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## CONTENTS

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A question about the succession, 1364

*edited by A.A.M. Duncan* 1

Autobiography, 1626-1670, of John Hay, 2nd earl of Tweeddale

*edited by Maurice Lee, Jr.* 58

Letters of Lord Balmerino to Harry Maule, 1710-1713, 1721-1722

*edited by Clyve Jones* 99

*Appendix* 168

Strike bulletins from the General Strike in Scotland, 1926

*edited by Ian MacDougall* 169

INDEX 272



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## A QUESTION ABOUT THE SUCCESSION, 1364

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edited by A.A.M. Duncan

### INTRODUCTION

#### *The manuscript.*

In 1958 the late E.W.M. Balfour-Melville contributed greatly to our knowledge of a controversial episode in Anglo-Scottish relations in 1363 by publishing a most careful literal transcription of an ill-to-read manuscript treatise in the British Library.<sup>1</sup> This text in MS Cotton Vespasian C.XVI (a miscellaneous collection of Scottish historical materials written in different hands), folios 34-40, was written on paper whose watermark is of the 1470s or 1480s in a small 'pre-secretary' hand of that period. It is a copy, possibly several times removed from the last author's autograph, and certainly with many copyists' errors which add to the difficulty of understanding the original Latin. In seeking to make a full translation I was made aware of the need for a critical edition; I had prepared this and it had been seen by Professor D.E.R. Watt, who offered me many valuable corrections and suggestions, before writing my paper on the negotiations of 1346-52 in the *Scottish Historical Review*, in which a new edition of the text was promised.<sup>2</sup>

But I put this text aside and might never have fulfilled my promise had not Mr A.B. Webster jogged my conscience and also greatly helped me by sending me a typescript edition of the text from §7, with some notes, prepared before 1982 by the late Professor H.S. Offler of Durham, who was aware of the

1 *Miscellany of the Scottish History Society*, ix (1958), 36-50, with a summary in English on 51-6. Balfour-Melville seems to have thought that the whole text had one author; he saw that it related not to the events of 1351 but to those of 1363-4, but preserved the near-contemporary error of Commensal (discussed below) in his title, 'Debate in Council-General' (p. 6).

2 A.A.M. Duncan, 'Honi soit qui mal y pense: David II and Edward III, 1346-52', *Scottish Historical Review [SHR]*, lxxvii (1988), 113-41.

interest of the text as an academic exercise. From this I obtained a few further textual emendations, the sources of some non-Biblical quotations which I had not recognised and, most valuably, its identification as a *quaestio*. In the text below, many readings are emended, with the MS version preserved in the textual notes. The text is broken up into paragraphs, perhaps somewhat arbitrarily, but, I hope, facilitating future references to it.

The text is not one document but two, separated by the comment (§6) of a later annotator: first an introduction (§§1-5) by an anonymous (but tentatively identifiable) author whom I shall call Commensal, and secondly a treatise (§§7-58) from a booklet (*libellus*) containing learned arguments about terms proposed for an Anglo-Scottish settlement. This treatise was not, as Commensal thought (§5), an account of the arguments advanced in a general council held by Robert Stewart as Guardian probably in 1351; instead, it related to the Westminster proposals of October 1363, discussed between David II and Edward III and recorded in a memorandum hereafter called W, and to the debate in the parliament held at Scone in March 1364 at which W was rejected.<sup>1</sup> The treatise is also anonymous, but Commensal ascribed it to Master William de Spyny, doctor of decreets and 'advanced in civil law',<sup>2</sup> who had been his commensal colleague when Spyny was dean of Aberdeen, an office he obtained in 1387. He went on to be consecrated bishop of Moray (in his eighties, Commensal claimed), an event which took place at Avignon in 1397, when Spyny was pretty certainly in his seventies; he returned to Scotland early in 1398 and died in 1406. Commensal makes it clear that Spyny had related the events of his youth to him, and that he 'found' the treatise in an old booklet in Spyny's own hand. I shall return to the identity and purposes of Commensal at the end of this Introduction.

### *The quaestio.*

Freed from the misleading interpretation of Commensal, the treatise (§§7-58) does not read as the minute or even the recollection of any debate. It is a briefing paper, political opinion or *consilium*, composed by an author who openly acknowledged the nature of his text by the use of the first person on seven occasions. He adopted the device of the *quaestio* as it would be used in the schools, a form of disputation for training in philosophy, theology or law,

1 *Acts of the Parliaments of Scotland* [APS], i, 493-4.

2 For Spyny's career I rely on D.E.R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), 503-6, and shall not repeat his references.

where a master might assign the arguments 'for' to one student, those 'against' to another, and himself give a determination. By the fourteenth century, lectures might also take the form of a series of *quaestiones*, read by the master, without any disputation. The form was thus a commonplace experience for the medieval student; in the Law faculty, where Spyny studied, it must have honed his forensic skills.<sup>1</sup>

Spyny justified using this form conventionally—man should not be pushed into conclusions, but should reach them through the exercise of reason. Hence the question, *quaestio*, 'whether it is expedient to agree with the proposals of the English?' (§7), followed by the arguments 'for', introduced, as in the schools, by *probatur quod sic*, 'the "yes" is proved by ...'. There are fifteen arguments for (§§8–23), ten (numbered), based on their advantage to the Scots, two on that to the English (§§18–20), and three on their tendency to produce the desired end (*finis*)—peace and concord (§§21–23). This arrangement according to the advantage or 'end' of the argument leads to some duplication: §18, for example, would be in place with §§12–14, §20 with §10, and §22 seems an intrusion into an argument which runs from §21 to §23. Many of the safeguards included in W are not referred to at all, and if this were our only guide to W's contents we should have little idea of how far Edward was prepared to go, in promises if not in performance.

The arguments against (*Oppositum*, §§24–40) are sixteen, but in two groups. The first argues that acceptance would be unlawful, as invading papal rights (two arguments, §§24–5); the second, that acceptance would be a dishonourable fraud, because of how the English would probably behave (seven arguments, §§26–32) and because it would be unfitting for the Scots to accept (seven arguments, §§33–40). Although §26 begins *secundo*, there is little attempt at numbering; but a new group of arguments is signalled by the opening words of §33. Appealing to law, logic, history and myth, at almost no point do these arguments *contra* touch upon those *pro*; the one discussion which they have on a common point—the proposal of W that the king of England and Scotland should be crowned in Scotland (§§11, 34)—shows no concern with what the other has to say. This is deliberate, part of the structure of a *quaestio*, each side first making the best possible case without regard to that of the other.

1 For the *quaestio* see N. Kretzmann et al. (eds.), *The Cambridge History of Later Medieval Philosophy* (Cambridge, 1982), 20–33.

Then a decision or determination on the *quaestio* is given on the required grounds of legality, fitness and expediency (§41): the Scots may not accept the proposals.

But the schoolman Spyny has a further scholastic duty, to show why the arguments he has rejected, those in favour, are flawed—an answer to the arguments *pro*. Here Spyny would get fewer marks from an examiner, for while his eight points do refer to these arguments, they are less systematic than the schools would demand (§§42-52). He gives attention to only two of the first group of ten arguments. That the Scots have been weakened by war and have no leaders, is dealt with at great length (§§12, 42-45)—and with at least one digression (§43), which puts forward a spirited but most unconvincing argument that the king has advanced the proposals in order to test his people, to provoke the spirit of bravery in them. This leads into an obscure passage (§44) apparently arguing that to have a common king of England and Scotland would be less desirable than the feudal subjection of a Scottish king (which was not one of the options under discussion); this paragraph may, however, be advocating the payment of a ransom. §46 is an answer to §15 with a singularly obscure argument about 'our' disinherited. Only from §47 onwards is some attempt made to identify the arguments being controverted, while the last argument *pro*—that peace brings material prosperity (§23)—was unanswerable, and is ignored. But the brief argument in §22, that what is proposed in W would have the same effect as the treaty of Birgham of 1290, provokes a long and strongly-felt denunciation of the aims of Edward III, the only place in the text where Spyny takes the argument further by giving a response to his criticism and then demolishing the response (§§51-52). Nowhere does Spyny say that his arguments are motivated by what he obviously feels—that the promises of the English are worthless (cf. §30); rather he preserves the form of a *quaestio*, a structured discussion which avoids the anarchy of free debate and, identifying each element in the cases *pro et contra*, draws its conclusion in a rational manner.

The final passage, however, follows from another aspect of this *quaestio* which made it different from the staple fare of the modern debating society. For this *quaestio* dealt with an urgent political problem, and the resolution reached—to reject the English proposals—might lead quickly to war, to taxation, to the abandonment of hopes of immediate stability; Spyny had to come out of his ivory tower and offer goods in the market-place. Hence in §§53-59 an alternative set of proposals which, he argues, should be accepted by those both for and against the proposals now rejected. The argument here advances from the rejection of Edward III's succession (§§42-51) and that of the Prince of Wales (§52), to urge John of Gaunt as the right choice, although in §52 he has made it clear that Edward III has already rejected the succession



of a younger son. Continued rejection is to be expected from the English, but it will show up their sinister motives, because the succession of John would bring about peace (§§54-55); our messengers must redouble their efforts, speaking boldly (§56). The argument turns to reasons why the Scots should be willing to accept John of Gaunt, reasons which can scarcely be called strong (§§57-58); a very weak tailpiece suggests another way of achieving the same end (§59).

The political tone is distrustful of the English, and highly complimentary to David II, though confused about his purposes, suggesting that he is 'for' W (§16), and, surely a quite different view, that he supports W to test the bravery of his people and would never subject the people who have done so much for him to their enemy (§43). At §29 Spyny argues that Edward must revoke grants by Scottish kings, a subject on which he has heard anonymous reassurances. Since Spyny was not at Westminster, he must have heard these soothing words from David or his council, yet he is at pains to say that he has a different interpretation of them. He did not write at the command of the king. He is frequently flattering about the nobility, but is utterly dismissive of Robert Stewart, who must be the 'more powerful tyrant and plunderer' mentioned in §20. He is vague about the royal 'heirs', if only because he is to argue for an English succession which would oust the Stewart right.

