of which, Nicolson makes mention in his Scots Hist. Library, p. 292.

The contract betwixt Dunbar and Sutherland, is in the chartulary of Moray, fol. 118. in the advocates library.

Indenture betwixt Henry VIII. and the earl of Lennox, is in Rymer's Fædera, tom. XV. p. 29. Compare bishop Keith's History of the Reformation, vol. I. p. 36.



The act of privy council, 1556, is in Haddington's Collections, in his Parliamentary Col. fol. 123.

Fleetwood's Chron. Precios. p. 53.

Sir Thomas Craig has these words, "That, while I was a boy, four of our Scottish pennies made one English penny." Craig was born 1548.

If we credit the anonymous author who wrote the history of the four regents in the minority of James VI. Morton, before he was regent, caused half-merks, and quarter-merks of silver, very much debased, to be coined at Dalkeith, long current in Scotland. See Manuscript fol. 56. in the advocates library; he further relates, p. 80. That while Morton governed the kingdom, he never would take nor receive in payment of the king's rents and revenues, any but the best kind of money; but, in payment of tradesmen, and merchandise, he forced that adulterated money to be taken, against all honour and honesty.

The act, 25th July, 1571, is among the unprinted acts.

The same regulation was observed 1583, for, in a written instrument, 22d October, that, by which the king sets in tack all the mines in Scotland, to Eustache Roghe, physician, and company, the ounce of the purest gold was taxed at L.22 Scots, and of silver, at 40 shillings, of same money. See Hadding. Col. fol. 203, and 299.

Abercromby, in his preface to his translation of Monsieur Beague's History of the Scottish Wars, 1548, and 1549, p. 28, says, he found from the register of the mint in Scotland, that, within the compass of one year, during the reign of James VI. there was coined one hundred and nineteen  
stone



stone of gold, or 1094 pounds in weight; but of silver 986, that is, 15776 pound, which sums, reduced to the value of our present money, (1738) would make L. 133633 sterling; but what makes it almost incredible, that such a great quantity of money should be coined in one year, is, that there was a far less plenty of that kind of riches at that time, in Scotland, than among our neighbours of France or England; for sure, among the English, all that 22 years, which James VI. reigned, as Lowndes, p. 53, relates, there was not above one million seven hundred thousand pounds sterling of silver coined, that is, about seventy-seven thousand two hundred and seventy-two pound each year: add to this, before, the greatest part of the current coin, then in Scotland, was foreign coin, brought from other nations, and not money coined in Scotland. It remains then, in order to credit Abercromby, that we must say, that this coinage was made in the year 1601, in which year, the whole current coin in the kingdom of Scotland, was called in to the mint; neither can we determine any thing certain, of the total quantity of the current coin then in the kingdom, from the great plenty of money, ordered to be coined in that year; for, notwithstanding this order, many silver coins, coined before that period, in Scotland, had a free currency, and were refused by none till the union, 1707: this is a certain fact, known to many.

It appears from Lowndes's Essay, p. 106, that the English coins had lost the one half of their weight by this villanous fraud of clipping; he also gives this reason, why the price of gold rose beyond the proportion these two metals bear to each other, that the English were always more  
inclined



inclined to estimate their gold to a higher value than it ought to have been.

## LXI.

Kennet, in his Parochial Antiquities, p. 603. and Fleetwood's Chron. pretios. p. 175. illustrate by a variety of examples, the damages arising from these imprudent transactions of taking *compositions*.

Translation of the charter of EDWARD I. to William de Maule of Panmore.

*Edward, superior lord of the kingdom of Scotland, to his beloved master, Alan de Dumfres, chancellor of Scotland, Greeting. Whereas, of the sum of L. 122, 10 s. which our loved and faithful William de Maule de Panmore, held of us in Scotland for his Relief; we have forgiven to the said William L. 82, 10 s.; and, that it is granted to him, to account to us out of the remaining L. 40 by the hands of the chamberlain of Scotland, at the feast of Martinmas, in winter next to come, for twenty merks; and, at the feast of Whitsunday first following, for twenty merks; and, at Martinmas, next after, for twenty merks. We order you, that you direct the foresaid chamberlain, appointed by our letters, under the seal of the regency of the kingdom of Scotland, that he receive from the said William, the foresaid L. 40 and cause the same to be stated in his rolls of accounts. Given at Berwick upon Tweed, XI day of July.*

From what has been shown, it may be seen how undeservedly our good king David I. has been usually blamed, that he very much wasted the royal patrimony, by founding many monasteries,



and by enriching them with ample revenues; for, in the first place, the wealth which that religious prince spent in pious uses, was not so great or immoderate, according to the manner of the times. Next, his munificence for promoting of religion, did not so very much burden his royal patrimony, that there did not remain an income abundantly sufficient for supporting the royal dignity, and supplying other public expences. For, from what we have shown concerning the different state of the value of money in Scotland, at various times, I think, none will have the least doubt, that the royal patrimony, in the time of David I. was not only wealthy and rich, but even twenty times, at least, richer than it was in the time of James VI. from the increase of the value of money in Scotland, and which proceeded, likewise, from other causes.