The historian of political thought will note the relative prominence in his text of the people, *populus*, who have conferred great benefits upon their king (§43); who ought to consent to W (§21); or who, as a faithful people, ought not to (§26); who have already chosen John of Gaunt to succeed King David (§54). The three communities are a practical embodiment of the people's will, but the fact that they are characterised as 'the people' shows Spyny's adherence to the ascending view of government and law—that the populace at large is the source of authority and power. Perhaps Spyny had learned his civil law from the commentaries of Bartolus.<sup>1</sup>

### *The context, 1346-1364.*

In a paper published in 1988 I tried to elucidate the difficulties encountered by David II and the Scots after the disastrous defeat of Neville's Cross on 17 October 1346 and the capture of the king.<sup>2</sup> There was little movement until

1 W. Ullmann, *Law and Politics in the Middle Ages* (London, 1975), 30, 109, 157.

2 Duncan, 'Honi soit'; important earlier discussions are J. Campbell, 'England, Scotland and the Hundred Years War', in J.R. Hale *et al.* (eds.), *Europe in the Late Middle Ages* (London, 1965), 184-216, and R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), ch. 7.

1348, when Edward III proposed a settlement in which David would do homage for his kingdom, give military help, attend English parliaments, restore the disinherited, and, if he had no lawful heir, recognise the king of England or his son as his heir presumptive. David was in despair. But by the end of 1350 he had offered another possibility to Edward III: that he should be succeeded by Edward's third son, John of Gaunt, earl of Richmond. He secured the release of his fellow-prisoner, Sir William Douglas of Liddesdale, to take a proposal back to Scotland. Here §35 of the *quaestio* is our only source for the terms Douglas brought: a ransom of £40,000, the return of Scottish castles, and that Edward's younger son (Gaunt is not mentioned by name) should be heir presumptive.

These events would be known personally to Spyny who, almost certainly by 1351, was clerk to William Laundels, bishop of St Andrews (1342–58); Laundels would be at any council which considered the matter, and would be sympathetic to the king. However, for the knowledge that the proposals brought by Douglas were put to a general council by the Steward, we rely upon Commensal's introduction (§5): he must be retailing memories of Spyny's conversation, but he has confused this 1351 Council with events of 1364. In 1351, however, Spyny went to France to study and further his career, probably visiting Avignon by October. There is considerable evidence of his studies in Paris in the 1350s (he would not be able to study civil law there), and he pretty certainly remained abroad until the spring of 1363. He would have no first-hand knowledge of the progress of negotiations after the summer of 1351, which explains the patchy historical knowledge in the *quaestio*.

He certainly gave Commensal no inkling of the further negotiations at Newcastle in August 1351, leading to an agreement between the Scots and Edward's council. The original of this 1351 agreement, which I call N, survives, and was until recently misattributed to 1363.<sup>1</sup> Essentially it is a proposal for peace, involving David's release without a ransom. Edward would evacuate occupied Scottish territory, while the Scottish king would render him military assistance, restore the disinherited who would compensate the Scottish holders of their lands, and acknowledge that if David II died without an heir born in marriage, one of the sons of Edward III who was not heir apparent to England should succeed to Scotland. David II returned home in the winter of 1351–2 to carry these proposals in Scotland, probably in a parliament held in March 1352 at Scone. There is little doubt that he personally favoured and worked for this 'younger son' solution, that he had resisted the

1 APS, i, 494–5, but a better text is in SHR, lxvii (1988), 139–41.

proposed succession of Edward III, and that he cared nothing for the rights of the Steward to succeed. He failed to persuade his fellow-countrymen, refused Edward's offer of force to impose his will, and returned to captivity. In 1354 a different resolution was agreed, a resolution which avoided peace, recognition of David II, or the Scottish succession. He was to be ransomed for 90,000 merks, with a truce but no political settlement. But the Scots, led by the Steward, resiled; it took three further years of negotiation and warfare to reach the same point, an agreement in October 1357 to ransom the king for 100,000 merks and a ten-year truce.<sup>1</sup>

This agreement, the treaty of Berwick, was bound up in chains of guarantees that the Scots would pay. Hostages were to be given, and because these were not wealthy enough, three afforcements, especially wealthy men, were to be given from a named group of eight, as further hostages. But none of these was truly a hostage, for he was not penalised if the Scots defaulted. Instead, if the king failed to pay the 10,000 merks due in any year, he himself was supposed to return to captivity, or, if he was unable to do so (as assuredly he would be), two more wealthy super-hostages were to be surrendered until payment was made, either two earls or two from the Steward, Douglas and Moray. The hope that ecclesiastical sanctions, for which the provisions were complex, might secure payment, was vain. The Scottish bishops did not keep their promise to excommunicate their fellow-countrymen for not paying, and the threatened papal excommunication seems to have been an equally dead letter. Nonetheless, the treaty was made in good faith, with no experience of the difficulties of raising such monies, but as a price for having the king back, for the truce, and for the opportunity to negotiate a peace, which the truce offered. Like the treaty of 1354, of which it was a revised version, in its provisions for paying the ransom it foresaw the transfer of Berwick to Scottish hands in unexplained, but presumably peaceable, circumstances. This is an important point, since it explains why the Scots got away in 1357 with an increase of only 10,000 marks on the ransom figure fixed in 1354: Edward still hankered after a peace on his terms, and expected further negotiations to bring it to him. That must have been known to David II and his fellow-Scots.

From the return of their king in early November 1357, the Scots agreed to taxation on a new and unprecedented scale, in order to pay the instalments of the ransom. But David also had a French card, which he may have thought stronger than it really was. One instalment was paid in 1358. On 21 February

1 *APS*, i, 518-21; *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi asservati* [*Rot. Scot.*], i, 811-14; Campbell, 'England, Scotland and the Hundred Years War', 197-200.

1359 a Scottish embassy in London secured postponement of the second from midsummer to Martinmas (11 November), and this is generally said to have been David's first return visit to London. His wife had left him immediately after his release and was resident in England; she was credited with brokering this postponement, which was acknowledged by David under his own signet and the seals of three Scottish magnates.<sup>1</sup>

However, I do not believe that David visited London in 1359, despite the use of his name and signet there.<sup>2</sup> Two royal charters were issued at Scone a week after David's acknowledgement in London.<sup>3</sup> As events in 1363 were to show, a visit by the king to London involved special arrangements,<sup>4</sup> of which there is no trace in 1358-9; nor does a visit show up in Edward III's financial records, to my knowledge.<sup>5</sup> The presence of the king was scarcely necessary for such a modest concession, and there is no hint that the embassy came for more serious matters and was fobbed off with this postponement. Queen Joan's intercession itself rather suggests that David was absent. So we need to reassess the use of David's signet. It was not a seal attached to his person, but it was perhaps particularly associated with his wishes, and it was the only seal which could be spared from the processes of government when the king was in Scotland. Edward could have indicated that an acknowledgement from ambassadors alone would not suffice, leading David to send it to persuade the English of his good faith.

If they accepted this, however, they were deluded, for at least one of the ambassadors went on to Paris to persuade the French to pay David's ransom. All he was able to secure was an offer of 50,000 merks, payable in June 1360, on condition that the Scots eventually renewed the war.<sup>6</sup> In January 1360

1 *Regesta Regum Scottorum* [RRS], vi, no. 207; T. Rymer, *Foedera*, iii, 419; *Calendar of Documents relating to Scotland*, ed. J. Bain et al. [CDS], iv, no. 27.

2 Wyntoun described a visit by David to London in 1358, taking with him Queen Joan, who died there within a short time: *The Original Chronicle of Andrew of Wyntoun*, ed. F.J. Amours (Scottish Text Society, 1903-14), vi, 242-3. This passage proclaims 'a richt gret specialte' between David and Edward III, and is responsible for much hostility to David as unpatriotic in later writers. There is no other evidence, and no likelihood, of friendship between the two kings, Joan died four years later, and it is quite certain that David did not go south in that year. Bower merely noted the departure of Joan in '1357' and her death in 1362.

In 1367 the royal signet was used in place of the seal of the earl of March; *Rot. Scot.*, i, 914b.

3 RRS, vi, nos. 208-9.

4 *The Exchequer Rolls of Scotland* [ER], ii, 183-5.

5 I searched the Issue Rolls.

6 The ambassador was Sir Robert Erskine; he was at London with Thomas earl of Mar and Sir Hugh Eglinton, and in Paris with Sir Norman Leslie. For the Paris negotiations, which fitted with a madcap scheme for a Franco-Danish conquest of England, see R. Delachenal, *Histoire de Charles V*, 5 vols. (Paris, 1909-31), ii, 103-4.

David paid the second instalment due on 11 November 1359, and thereafter defaulted. At first he may have done so in the hope of French funds (which never came), but in October 1360 peace was concluded between Edward III and John II, greatly weakening David's position. So long as payments continued, the English had no incentive to restore territories, nor to make the peace which now became a more urgent necessity for the Scots, abandoned by their French allies. The alternative to a peace, payment of the ransom, was linked with renegotiation of the truce, because the Scots had been given a truce in 1357 to cover the period of ransom payment, ten years. Having defaulted on the ransom, they needed a peace or at least an extended truce; but to the English a long truce had merely given the Scots the security to default, a situation not to be repeated. So negotiations were bound to be tough; embassies were planned for 1361 and 1362,<sup>1</sup> but we know of little progress, and there is no trace of parliaments (one sign of effective negotiation) during the years 1361-3.

For three years David got away with doing nothing, while plague thinned the number of his hostages in England.<sup>2</sup> His sudden burst of activity in 1363 was probably due to domestic circumstances: a rebellion by the Steward, Douglas and March. The king successfully mastered the rebels (deserted by the Steward), probably in February-March 1363; he then obtained Edward III's agreement to his visiting England after 1 August, and about the same time, in April 1363, married his mistress, Margaret Drummond, whose first husband, Sir John Logie, can have died only recently. She was the mother of an adult son, so not young, but the king hoped for an heir. He seems to have been confident of his position, and Fordun stresses the leniency he showed to the rebels, who were required only to renew their allegiance. But, having divided them, David now turned upon the Steward, and on 14 May compelled him to swear that he would bear faith to the king and uphold him and his chosen agents, upon pain of loss of right of succession to the kingdom and (even more shaming?) pain of perjury, dishonour, reprobation and loss of knighthood and arms.<sup>3</sup> Despite extracting this humbling submission, David seems to have realised from the strength of recent opposition that he could not exile his leading nobles as super-hostages, and that a new deal with Edward III was now

1 *Rot. Scot.*, i, 859, 862.

2 Campbell, 'England, Scotland and the Hundred Years War', 202.

3 Nicholson, *Later Middle Ages*, 170, citing the text in *Joannis de Fordun Scotichronicon cum Supplementis et Continuatione Walteri Boweri*, ed. W. Goodall (Edinburgh, 1759) (*Chron. Bower* [Goodall]), ii, 369-70 (*Scotichronicon*, bk. 14, c. 27), but not bringing out the threat to Stewart's succession. I have discussed these events in 'The "Laws of Malcolm MacKenneth"', in A. Grant & K. Stringer (eds.), *Medieval Scotland: Crown, Lordship and Community* (Edinburgh, 1993), 264.



appropriate. The stringent terms imposed on the Steward suggest that David intended to revive, or knew that Edward III would revive, the question of the succession.

The king must have consulted his council about the price to be paid for peace before he set out for London on 26 October 1363, for he took some councillors with him; that he had canvassed again the proposal for succession by a younger son of Edward III if he had no heir, is clearly implied by §51, where promotion to the throne of a younger son *quod iam oblatum*, now offered, has been rejected by Edward. Accepted in 1351 in N, this rejection must have occurred during the negotiations at Westminster between the two kings and members of their councils concluded on 27 November 1363. Here Edward returned to his demands of 1348, claiming succession to David if he had no heir. This last condition must have been critical in persuading the king, who had just remarried and hoped for an heir, to accept the numerous guarantees given to the Scots, which were modelled on those in the treaty of Birgham of 1290. All depended upon the first condition: that to obtain peace, the Scottish king should persuade the communities (in parliament) to accept the heritable accession of the English king, should David die without an heir. This was the Westminster indenture, W, of 27 November 1363.<sup>1</sup>

In May 1363 William de Spyny was in Avignon; in November he was at Elgin, having returned to Scotland after an absence of twelve years.<sup>2</sup> Although he visited the curia again in his long life, most of his career after 1363 was to be passed in Scotland. He was a skilled lawyer, who may have been responsible for two legal opinions for Lindores abbey and the bishop of Aberdeen, drawn up in 1382 and showing knowledge of canon and civil law, as does the *quaestio*.<sup>3</sup> Whether he attached himself in 1363 to the bishop of Moray, in whose cathedral he held a canonry, or once again to Bishop William Laundels, he was certainly at Scone for the parliament which met there on 4 March 1364 to consider W, which had been brought back to Scotland by the very end of 1363. A reply to it was required in England by 7 April 1364, suggesting that David had delayed summoning parliament in order to canvass support.

1 APS, i, 493-4. There is a great deal to this memorandum, whose full contents are little appreciated, despite the fact that Cosmo Innes printed it and N among the acts of parliament and not in the appendix—to which he relegated one original parliament roll! A good English summary is given in Hailes, *Annals of Scotland*, ii, under 1363.

2 Watt, *Scottish Graduates*, 505.

3 This was suggested by P. Stein, 'Roman Law in Scotland', *Ius Romanum Medii Aevi* (Milan, 1968), 33-40. For Spyny's activity as a canon lawyer see Watt, *Scottish Graduates*, 506.

The *quaestio* was clearly written before W was rejected, and was a contribution to the debate. Because it is so uncertain about the king's position, I do not see the treatise as a preparatory memorandum for a member of David's council, such as his secretary, Walter Wardlaw, who was in Paris when Spyny was there in the 1350s. Yet in the final coda (§§53-9) it does argue for having another go at the 'younger son' solution which David undoubtedly favoured. This is done in a rather sketchy manner, suggesting, both to myself and to H.S. Offler, that these paragraphs were an addition. On reflection, and because there are earlier references to this 'younger son' solution (§§35, 51), I would not now take this view. Indeed, it seems to me that Spyny was moving towards that solution from the beginning of his treatise, and that he was chosen to write reviving it because of his familiarity with the same proposal (N) in 1351. It is likely therefore to have been commissioned from within the king's council, as a means of rallying support.

Who was it likely to persuade? Few lay *litterati*, from the magnates or the burgesses, would have enjoyed Spyny's Latin syntax, nor would they have been willing to weigh up the pros and cons as he chose to express them. If we ask who in parliament would appreciate its scholastic structure and subtleties, only one estate, the prelates, can qualify. It places the dangers to the church (i.e. the bishops) from English archiepiscopal authority early in the *contra* arguments (§25), despite specific assurances in W that there would be no subordination of the church to an archbishop. Yet it also has several warnings about the likely destruction of the nobility through reliefs, taxes, English marriages and so forth; it even tries (§29) to explain away the promise in W to keep the customs at their ancient rate, a promise of some appeal to the burgesses. It seems, therefore, to have been written for all three estates. The strong tone of its passages on the threats to the nobility (e.g. §32) tell us where real power lay in parliament. Yet the nobility are extremely unlikely to have heard it read out as it might have been in the schools, and even if it was circulated for reading (more probable if, as I shall suggest, the glosses were added by a reader at this time) only clerks are likely to have made much of it. The only scenario which I find at all probable is that it was read by the secretaries and clerks of prelates and nobles, who retailed its gist to their masters.

If the original of W had not survived, we should have known little of what happened in 1363-4, for we should have relied on the account of parliament in Bower and Wyntoun. This tells us that in 1363 (i.e. before 25 March 1364), at a parliament at Scone, the king proposed that after his death one of the sons of Edward III should succeed (Bower says that David preferred Lionel, duke of Clarence, as this would give perpetual peace and eliminate the English king's claim to the kingdom). To this the estates responded that they would never



consent that an Englishman should rule over them, and that they were already sworn to accept the true heir by tailzie (i.e. the Steward). The chroniclers then diverge. Wyntoun notes the king's anger; but according to Bower, David, although apparently angered, secretly did not wish the proposal to succeed, and made it, perhaps, because during his captivity he had promised to do so. Bower then misplaces the rising of the Steward, Douglas and March which had taken place a year earlier.<sup>1</sup> These two writers have a common source for this episode, which did not mention W, but rather the proposal of David for the succession of a younger son.

Despite the chroniclers' ignorance of W, the advocacy of Lionel is not to be dismissed, for it occurs independently in the chronicle of Knighton, in his account of Edward Balliol's resignation of the Scottish kingship in 1356.<sup>2</sup> When John of Gaunt was proposed in 1351, Lionel, second surviving son of Edward III, must have been passed over for a reason; presumably his greater proximity to the English throne meant that he stood more chance than John of uniting the kingdoms, which made him less attractive to the Scots. With his limited knowledge of the subsequent years, Spyny revived the name of Gaunt in 1364, but Bower shows that David may have pressed Lionel for a similar reason—that to Edward III he might be an acceptable compromise between the Black Prince and John of Gaunt. On 1 July 1361, Lionel, soon to be duke of Clarence, was appointed the king's lieutenant in Ireland, and he was still there, his efforts to recover royal authority in deep trouble, in November 1363, the year in which, after twenty years of marriage, his wife (a grand-niece and namesake of David II's mother, Elizabeth of Ulster) died, leaving only a daughter. His heir male was John of Gaunt.

Thus the traditional view, based on the misdating of N from 1351 to 1363, has an element of truth: there was only one agreement in 1363 (W), but there were three solutions in play in 1363-4. The first was the succession of a younger son, revived by David after his triumph over the Steward; the second was the succession of Edward III or his heir, with a personal union of the crowns, a proposal revived, with many guarantees, by Edward III; the third was adherence to the tailzie of 1326 and the Stewart succession. Why David and his counsellors were persuaded<sup>3</sup> or driven to accept the second in London is a mystery, save for Spyny's hint that they were overawed or afraid (§56).

1 *Chron. Wyntoun*, ed. Amours, vi, 251-3; *Chron Bower* (Goodall), ii, 366 (Scotichronicon bk. xiv, ch. 25).

2 *Chronicon Henrici Knighton*, ed. J.R. Lumby (Rolls Series, 1889-95), ii, 85.

3 Erskine certainly had a loan of 400 marks from Edward III in London. See Issue Rolls for 38 and 39 Edward III: Public Record Office, London [PRO], E403/418, m. 4; E403/422, m. 10.

*The context, 1364-1371.*

But it was W which David was bound to put to parliament in March 1364. It was emphatically rejected, as the minute records: 'It was expressly answered by the three communities there that they would in no way grant those things which were sought (*petita*) by the king of England and his council as is noted, nor in any wise would they assent to them (*eis assentire*)'. (Despite the plural, the English had sought only one thing, recognition of Edward III as heir presumptive; the rest was offered, *oblata*.) Is there a distant echo here of Spyny's determination against W: 'it is not permissible, proper nor expedient to consent to the requests or proposals' (§41)?

No reason for the rejection is given in the minute, but it does not end there. The rest is less well known, perhaps because it does not construe:

But they wished to strive cheerfully and to labour with all their strength [and] would freely and with one accord be ready to give themselves and their goods for everything which could be done to get a good peace, preserving and protecting the perpetual royal position and the freedom and integrity of the kingdom, especially so that the truce might be reformed, the king's ransom paid, and the pains and penalties (if any can be imposed by the opposite party for acts already done) lifted.

W offered peace and restored the integrity of the kingdom, but at an unacceptable price to the separate Scottish kingship, here described as perpetual. There is no overt affirmation about the succession and the rejection is not that reported by Bower ('they would never consent that an Englishman should reign over them').

The 1364 minute might still have left room for a settlement along the lines of N, allowing the succession of John of Gaunt. Such a settlement—and this is surely the chief defence of David's position—would have seemed to avoid a personal union of the crowns and so 'preserve the perpetual royal position and the freedom and integrity of the kingdom'. But this narrow line of escape was not followed up in the minute of parliament. The envoys now appointed in parliament to go to England were instructed to 'treat over the said reformation [of the truce] and payment [of the ransom]', by reaffirming the truce. So there was concern to avoid a renewed outbreak of war. The worried communities undertook to foregather immediately upon return of the envoys as to parliament, though without the full lawful summons at forty days' notice given under the great seal.