See Vaughan's book concerning the money and coinage in the time of Charles I. p. 50, 173, 176. published, London, 1675; also Budeus's Increase and Decrease of gold and silver, and how to prevent these; le Blanc, of French money, p. 472, where advices are given to Henry III. *anno* 1575, concerning the disturbances among the nobility, arising from changing the value of money, and the remedies for preventing them.

Concerning TABLE I. It is first to be noted, that, in order that the proportion, observed betwixt the gold and silver money, at different periods, may be the more easily understood, it seemed preferable to distinguish the purity or fineness of the gold coin, by ounces, penny-weights, and grains, rather than into carrats, and their fractions; and the rather, that, as we informed above, the master coiners were not used, as the English,

to



to divide the fractions of carrats into four grains, nor, as the French, into one half, one fourth, and one eighth, &c. but used to follow the customs of the Germans, by dividing the carrat into twelve grains.

2d, note, The Scottish mint acts and accounts being lost, we have no other rule to follow in defining the prices of the gold coins, and the proportion they bore to the silver under Robert II. and III. and sometimes under other kings, except analogy, that is, than the proportion or rate these coins bore to each other, either among the English, or, at other times, among us in Scotland; and thus, we hope, we have not gone beyond the bounds of truth.

3d, note, Fleetwood differs in a few things from our computation, who says, in his *Chronicon Pretiosum*, p. 26. That the same proportion was kept, in England, betwixt the gold and silver, from the time of Edward III. to his time, that is, the proportion as fifteen to one. But, with submission to so accurate a man, he is mistaken in this, that he does not apply these to his own time, nor has any regard to the allay mixed with the one or other metal; for, if he had compared the pure gold with the pure silver, which he ought to have done, he would have found out, that things were quite otherwise than he relates; for, by this means, according to his, and Lownde's calculations, (to illustrate this by a few examples) the pound of gold, *anno* 27 Edward III. equalled in



value, 11 pounds, 1 ounce, 17 penny-weights,  
22 grains; but in,

<i>Anno regni.</i>		<i>lb.</i>	<i>oz.</i>	<i>pw.</i>	<i>gr.</i>
9	Henry IV.	10	3	19	13
36	Henry VIII.	6	9	16	8
37	Henry VIII.	5	—	—	—
4	Edward VI.	2	—	2	13
2	Elizabeth,	11	1	17	22
43	Elizabeth,	10	11	9	13
1	James,	12	2	9	15
22	Charles II.	14	5	16	11
<i>anno</i> 1738,		15	2	10	7

which last, is the proportion betwixt gold and silver throughout all Europe.

Such as are desirous to know the various proportions betwixt gold and silver, among different nations, may consult Budeus, lib. 3. Mattheus Hortus, in Hist. Ant. Num. lib. 5. Gronovius de Pecun. vet. lib. 11. cap. 7. Vaughan, cap. 4. who fixes the proportion to be the same among the English as with us. Doctor Arbuthnot's Dissertations, cap. 6. But, principally, as to what relates to the state of money, in most places of the world at this day, consult the calculations of Sir Isaac Newton, written while he was master of the mint in England, 17th September, 1717.

#### Notes on TABLE II.

(t) From manuscript copy of our old laws, in the advocates library, in which the assize of bread, or the quantity of it to be sold for one half-penny, is regulated from the price of a boll of wheat, which was from ten pennies to three shillings. *Leges Burgorum*, cap. 120.

(u) *Idem*, of the assize of wine, cap. 134.

(x)



(x) Of ditto, of malt liquor or ale, cap. 135.

(y) In lib. 3. cap. 16. Regiam Magestatem.

(z) Idem, lib. 4. cap. 31. the word *juvenca*, is rendered in the Leges Malcolmi, cap. 7. by the word *colpindach*, and is valued to thirty pennies. See Nicolson's Scots Hist. Lib. p. 109.

(a) Reg. Mag. lib. 4. cap. 31.

(b) In the beginning of the manuscript chartulary of the abbacy of Kelso.

(c) Idem.

(d) These prices of wheat, rye, &c. are to be found in the Black Acts, James I. cap. 11. omitted in later editions.

(e) These prices are to be found in the larger chartulary of Aberbrothock manuscript, advocates library, fol. 126. *ad annum* 1489.

(f) See chartulary of Cambuskenneth manuscript, in said library, fol. 91.

#### Notes on TABLE III.

(g) In the bull of pope Paul III. 4th ides March, 1535, the salary ordained to be paid to these judges by the clergy, is ten thousand ducats of the chamber, which are said to make L. 1400 Scots, or L. 350 sterling; which, by the bye, confirms what I noted before, to wit, that four pound Scots made a pound sterling. By this method, the salary, yearly, payable to each of the fourteen senators, was nearly L. 22 sterling, but, to the president, double that sum; in present English money, to the first, L. 28, to the last, nearly L. 56 sterling; nor need we wonder at so small a salary, not adequate to so great a charge appointed for these judges; when, it is clear, from Fleetwood, in his *Chronicon Pretiosum*, p. 155. That the salary of the judges in England was not much greater



er than these ; besides, it appears by that bull, that the king was allowed to make provision for the support of these judges, to the extent of L. 200 yearly, out of the vacant benefices, over and above other donations to be made by him to them.

(b) The Scots pint contains, almost, four English pints, and contains somewhat less than the Roman *sextarius*.

(i) See the prices of these things, the Acts of queen Mary, par. 5. cap. 11, and 12.

(k) The black cock seems to be a bird peculiar to Scotland. See Gesner's Hist. of Animals, tom. II. p. 460.

As to the agreement for king William's ransom. See Rymer's *Fædera*, tom. I. p. 39.

#### Notes on the Text, LXIII.

See Fordun, fol. 281. and vol. IV. Hearn's Ed. ditto, p. 1319. and appendix, p. 1562. Rymer, I. p. 139.

The English historians have made mention of the great dearth of markets in those times, in England; the Continuator of Croyland, p. 518. *ad annum* 1434, thus says, "The autumn was too rainy, from whence so great a famine arose in England, and continued for almost two years; so that, in many places of the kingdom, the measure or bushel of corn was sold for forty pence." Fabian, in his Chronicle, fol. 190, *ad annum* 1439, writes, That this year there was such a scarcity of corn, that, at London, the bushel was sold for three shillings and four pence; but, as four bushels, English, make nearly one boll Scots, at this rate, a measure, equal to a boll of corn, did sell in Scotland, at both these times, for one merk English, that is, of their



their present money, twenty-two shillings ; but, English authors relate, that corn has sold often at a higher price in England, at other times. See Fleetwood, p. 78, 92, 119, 123.

## LXIV.

The English money was also ordained to be called into the bank ; the reason was, that it was risen to a greater value than among the Scots, the crown having risen to sixty-five shillings Scots, and the half-crown, to thirty-two, one half, shillings ; and, lastly, the English shilling, to thirteen shillings Scots.

Another remarkable thing, on this subject, I heard from Mr Drummond, that the next summer, when the chevalier de St George, was preparing, by the assistance of a French fleet, to invade Scotland ; those in power, at that time, under queen Anne, in Scotland, fearing, least, at such a critical time, by all our silver money having been brought into our treasury, or into the bank, a little before, there should be a want of money for the expences of war, they ordered the forty-shilling pieces to be again issued out of the banks ; of which sort of coin, there was great plenty at that time in Scotland, and commanded these to be distributed for pay to the soldiers, and other exigencies of the public ; but when that disturbance was settled, they ordered that kind of money also, at last, to be brought into the bank ; and, on a computation being made, it was found, that the quantity of that kind, brought in the second time, exceeded that which was brought in the first time, at least four thousand pounds sterling.

In the coinage made in Scotland, in the year 1601, as I conjecture, see the note above, the  
gold



gold exceeded the silver more than one third part in value.

In my calculation of the sum total of money in Scotland at the union, 1707, I except the money coined of copper, which scarcely deserves the name of money, being only calculated to make up fractions of greater sums, or for carrying on of commerce in things of small value, or for supplying the necessities of the poor. But yet, I must not pass over in silence, that when, in the year 1683, a severe prosecution was raised against the officers of the mint, among many other crimes alledged against them, this was none of the least, that, as they were only allowed to coin six thousand stone weight, or ninety-six thousand pound weight, they, without the king's authority, had made to the extent of thirty-four thousand stone, or five hundred and forty-four thousand pound weight, each of these pounds to three shillings sterling value. Here it is surprizing, that of such an immense quantity of coins of this kind, which would have amounted to ninety-six thousand pounds sterling, *anno* 1738, the greater part whereof, one would have imagined, might lasted to 1738; yet, that then, there should remain so few of these coins, the rest having been lost or consumed by time, so that the scarcity of copper money does now occasion frequent complaints; and likewise, an opportunity is given for forging bad money in place of the good. See Sir Patrick Hume's Manuscript Decisions, No 472. in the advocates library.

F I N I S.



Dartius Thesus by Abrahamus Goelcer  
abitus by Gronovius 1695 - treaty of seals (94)