We do not know where the negotiations of 1364 took place, but the outcome was submitted to a general council at Perth on 13 January 1365; it is unfortunate that so many earlier conciliar and parliamentary records are

missing,<sup>1</sup> for this is the first to survive which refers to 'points' and to 'articles or points', and hence to that device of headings of business which later produced the Committee of the Lords of the Articles. The device does not seem to lie behind the surviving record of earlier meetings, the council of 1357 and the parliament of March 1364. So far as we can tell 'articles' go back to 1365, and it is remarkable—but unremarked—that the text of the very articles of that year survives and has been in print since 1915:

Memorandum quod pro bono pacis pro omni clameo homagii renunciando pro terrarum per regem Angli occupatarum restauracione et pro successione relinquenda illis de regno Scocie quibus de iure debetur, iste vie in generali tacte per priuata consilia fuerunt et locute. Prima via fuit quod exheredatis sue terre in regno Scocie existentes concedentur et aliquibus aliis personis per regem Anglie nominandis certe terre de regno Scocie darentur, pro quibus regi Scocie homagium et seruicium debitum facerent et facere tenerentur. Secunda via quod per regnum Scocie regi Anglie de certo numerum hominum ad certum tempus subueniretur. Tercia via quod ultra solucionem pecunie pro redempcione regis Scocie debite, pro bono pacis et terrarum per regem Anglie occupatarum restitutione, certa summa pecunie daretur secundum quod inter tractantes poterit concordari. Et si forte tractantes in nulla via istarum viarum ad plenum poterunt concordari, via alia esset partem concedendo de qualibet viarum predictarum.<sup>2</sup>

This memorandum (hereafter 'the memo') records the conclusion of a round of negotiations which must be that of 1364. It shows that, despite what the parliament had said, the envoys were now considering a peace and recognition of independence, but without altering the Scottish succession; they were not renegotiating the truce and ransom, a change of programme which must be ascribed to the English negotiators. To meet the Scottish requests for peace without altering the succession, it was suggested that if the Scots would pay the ransom and a sum for the recovery of the occupied territories, then the English would expect one of three 'ways' of making progress: the restoration of the disinherited and the granting of lands to others whom they would name; military assistance to the English; or a cash payment additional to the ransom. If none of these ways was acceptable, a part of each of them might be conceded; this I shall call the fourth way.

This formidable menu, eloquent of Edward's financial problems, was brought back to Scotland and submitted as 'articles or points' to the general council at Perth on 13 January 1365, probably with less haste than had been

1 A gathering on which the records of parliaments and councils of 1357-63 were copied has been lost from the register of parliaments and councils, the Black Buik.

2 PRO, E39/2/17, printed by C. Johnson, 'Proposals for an Agreement with Scotland', *English Historical Review*, xxx (1915), 476.

envisaged in March 1364. The first point of the council minute is certainly the first 'way' of the memo; the sense has been immaterially altered by changing *terre existentes* to *exheredatis existentibus*, but the relationship is not in doubt. The council minute takes the matter further by outlining the offer which should be made to restore the disinherited: it was 'ordained to treat [i.e. negotiate further] that five persons named elsewhere in various negotiations, namely the earl of Atholl, Percy, Beaumont, Talbot and Ferrers, should have their lands for the sake of peace', and that 'to get a good peace' various others should be restored, to wit Godfrey de Roos, Patrick MacCullough, Edward Letham and William Washington. Alexander Mowbray should receive land worth a hundred merks. Those Scots living in occupied Scotland should continue to enjoy their lands; moreover a deal could be done over the claim of the Wake heirs to Scottish lands. None of these matters was to impede a settlement if the other points could be agreed.

'Secondly' (but still in fact on the first article or 'way'), on the matter of Edward III's younger son, it was proposed in the minute to offer him the lands of Edward Balliol, who had just died, and the Isle of Man, and 'thirdly', again for a good peace and settling all actions and claims, came the suggestion that the king might lead an expedition to Ireland, clearly in English service. The first and second concessions here correspond to the first 'way' of the memo, and the third to the second 'way'. The council then took up the fourth way of the memo to offer a further *mélange*: if the opponent would not accept these 'ways' to peace (the word *vias* is now used), they agreed that 'before a good and perpetual peace is altogether left, there should be conceded the payment of the ransom due in a tolerable fashion, a perpetual alliance of the kingdoms, unequal in power but without servitude, along with all the foregoing (if they cannot be ameliorated by the negotiators)'. The matter of Annandale, which was asked for 'elsewhere', was left to the royal will. If peace negotiations on these lines came to nothing, then, the council agreed, there would have to be negotiations on the truce and payment of the ransom, and various financial deals were sketched in the minute; progress was in fact to be made along these lines.<sup>1</sup>

It is clear that the Scots in this council wanted a deal which would guarantee them peace (in this respect they differed from the parliament of 1364), but preserving the established succession. For these they were prepared to make far-reaching concessions which were clearly based on the terms of N of 1351. Thus when the council minute spoke of the disinherited 'named elsewhere in

1 APS, i, 495-6.

various negotiations' it could have referred to W or to N, where they were named, but the order was that of N, though Strathbogie was now called earl of Atholl. The Scottish deserters to Edward III whose cases had been referred to the party of Scotland in N were listed in the minute to have their lands restored, save that Robert de Colville was replaced by William Washington (of county Durham). The Moubray lands, to the value of 100 merks, were to be restored (minute), as N required, but to Alexander, not to Robert. Then the minute added a point not in N probably taken from W: the offer to negotiate the claim of the heirs of Wake to Scottish lands. The request for Annandale 'elsewhere' could only refer to N, and the fact that both minute and N left this to the royal will shows that N as well as the memo had been in some way before the council in January 1365. The minute used phraseology appropriate to negotiations of some antiquity, not of the recent past; N was an old document now, plundered to yield what would be thought an acceptable response to Edward III. By contrast, one 'way' suggested in the memo was military service for England, but even after the peace of Bretigny the reluctance to serve against France was strong, and so service in Ireland (and therefore in aid of Lionel duke of Clarence) was offered; N had ruled out service in Flanders (i.e. presumably France).

The emphasis in the council minute on seeking peace must be accepted as a genuine expression of the council's feelings, and it is likely that King David and his council were now in step. Unfortunately none of what was offered was acceptable to Edward III, and in negotiations of May 1365 the alternative to peace, the ransom and truce, were tackled on their own.<sup>1</sup> The ambassadors had, among their instructions, the possibility of increasing the ransom to £100,000, payable at 5,000 merks yearly, with a truce of thirty years,<sup>2</sup> and this now became the basis of a new agreement, reached on 10 May 1365, for that total sum, payable at 6,000 marks yearly (i.e. over 25 years), and with a truce of four years.

Careful attention to the terms suggests that this was not the financial squeeze upon Scotland which it is usually made out to be. The increase in the total represented a not unfair rate of interest on the outstanding principal (as the Scottish minute had in effect admitted), and the size of the instalments was greatly reduced, as the Scots evidently wanted. The truce was an extension of that made in 1357, due to expire in 1368, and a little thought suggests why it was limited to four years, while at the same time its further extension was

1 *Rot. Scot.*, i, 894-5.

2 *APS*, i, 496a.



hinted at. The English had had enough of granting a long truce which enabled the Scots to default on the ransom terms with impunity. The Scots now had four years in which to show their good faith by paying up; if they did not do so, then retribution, in the form of a renewal of war, would soon come. But even so, if, on the expiry of the truce, the English reopened the war, the Scots remained liable for only the former (1357) ransom. And if the truce was renewed after four years of prompt payment, the total payable could be renegotiated and possibly reduced. Thus the Scots had not in fact paid a heavy political or financial price for the substantial reduction in the instalments; but if they renewed the war (presumably having recourse to the French alliance), then the new ransom would remain payable. Meantime negotiations for a peace could continue.<sup>1</sup>

In July 1365 a meeting at Perth reviewed the achievements of the embassy sent after January and issued supplementary instructions for a peace treaty. If better terms could not be had, military assistance should be offered of 1,000 men within England when invaded by a foreigner, with reciprocal English help of 500 men in Scotland when invaded by a foreigner, but for 120 years only; this recalls a similar, less detailed, provision in N, upon which it was probably based. If this was unacceptable, service in Ireland might be offered, but only by those from the western seaboard, only for an annual stay of three months, and only for five years from the making of peace (though second thoughts allowed that this might be stretched to fifteen years).<sup>2</sup>

By the following May, of 1366, matters had reached stalemate. At a council it was recorded that there had been negotiations on four points: homage, the succession, loss of territory (*regni demembracione*), and military help by Scotland to England (within England or) within the two realms (or) by Scotland outside England. The first three points had been rejected as insufferable, but it was agreed that parliament should send an embassy to seek a modification of the fourth. If this failed, so that a final peace could not be had, measures to raise money were to be taken so that when the truce expired in four years the whole ransom might be paid off.<sup>3</sup> In July 1366, parliament duly met to send an embassy seeking peace to England, offering the points recorded in the 'first' instrument (i.e. that of January 1365) and negotiating the fourth point on military assistance (as agreed in council in July 1365).<sup>4</sup>

1 *Foedera*, iii, 766, 770; *APS*, xii, no. 24; *RRS*, vi, no. 346.

2 *APS*, i, 496b-497a. It is not clear why this assembly was called *domini congregati*, but not a council.

3 *APS*, i, 497b.

4 *APS*, i, 498.

Looking at these minutes, Professor Ranald Nicholson concluded that by May 1366 the English had drawn up four points: homage (presumably for Scotland), the succession (presumably for an English royal heir to David), territorial concessions, and military service; and were insisting that these extreme demands be the basis of any peace.<sup>1</sup> I do not think that the texts can mean this, for there is no other evidence of such a drastic raising of the level of English demands. On the contrary, homage had been mentioned only as something abjured if the succession was secured for England; the dismemberment of the realm is the opposite of what was offered for the same succession. Both terms, however, are relevant descriptions of the bargain in the 1330s between Edward III and Edward Balliol, and the minute of May 1366, in using the terms 'homage, succession, dismemberment', is describing not a recent English hard line, but the various ploys of the English which the Scots had negotiated on and rejected *aliquandiu*, for some considerable time, namely since 1333.

What seems to have happened is that the 1364 memo given above was correctly seen to raise three 'points', and the Scots, in the January 1365 minute, agreed to return three answers to the first two. From this time it seems that the Scots in talking of three points meant not the three ways of the 1364 memo, but the three points which they put forward in *response*, in January 1365, and which were recorded in the embassy's commission (i.e. credentials). The supplementary instructions of July 1365 were seen as a fourth point, and were so identified in May 1366, by which time the clerk was unsure what the previous three points had been. He therefore conjured up 'homage, succession, dismemberment' from history. In the minutes of July 1366 there was better understanding that there had been a commission (January 1365) and a fourth point (July 1365); as late as June 1368, returned ambassadors told parliament that there was no purpose in negotiations unless an embassy was instructed to negotiate 'on conceding one of the four points asked for on another occasion (*alias*) by their opponents, along with other divers articles adjoined to those points'.<sup>2</sup> 'Points with adjoined articles' is a fair way of describing the memo of 1364 with the responses of the January 1365 council.

So if there were no new and extreme English demands in the spring of 1366, the matters under discussion then were those of 1365, and we do not know how far the Scottish offers fell short of English demands of 1366, for we are

1 Nicholson, *Later Middle Ages*, 172.

2 I emend an error of transcription here, *petito* to *petitionum*, since 'conceding of the four points one [point] asked for ...' does not really make sense.



informed only about the former. But after the July 1366 parliament, a safe-conduct for the Scottish embassy had been issued on 18 August, to last until 2 February 1367,<sup>1</sup> when another instalment of the ransom was due at Berwick.<sup>2</sup> The embassy seems to have delayed its visit to London until the last possible moment and even beyond, for on 8 February 1367 Edward III ordered hurried measures against a Scottish invasion of the north, because 'any hope of peace' had gone 'as is clear from the response of their messengers recently made to us'.<sup>3</sup> Terms were put to the ambassadors, which they rejected, in London in February; they merely reported this to parliament in September 1367. Parliament agreed that if any movements towards peace or a longer truce should be made anew by either side, beyond the matters already negotiated by ambassadors and turned down by the communities (i.e. by this parliament), the king, with the advice of councillors, might choose ambassadors and assess their expenses without calling parliament.<sup>4</sup>

The Scots, however, were not about to incur the penalties of renewing the war. The collapse of negotiations seems complete, yet a safe-conduct for ambassadors was asked for immediately, and though they did not go, in January 1368 the king was preparing to make a pilgrimage to Canterbury with his wife (in search of a child from St Thomas, perhaps) and the embassy's safe-conduct was renewed.<sup>5</sup> It clearly went to London, but its report to the 1368 parliament provoked a strongly hostile reaction. It was pointed out that the truce would run until February 1370, and that war could not break out till July 1370, so there was no need to 'concede any of the points with other divers articles adjoined to the points ... which, at another time in another parliament [i.e. September 1367] at which more and greater men had been present than now ... had been unanimously turned down as inconvenient, intolerable and unobservable and leading to express servitude' but that a more appropriate time might come for treating 'on any of these points'.<sup>6</sup> The terms of this rejection are more oblique than those of 1364 but no less firm, and leave the same impression as 1364—that the ambassadors, pushed by the king, had offered too many concessions.

David's failure to go to England may have been caused by the breakdown of his marriage and his decision to seek a divorce so that he might marry his

1 *Rot. Scot.*, i, 904a.

2 *Rot. Scot.*, i, 908b.

3 *Rot. Scot.*, i, 909b-910.

4 *APS*, i, 502b; read *negata que* for *negataque*.

5 *Rot. Scot.*, i, 916-17.

6 *APS*, i, 503.

new mistress. The parliament of March 1369, faced with an article which dealt with a number of matters, agreed to postpone consideration of most of them until an embassy sent to negotiate a prolongation of the truce should return. The outbreak of Anglo-French war changed the balance of power. David himself went to London with a large embassy in June to exploit his greatly strengthened position and brought off a truce for fourteen years, the time necessary to pay off the balance of the 1357 ransom at the new rate of 4,000 merks yearly. But negotiations for peace must have continued, for in February 1370 parliament claimed that it was not expedient to send ambassadors to negotiate in England at a meeting fixed at Durham after Easter, 'things standing as they did, and considering certain matters contained in the indenture reported [to parliament]'.

This lost indenture is the final enigma of David's diplomacy. It must surely have contained proposals agreed in London in the preceding June, and 'indenture' was the form of N and W, both proposals for a peace. Moreover parliament agreed that, in place of an embassy, letters should be sent professing willingness to treat about peace 'by all [tolerable *deleted*] ways and means, always excepting those points which were turned down at another time (*alias*)'. I can only hazard a guess that David had obtained much more favourable terms for a peace, and that parliament, secure in the knowledge of Edward's difficulties, preferred to play hard to get.

The claim that David was back in London in June 1370 (presumably negotiating again) rests upon his privy seal undertaking issued there to pay the ransom at midsummer (instead of in February); but, as with the 1359 acknowledgement, this need not mean that he was present. In fact the total number of visits by David II to Edward III after 1357 was probably only two: 1363 and 1369. By the latter date the question of a peace had relapsed to its former leisurely unimportance. The ransom was paid until 1377, but never completely paid off. Scotland remained independent. The Steward became its king, his descendant king of England.

### *Commensal.*

According to Commensal's introduction, his purpose in reviving Spyny's treatise was a regard for truth in history, a topos irrelevant to the argumentative nature of the treatise. The treatise must surely have had some relevance to a contemporary situation to warrant being copied, even if only for the eyes of one other person. It was scarcely relevant to the crisis in Anglo-Scottish relations which blew up in 1399-1400, when Henry IV revived the English claim to overlordship and invaded Scotland with massive forces. But it was relevant to the negotiations for a ransom to secure James I's return from

captivity after 1406, negotiations which we can trace almost solely in the safe-conducts for embassies, some of which, like that of 1408, did not even set out. It seems that serious efforts were made to bring back the king only after the death of Henry IV, and that this is when Commensal wrote. If this is correct, he must have been a canon of Aberdeen between 1387 and 1397, and still alive in 1413. Lists of the members of the chapter of Aberdeen in the 1390s include two possible names, Thomas of Tynningham, whose 'recorded activities are confined to Aberdeen area',<sup>1</sup> and Walter Forrester, the latter of whom seems much the more likely candidate.

Forrester's full biography has been worked out by Professor Watt, who shows that he was born about 1350-5, in Brechin diocese, but probably a kinsman of the Forrester lairds of Corstorphine. He studied in France in two periods, in the early 1370s and from 1393 to 1398, but was in Scotland serving the king from about 1377, and held a canonry of Aberdeen from 1384. After 1399 he was again active in the king's service, and undertook missions, to Paris to prepare for the reception of James earl of Carrick in 1405, to London in 1412-13, and again overseas between 1422 and 1424, a visit which may have been planned when James I was in France with Henry V.

Forrester, who had been bishop of Brechin since 1407, was not involved in the negotiations for the king's release in the 1420s, but certainly was earlier.<sup>2</sup> In December 1408 he was appointed to the abortive embassy to London; in January 1412, after a general council had vainly agreed to secure James's release, the king wrote to sundry notables asking for more action to bring this about, and in April 1412 Forrester had been appointed to the embassy which was to do so, but which again probably did not leave Scotland. In March 1416 a general council authorised the transcription of the treaty of 1328, to answer English claims of overlordship, a ploy which would surely suit the Governor's wish to leave James in England. But the king kept up the pressure as best he could and in the spring of 1417 the English, who had wanted a ransom of 100,000 marks as in 1357, were prepared to release James on parole. But the powerful and largely secular embassy (Forrester was not named), for which safe-conducts were obtained in December 1416, never came; late in June 1417 a general council was held, and in August the Governor attacked northern England, putting paid to hopes of James's early return. A plan (1421) for a

1 Watt, *Scottish Graduates*, 556.

2 Watt, *Scottish Graduates*, 197-200.

similar temporary release of the king fell through when Henry V died in 1422.<sup>1</sup> There is no doubt that the desire of many Scots to secure the release of their king was expressed in several general councils, which must have been asked for finance towards the necessary embassies, and for undertakings to pay a ransom. It seems likely that Commensal, perhaps Forrester, saw the parallels with the situation that he thought Spyny described: David II a prisoner in England, the English prepared to release him—on parole or in return for concessions—and a general council held by the regent to discuss terms (§5).

Clearly Commensal did not revive the treatise for his own use only; his introduction must have been written to introduce it to someone else, whose identity may be revealed in §5, when Spyny is said to have been present in the council which discussed David II's release with William de Laundels, bishop of St Andrews, to whom he was commensal clerk. The full title *reuerendo in Christo patre domino...* was perhaps designed to be read by and to flatter Laundels' successor as bishop, Henry Wardlaw. Founder of St Andrews University, he was a member of the embassy appointed late in 1416 for the aborted negotiations of 1417, and was also named as a hostage for the temporary release of James proposed in 1421. A well-meaning but ineffective politician, Bishop Henry nonetheless held first place among the Scottish clergy, and some at the council could well have sought to persuade him to give a lead to that estate.

Commensal says that he writes not merely as a historian, but 'as a caution to future generations' (§2); he points particularly to the proposals of 1350 (§4) possibly to encourage his reader to agree to a ransom. But a subtler purpose may be suspected, for if David's and Spyny's favoured solution had prevailed, then John of Gaunt would have been king of Scots—and his grandson, Henry V, perhaps, king of England and Scotland. Safer and cheaper, therefore, to leave James in captivity than to engage in deals for a ransom, which he too might use to bring an Englishman to the throne. Forrester was a servant of Albany, who certainly had no intention of bringing back his king. If the conjecture is correct, then the most likely occasion for Commensal's editorial labours would seem to be 1416, when Wardlaw apparently bestirred himself and when the king's temporary release was on the cards.

There remains one question: when were the glosses which came into the text (§§6, 22, 24) written—on Spyny's booklet, or on Commensal's?

1 In addition to the biography in Watt, *Scottish Graduates*, see chs. 2-5 of E.W.M. Balfour-Melville, *James I, King of Scots* (London, 1936), where these negotiations are detailed. There is less detail, but an excellent assessment of the political situation in Scotland, in M. Brown, *James I* (Edinburgh, 1994), ch. 1.

Assuming, as seems reasonable, that they were all the work of one hand, hostile to the proposals for Edward III's succession, they show a strength of feeling which seems unlikely at the later date. In particular the comment on §22, which relates to the treaty of Birgham, seems to be contemporary with W, and these glosses may be the reaction of one of Spyny's readers to the W proposals.

*Editorial method.*

Capitalisation and punctuation, paragraph breaks and numbers have been added by the editor, along with English headings in italics and square brackets [*thus*] indicating the different sections of the text. For reasons of spacing the headings have been inserted in the Latin text. Where the Latin text has been emended, the MS reading is shown in the notes. Suggested omissions from the MS are in square brackets [*thus*], except in the case of word endings, for which the notes suffice. The folio numbers of the MS are also in square brackets. Glosses which have been copied into the text are in angle brackets <*thus*>. Identified quotations are in *italics*. As far as possible the translation corresponds to the Latin text on the facing page; this has meant leaving occasional spaces between paragraphs in the Latin text. These spaces have no other significance.

A.A.M.D.

1. [Q]uoniam<sup>1</sup> expediens esse videtur et admodum utile historias priorum temporum ad memoriam futurorum recitare et scripture<sup>2</sup> fideliter commendare, specialiter ad informationem regum et principum ac ceterorum in gubernacione rei publice positorum, de quo habentur exempla, tam in sacra scriptura quam historiis antiquorum temporum legitur enim Detronomio xvii<sup>o</sup> capitulo inter alia precepta diuina ibi posita vnum speciale preceptum de constitutione regis in populo Dei et de modo qualiter rex constitutus se debet habere, ubi sic dicitur: *postquam autem sederit<sup>3</sup> rex in solio regni sui, describet sibi deutronomium legis huius in volumine accipiens exemplar a sacerdotibus Leuitice tribus et habebit secum et legetque illud omnibus diebus vite sue, ut discat timere dominum Deum suum et custodire verba et ceremonias<sup>4</sup> eius que in lege precepta<sup>5</sup> sunt etc.* Idem potest dici et esse ratio de aliis scripturis et historiis que possunt hominem inducere ad exercitium virtutum etc. Habetur etiam Hester quarto de rege Assuero, vbi dicitur: *noctemque illam duxit rex insonipnem*, scilicet Assuerus, *iussitque sibi afferri historias et annales priorum temporum etc.* Legitur preterea quod beatus Ieronimus, vir doctissimus, transtulit quemdam librum de annalibus Hebreorum de Hebreo in Latinum ad utilitatem et informationem Christianorum. Legitur preterea in gestis Francorum quod Karolus magnus, rex Francie potentissimus et imperator, faciebat continue coram se in prandio legi librum *De Civitate Dei*, quem Sanctus Augustinus, doctor egregius, compilauit, in quo libro multa gesta antiquorum ab origine mundi continentur, et istud fecit ad aliorum audientium eruditionem.

2. Ego similiter audiui ex relatione fidedignorum referentium quod dominus Robertus de Bruys, rex noster Scocie, cuius anime<sup>6</sup> propitiatur Deus, consuevit continue vel legere vel facere legi coram se historias antiquorum regum et principum, quomodo se gubernabant temporibus suis, tam tempore guerre quam pacis, ex quibus in multis capiebat informationem sue gubernationis etc. Ego igitur in talibus edoctus exemplis hic recitare intendo aliqua que contigerunt tempore regis nostri David Broys ad memoriam et informationem successorum ipsius et cau/telam [34v] futurorum.

1     Space for large initial.

2     scriptore

3     sedeuit

4     scrimonias

5     scripta

6     sic



1. Since it seems expedient and very useful to record the history of former times as a memorial for the future and to commit it faithfully to writing, especially for the information of kings, princes and others appointed to govern the commonwealth, for which models may be found, both from Holy Writ and from the history of antiquity. Thus in Deuteronomy ch. 17, among other divine commands recorded there, may be read one special precept on the appointment of a king among the people of God and on how an appointed king ought to conduct himself, in the following words: But after he is raised to the throne of his kingdom, he shall copy out to himself the Deuteronomy of this law in a volume, taking the copy of the priests of the Levitical tribe, and he shall have it with him, and shall read it all the days of his life, that he may learn to fear the Lord his God, and keep his words and ceremonies, that are commanded in the law. The same can be said to be the purpose of other writings and histories which can lead a man to the exercise of the virtues etc. It can be found also in Esther ch. 4 on king Ahasuerus: that night the king passed without sleep, Ahasuerus, that is, and he commanded the histories and chronicles of former times to be brought him etc. It is also written that the blessed Jerome, a most learned man, translated a certain book of annals of the Jews from Hebrew into Latin, for the use and information of Christians. It is written, moreover in the Deeds of the Franks, that Charlemagne, the most powerful king of France and emperor, had continually read out in his presence, when he was dining, the book City of God, which St Augustine, a distinguished academic, compiled; in this book are contained many deeds of the ancients, from the beginning of the world, and he did this to teach others who were listening.<sup>1</sup>

2. I likewise have heard, by the telling of trustworthy reporters, that Sir Robert de Bruce, our king of Scotland, whose soul God rest, used continually to read, or have read in his presence, the histories of ancient kings and princes, and how they conducted themselves in their times, both in wartime and in peacetime; from these he derived information about many aspects of his own rule etc. I, therefore, inspired by these examples, intend to tell here of some things which happened in the time of our king David Bruce, as a memorial and for the information of his successors, and as a caution to future generations.<sup>2</sup>

1 Deuteronomy 17:18-19; Esther 6:1. The claim that Charlemagne had St Augustine read at dinner is not in Einhard, Notker (who says that Charlemagne wished he had twelve clerks as learned as Jerome and Augustine), or the Pseudo-Turpin. The earliest I have found it is in Primat's *S. Denis Chronicles*, of the thirteenth century, but I suspect that this is not the Deeds of the Franks cited by the author of this introduction. *Les Grandes Chroniques de la France*, ed. J. Viard, 10 vols. (Paris, 1920-53), iii, 153, translated as *A Thirteenth Century Life of Charlemagne*, by R. Levine (New York & London, 1991), 67.

2 Cf. Barbour, *Bris*, bk. 3, ll. 435-466, for Robert I reading romances of ancient leaders.



3. Ipse enim David de Broys a pueritia sua fuit nutritus in Francia cum rege Francie, confederato suo, bene et honorifice, et postquam adoleuit conuersus est ad regnum suum, prout in aliis cronicis inde compositis continetur. Qui quidem rex David de Broys in iuuentute sua, post aduentum suum de Francia ad regnum suum Scotie, congregavit exercitum magnum et duxit in Anglia vsque ad villam de Durham, vbi, victus per Anglicos et captus, ductus est Londoniis et ibi detentus fuit in carceribus regis Edwardi de Wyndissoire per multos annos et valde male et inhumaniter tractatus per Anglicos ac modicam curialitatem vel nullam habens a suis.

4. Quo tempore habiti fuerunt inter magnates et consilium regis Scotie et regem Anglie et suum consilium diversi tractatus super deliberatione domini nostri regis David, inter quos<sup>1</sup> tractatus erat vnus articulus principalis, qui apertus fuit ex parte regis Anglie et expositus fuit per consilium suum nobili domino, domino Willelmo de Dowglas de Liddisdaile, qui quidem articulus talis erat: quod dominus noster rex David daret regi Anglie pro redemptione sua quadraginta milia librarum sub tali conditione quod rex David cum consensu communitatum<sup>2</sup> regni sui Scotie faceret quod vnus filiorum regis Anglie Edwardi predicti sibi succederet in regno Scotie, si ipsum sine liberis de corpore suo discedere contingeret. Qui quidem articulus<sup>3</sup> expositus fuit per dictum dominum Willelmum in generali consilio Scotie apud Sconam tento per dominum Robertum senescallum Scotie, tunc custodem regni rege absente.

5. Super quo articulo aliqui de consilio determinarunt<sup>4</sup> esse consensendum petitis per regem Anglie, ad hoc inducentes rationes multas pro sua parte, aliis de consilio contrarium asserentibus quod nullo modo erat expediens nec debebatur consentire petitis, rationes etiam pro sua parte inducentes, prout in quodam libello antiquo manu venerabilis viri, Magistri Willelmi de Spineto, magistri in artibus et doctoris in iure canonico solempnissimi, scriptum reperi. Qui quidem Magister Willelmus dicto consilio interfuit cum reuerendo in Christo patre domino Willelmo de Landalis Sanctiandree episcopo suus clericus commensalis, et postea tempore meo consecratus fuit episcopus Moraviensis octogenarius et ultra, qui ista et alia diuersa que contigerunt

1 quod  
2 comitatum  
3 articulum  
4 determinarent

3. For this David de Bruce was brought up from boyhood in France with the king of France his ally, well and honourably, and after he grew up, he returned to his realm, as is contained in other chronicles written about this. And this King David de Bruce, in his youth, after his return from France to his kingdom of Scotland, gathered a large army, and led it into England as far as the town of Durham, where, defeated and taken by the English, he was led to London and detained there in the prisons of King Edward of Windsor for many years; he was treated very badly and inhumanely by the English and had little or no courtesy from his own folk.<sup>1</sup>

4. At this time there were various negotiations between the magnates and council of the king of Scotland and the king of England and his council, about the release of our lord King David, during which negotiations one principal article was discussed, which was initiated on behalf of the king of England and expounded by his council to the noble lord Sir William de Douglas of Liddesdale.<sup>2</sup> This article was as follows: that our lord king David should give to the king of England, for his ransom, £40,000, on the following condition, that King David, with the consent of the communities of his kingdom of Scotland, should cause one of the sons of the aforesaid Edward king of England to succeed him in the kingdom of Scotland, if he should happen to die without children born of his body, which article was expounded by the said Sir William in a general council of Scotland at Scone, held by Sir Robert, steward of Scotland, then Guardian of the kingdom in the absence of the king.

5. On this article, some of the council decided that the requests of the king of England should be accepted, bringing forward for the purpose many arguments to support their case, others of the council asserting the contrary, that it was in no way expedient nor should there be agreement to the requests, also bringing forward reasons for their own part, as I found written in a certain old booklet by the hand of the venerable man Master William de Spyny, a most revered master of arts and doctor of canon law. This Master William was present at the said council with the reverend father in Christ, sir William de Laundels, bishop of St Andrews, as his commensal clerk, and afterwards, in my time, he was consecrated bishop of Moray, although eighty years old and more.

1 The author's reference to 'other chronicles' cannot be to Fordun, who merely notes David's return. It could be to Wyntoun, who is much more fully informed, and whose first edition (the Wenyss MS) ended at 1390; but Wyntoun had a now-lost source for David II's reign which could be the source of these remarks, since Wyntoun says nothing of David being 'with' a king of France. So far as is known, David II, when at Château Gaillard (1334-41), did not have the company of Philip VI or John II, kings of France.

2 These negotiations are fully discussed in Duncan, '*Honi soit*', 113-41.

tempore iuuentutis sue [35r] michi sepe referre consuevit in collacione familiaris, dum erat decanus Abbiridonensis et socius meus commensalis. In quo libello ponuntur primo rationes facientes pro rege Anglie, cuius parti, vt asseritur a multis, rex noster David multum fauebat, et deinde ponuntur alie rationes contra regem Anglie hoc modo etc.

[*A comment*]

6. <Propositio multum dampnosa et periculosa regno Scotie et omnino proditiosa, enaruans et destruens totam libertatem regni, et annullans, et non solum libertatem regni sed omnes magnates et populum processu temporis.>

[*The question*]

7. Cum casus inopinabiles emergant, quos antiquitas non agnouit, maturioris deliberationis discussione opus est, presertim cum ab hiis proponuntur<sup>1</sup> qui secum contrahentes in precipitium conantur inurgere cum ea offerant, que tantum cum audiuntur oblata et considerata vere<sup>2</sup> acutius vilescent, et intus gustata ad ventrem amarescant. Et cum humane nature sagax conditio per intellectum assentire conclusioni vere naturaliter inclinetur, per modum questionis proponitur: an oblati per Anglicos expediat consentire?

[*Arguments for*]

8. Et probatur quod sic persuasione et examine, videlicet: Primo ex parte nostra quia cum populus semper vni principi habeat parere necesse, istud<sup>3</sup> refert de mutatione persone principatus, et dummodo laudabiliter suum officium exequatur, frustra requiretur hic<sup>4</sup> notio nationis, iuxta illud apostoli: *non enim est distinctio Iudei et Greci*, et cotidie dominia et regna de gente in gentem et de regno ad populum alterum multimodis transferuntur.<sup>5</sup>

9. Secundo quia cum regnum debeat manere integrum, non diuisum nec mutilatum in suis iuribus, libertatibus et consuetudinibus, per Scotos officiis et ministeriis omnibus proficiendos<sup>6</sup> gubernando, regnum semper plena integritate letabitur, nec poterit dici sine rege proprio, cui tantus princeps sicut rex Anglie imperabit.

10. Tertio hinc est plena libertas et nulla seruitus cum iuxta legistarum sententiam *res sua nemini seruit*; nec ex ista regnorum vnione tollitur spes

1 proponantur

2 possibly read oblectent considerata vero

3 *Offler emends istud to parum. I have translated with that sense.*

4 sic

5 transferantur

6 proficiendos

He often used to recount to me these matters and various others which occurred in the time of his youth, at the meal-table when he was dean of Aberdeen and my commensal colleague. In this booklet there are placed first the arguments for the king of England, whose side, as is asserted by many, our King David greatly favoured, and then are placed the other arguments against the king of England, in the following way.

6. <A proposal very damaging and dangerous to the kingdom of Scotland which would altogether betray, weaken and destroy the whole freedom of the kingdom, and would wipe out not only the freedom of the kingdom but also, in course of time, all the magnates and people.>

7. When unexpected situations arise which antiquity did not experience, there is need of discussion involving mature deliberation when proposals are made by those who draw others to the edge of the precipice and endeavour to push them over by suggesting things which [please] when first heard, but on consideration become increasingly distasteful, and when really pondered become quite bitter to the taste. Since the rational constitution of man inclines naturally to give assent to true conclusions through understanding, so [the following] is put forward in the form of a question: whether it is expedient to agree with the proposals of the English?

8. And the 'yes' is proved by persuasion and investigation, namely: First on our part since a people always has need to obey one prince, it matters little to change the person of the principate, and so long as he discharges his office in praiseworthy fashion, the concept of nation is not at all required; as the apostle says: for there is no distinction of Jew and Greek, and day by day lordships and realms are transferred in many ways from race to race and from a kingdom to another people.<sup>1</sup>

9. Secondly, because the kingdom ought to remain whole, not fractured nor mutilated in its rights, liberties and customs, if the government is conducted through Scots, put in charge of all offices and administration, the realm will always rejoice in full integrity; nor can that be called a kingdom without its own king which such a prince as the king of England rules.<sup>2</sup>

10. Thirdly, the kingdom enjoys full liberty and no servitude when, according to the opinion of the legists, its affairs are subject to no-one; nor, as a result of this union of the kingdoms, is the hope of promotion taken away from

1 Romans 10:12.

2 W: Item that his chancellor, chamberlain, justiciars, sheriffs, provosts, keepers of towns and castles and other ministers, he shall cause to make and appoint from the good folk of the same kingdom of Scotland, and not from others.

promotionis secularibus oriundis de patria, cum ipsi et non alii sint ad singula officia regenda assumendi.

11. Quarto quia ex ista vnione [35v] videtur in nullo minui honor regni aut noster, cum ipse rex sicut in regem Anglie ita in regem Scotie debeat in Scotia per deputatos ab apostolico<sup>1</sup> coronari et rex Scotie et Anglie nominari, parliamenta et consilia tenere in Scotia et iustitiam ministrare.

12. Quinto quia ita sumus imbecilles in potentia et viribus quod eis resistere nequeamus<sup>2</sup> in bello, nec inter nos hiis diebus est nobilis aliquis de sanguine regio vel magnus dominus qui sit expertus aut aptus ducere populum, nec est spes veresimilis de aliquo propinquo.

13. Sexto quia ita nostri nobiles sunt obstupefacti et pene exanimis facti ex diversis bellis in quibus contra Anglicos iam plures corruerunt, et aduersarii adeo animati et nostrates sunt nulli vel pauci, iuuenes et inexperti, alii sagaces ad bellum doctissimi, quod ipsis in potentia nequimus resistere aut in bello.

14. Item septimo quia ex eo non minus a talibus bellis est cauendum, quia si aliqui ex nostris caperentur inpugnando in terra vel in mari, non possunt sperare redimi, cum simus cum omnibus bonis nostris pro redemptione regis generaliter obligati, nec aliquos obsides pro captiuis admitterent,<sup>3</sup> eo quod de obsidibus nostris vltimo eis pro rege datis nos indebite habuimus, nec iuramentis <aliter fidei> est credendum quia talia hactenus seruauimus negligenter.

15. Octauo quia ipsi Anglici videntur iustam causam fouere guerram mouendo pro redemptione regis, eo quod defecimus in promissis solutionis terminis et multis aliis non ex necessitate sed voluntate.

1 antiquo. *This brilliant emendation is very tentatively suggested by Offler.*

2 nequamus

3 admittere

laymen born in the country since they and not others are to be appointed to the various offices of government.<sup>1</sup>

11. Fourthly, that from this union the honour of the kingdom or of ourselves is in no way seen to be diminished, since the king himself, just as he is to be crowned king of England, so also he is to be crowned king of Scotland, in Scotland, by those deputed by the apostolic [see], and should be styled king of England and Scotland, and hold parliaments and councils in Scotland and minister justice.<sup>2</sup>

12. Fifthly, that we are so feeble in power and strength that we are quite unable to resist them in battle, nor at this time is there any noble of the royal blood, or great lord, who is fit or able to lead the people, nor is there any likely hope of any neighbour.<sup>3</sup>

13. Sixthly, that our nobles are rendered so senseless and almost lifeless as a result of the various battles, in which so many have fallen against the English, the enemy are so stout-hearted, our folk none or few, young and untrained, but the others are wise and experienced in war, that we can resist them in neither power nor war.

14. Again seventh, that it follows that we must beware of such battles for this reason, that if any of our side are taken fighting on land or sea, they cannot hope to be ransomed, since we are generally obligated, with all our goods, for the ransom of the king;<sup>4</sup> nor will they [the English] allow any hostages for the captives, because we have behaved improperly concerning our hostages last given to them for the king, nor are our oaths and pledges to be believed because we have been careless in keeping our oaths up to now.

15. Eighth, that the English themselves are seen to cherish a just cause for undertaking a war for the ransoming of the king, in that we have failed to keep the promised times of payment and many other things, not out of necessity but of our own choice.

1 *Digest*, 8.2.26; cf. *Glossa Ordinaria ad Instituta*, 2.4. pr. under *alienis* (H.S. Offler).

2 W: Item that the name and the title of the kingdom of Scotland should be held and kept in honour and in proper distinction, without making union or annexation to the kingdom of England, so that the king will call himself, in his letters and elsewhere, king of England and Scotland. Item that after he is crowned king of England, he should come to the kingdom of Scotland in due order, and be crowned king at Scone, in the royal seat, which he will cause to be delivered from England, and by those of Scotland who are deputed to do this by the court of Rome. And there or elsewhere in the kingdom of Scotland he shall hold parliament, every time that it is to be held on matters touching the estate and ordinance of the said kingdom of Scotland.

3 Or: any next of kin.

4 Treaty of Berwick, 1357: prelates, chapters, lords and merchants of Scotland ... each of them is become principal debtor for the whole sum to be paid at the terms and places said.



16. Nono, quia dominus noster rex videtur, vel saltem presumitur, velle petitis consentire, cuius opinioni multi innitentur, et ipse loca fortia omnia habet, et sic non est locus tutus pro volentibus resistere si qui essent.

17. Decimo, quia confederati nostri, ut Gallici, per compositionem cum aduersariis sunt de nobis ammoti, ita quod oppressis non possunt succurrere nec exules receptare; [et]<sup>1</sup> affines nostri, ut quidam Noruici, nobis erunt infesti, eo quod initam<sup>2</sup> cum eis fidem non seruamus.

18. Item ad idem ex parte petentium: quia ipsi nos exsuperant in multitudine bellatorum, vsu et experientia bellandi, in armaturis et in audacia sumpta, et fortuna semper est eis solita arridere, ita quod fugere sint obliti et in castris nostris et vallis muratis quas<sup>3</sup> habent nos possunt expugnare et ad ipsas<sup>4</sup> reuerti secure et nobis inuitis terram occupare.

19. Et ideo veresimiliter videretur caute factum, si de necessitate faceremus virtutem et illud quod non possumus eis denegare et quod, nobis inuitis, poterunt habere, nullis conditionibus placidis vel gratis nobis datis, sub istis bonis conditionibus iam concessis et pluribus aliis petendis et optinendis dare transferre et concedere voluntarie, [36r] quasi simus potentes eis resistere, et sic grates et gratias ac amicitias bonas reportare, id est bonos et tollerabiles ipsos postea inuenire.<sup>5</sup>

20. Secundo quia tollerabilius et gratius est vni domino et regi seruire quam quemlibet etiam vilissimum te potentiorum tyrannum et predonem<sup>6</sup> sentire, secundum quod fuit tempore captiuitatis principis nostri, et ita, eo cessante, presumitur in futurum, presertim cum rex Anglie sit satis potens latrunculos comprimere et hostes alios repellere.

21. Item ex parte finis idem probatur euidenter, scilicet quod populus debeat assentire oblatis: quia sic erit plena concordia, quia cum ipsi habeant regnum, rem scilicet quam petebant pinguius<sup>7</sup> quam vnquam petierant nosque iuri nostro renuntiemus libere cum populo,<sup>8</sup> voluntarie, nulla coactione precedente nec metu aut dolo, et sic efficaciter inconuertibiliter et irreuocabiliter ius nostrum transferatur, non est nec erit locus vltius discordie, cum non sit

1 required for sense

2 inita

3 quos

4 ipsos

5 This sentence lacks a main verb.

6 predonum

7 pinguis; perhaps amend to periniquius, more unfairly.

8 populos

16. Ninth, that our lord the king seems, or at least is presumed, to agree with the requests, and many will support his opinion; he holds all the strong places, and so there is not a safe place for those who wish to resist, if there are any such.

17. Tenth, that our allies, such as the French, by their agreement with the enemy are estranged from us, so that they cannot help the oppressed, nor receive exiles. And our neighbours,<sup>1</sup> such as some of the Norwegians, will be hostile to us in that we are not keeping the faith we entered into with them.<sup>2</sup>

18. Moreover on the same side in the pursuers' case, that they surpass us in the multitude of fighting men, in use and experience of fighting, in arms and in taking courage, and fortune is always accustomed to smile on them, so that they have forgotten how to flee and, [being] in our castles and fortified ramparts which they hold, they can attack us and return safely to them and occupy the land against our will.

19. And therefore it would seem probably a wise thing to do if we would make a virtue of necessity, and give, transfer and voluntarily grant what we cannot deny them and what they can have against our will without giving us any pleasing or acceptable conditions, under those good conditions already conceded and several others to be asked for and obtained, as if we were strong enough to resist them, and thus gain thanks, favours and good friendships, that is, find them hereafter good and supportable.<sup>3</sup>

20. Secondly, that it is more bearable and acceptable to serve one lord and king than to endure anyone, even the vilest if he is more powerful than you, as tyrant and plunderer, as it was in the time of the captivity of our prince, and may be anticipated in future after his death, especially since the king of England is powerful enough to suppress brigands and repel other enemies.

21. Also the same conclusion is obviously proved for the same end, namely that the people ought to agree to the terms offered, because thus there will be full concord, because, since they have the kingdom, the very thing which they sought more prosperously than ever they had sought, and we renounce our right freely with the people, voluntarily, there being no previous coercion, nor fear or fraud, and so our right is transferred effectively, inconvertibly and irrevocably, then there is not, nor will be, room for further discord, since there

1 Or: kin.

2 The treaty of Bretigny (1360) had seemed to end the Anglo-French war. By the treaty of Perth (1266), the Scots owed the Norwegian crown 100 merks yearly for the cession of the Western Isles, but this had not been paid since, probably, 1332 or 1333.

3 For making a virtue of necessity, see e.g. Jerome, *Epistolae*, bk. 6, in Migne, *Patrologia Latina*, 22.352 (H.S. Offler).

de quo questio moueatur. Et sic erimur *in pacis pulcritudine et iustitia habitabit in terra nostra et quod suum est cuique tribuetur.*

22. Item multum gauderemus si per maritagium primogeniti Anglie cum filia nostra et herede e contra nos et ipsi vnus populus fueramus, et, cum idem finis ex oblatiis resultet, sequitur quod nunc sicut et tunc consentire et applaudere debeamus. <Sed forsan non est eadem nec equa nunc sicut tunc ratio.>

23. Item ex ista pace multa alia commoda subsequuntur, quia terre vaste et inculte per aduenas inhabitabuntur, ville vacue inhabitabuntur, et vaste re-edificabuntur, et terre ad antiquum<sup>1</sup> statum et taxationem ascendent et per communicationes aduenarum<sup>2</sup> et mercatorum regnicole ditabuntur et mundus erit quasi vtupeus. Et multe vtilitates alie accrescent que prudens animus poterit prouidere, iuxta illud Tullii *nomen certe pacis, dulce est et ipsa res salutaris*, nec est aliud quam *tranquilla libertas*,<sup>3</sup> et iuxta vaticinium Ysaye *habitabit lupus cum agno* et Anglicus cum Scoto, *et pardus cum edo accubabit; vitulus leo et ovis similiter morabuntur* [36v] *et puer paruulus minabit eos.* \*

[*Arguments against*]

24. <Fidelis opinio.><sup>4</sup> [O]ppositum videtur, scilicet quod populus non debeat consentire oblatiis, ymmo non est licitum hoc nobis facere: quia cum regnum Scotie sit immediate subiectum sancte Romane ecclesie, tam in

1 antiquam

2 aduene

3 Tull' added after *libertas*. I have conjectured that it should follow *illud*.

4 *Fidelis opinio* is on a line of its own in large capitals. There is a space for the initial O at the beginning of the following paragraph.

will be nothing to raise a question on. And so we shall be in the beauty of peace, and justice will dwell in our land, and to each man will be assigned his own.<sup>1</sup>

22. Again, we would be very happy if, on the other hand, by a marriage of the first-born son of England with our daughter and heiress, we and they had been one people, since the same end would result from the terms offered, it follows that now, as then also, we should consent and approve. <But possibly the reason is not the same now as then, nor [of] equal [weight].><sup>2</sup>

23. Again, from this peace many other benefits will follow, because waste and uncultivated lands will be inhabited by incomers, and empty towns will be inhabited, ruined ones rebuilt, and lands will rise to their ancient position and assessment; the inhabitants will be enriched by the dealings of foreigners and merchants; the world will be quite Utopian.<sup>3</sup> And many other benefits will arise which a prudent mind can foresee. As Cicero says, the name of sure peace is sweet and the thing itself is wholesome and nothing else but tranquil liberty; and according to the prophecy of Isaiah the wolf shall dwell with the lamb and the Englishman with the Scot, and the leopard shall dwell with the kid; the calf and the lion and the sheep shall abide together; and a little child shall lead them.<sup>4</sup>

24. <A loyal opinion.> The opposite is advanced, namely that the people ought not to agree to what is offered. Indeed it is illegal for us to do this, because the realm of Scotland is immediately subject to the holy Roman church, both

1 For coercion, fear and fraud as exceptions in Roman law see *Institutes*, 4.13.1; *Digest*, 44.4 (H.S. Offler). The quoted words are from Isaiah 32:16-18.

2 This paragraph refers to the treaty of Birgham, 1290, for the marriage of the Maid of Norway, many of the terms of which were included in W; both provided for the distinctiveness of the kingdoms, for holding of parliaments in Scotland, for not summoning Scots out of the kingdom and for native-born officials.

3 *Vtupens*. The reading of this word is clear and unambiguous, and while it could be a miscopying, no emendation suggests itself. The context demands a meaning like 'idyllic', 'wonderfully pleasant' or 'almost too good to be true', and the translation 'Utopian' begs a few questions. Utopia was invented by Sir Thomas More in 1516; his first plan was to call his imagined island Nusquama, Nowhere, evidence that Utopia is indeed the Greek for 'No Place.' But six prefatory lines of verse by the fictitious poet laureate of Utopia, beginning *Utopia priscis dicta* (Called Utopia of old), end *Eutopia merito sum vocanda* (deservedly should I be called Eutopia). This last name, *Eutopia*, meaning 'happy place', does not recur in More's work, but is probably the Greek noun which lies behind our adjective, *vtupens*, a Latin word not known to occur elsewhere before More's time. H.S. Offler was inclined to suggest that it was a garbled form of *eutyches*, successful, fortunate, but I find it difficult to see how χ could have been read as π or p.

4 Cicero, *Philipp.*, 2.113: *et nomen pacis dulce est et ipsa res salutaris. Sed inter pacem et servitutem plurimum interest: pax est tranquilla libertas.* The quotation from Isaiah is Isaiah 11:6. H.S. Offler thought that *et Anglicus cum Scoto* was a gloss copied into the text. I would be less sure.

personis ecclesiasticis quam secularibus, prout patet in sententia domini Bonifacii pape octavi super iure libertatis regni Scotie promulgata et regi Anglie Edwardo directa, in qua dicitur *Sane ad celsitudinem tuam potuit peruenire et in libro tue memorie nequaquam ambigimus contineri qualiter ab antiquis temporibus regnum Scotie pleno iure pertinuit et adhuc pertinere dinoscitur ad ecclesiam supradictam*, et in fine omnes lites et causas de iure regni ipsius mouendas ad suam disciplinam *reducit et reservat, decernens irritum et inane* etc, submittere vel unire regnum regno vel iura successionis transferre in alium non possumus superiore domino ignorante, quia ipse omnia reuocaret forsan.

25. Etiam aduertant caute domini nostri prelati supremi, scilicet episcopi et alii, ne fiant eorum ecclesie suffraganie archiepiscopis Anglie per istam vnionem, sicut contigit ecclesie Sancti David in Vallia, que quondam fuit metropolis sex ecclesias suffraganeas sub se habens, et tamen, postquam Vallia Anglie est vnita, ipsa metropolis et omnes alie Cantuariensi archiepiscopo sunt suffraganee et subiecte, et in tanta vilipensione habentur prelati Vallie in Anglia quod patent contemptui et opprobrio toti populo. Quia sic fuere cum episcopos<sup>1</sup> Vallie Londonii ego vidi.

26. Secundo, quod nuncquam est illud inchoandum a fideli populo vel promittendum quod non presumitur veresimiliter duraturum; sed ita est de ista concordia. Igitur etiam hoc probatur primo ex parte promittentium, quia cum ipsi soleant in promissis bonam fidem non agnoscere, vt patet in concordia, et confederatione tempore affinitatis nostre cum eis inite, et in pecunia non modica tunc eis soluta pro pace perpetua, quam statim exquisitis occasionibus fregerunt, vnde non mirandum si de malo iam etiam presumamus, iuxta illud:

*qui semel est captus fallaci piscis ab hamo  
omnibus era cibus unca subesse<sup>2</sup> putat.*

1 episcopis

2 subesse

in ecclesiastical and in secular persons, as is clear in the statement of the lord Pope Boniface VIII, promulgated on the right of liberty of the kingdom of Scotland, and sent to Edward king of England, in which he says: Truly it must have come to the knowledge of your highness, and we can hardly doubt that it is contained in the book of your memory, how, from ancient times the kingdom of Scotland belonged in full right, and is known still to belong to the aforesaid church, and at the end he recalls and reserves to his own decision all actions and cases raised about the right to that kingdom, decreeing null and void etc., [therefore] we cannot subject or unite kingdom to kingdom, nor transfer the right of succession to another person, unknown to the superior lord, because he perchance may revoke it all.<sup>1</sup>

25. Also our lords, the chief prelates, namely the bishops and others, should prudently give attention lest their churches are made suffragans of the archbishops of England through this union, as happened to the church of St David in Wales, which formerly was a metropolitan having six suffragan churches under it, and yet, now Wales has been united to England, that very metropolitan church and all the others, are suffragans of, and subject to, the archbishop of Canterbury, and the prelates of Wales are held in such despite in England, that they are open to the contempt and abuse of the whole people. For so they were when I saw the bishops of Wales in London.<sup>2</sup>

26. Secondly, because anything not presumed to be likely to endure is not to be undertaken or promised by a faithful people, but in this agreement it is [presumed]. Therefore this is also proved first on the part of those making the promises, that since they themselves are accustomed not to keep good faith in their undertakings, as is clear from the agreement and alliance at the time of our friendship entered into with them, and from the money, no little sum, then paid to them for a perpetual peace, which they at once broke having sought opportunity, so it is not to be wondered at if we now also expect the worst, according to the saying: the fish taken once by the deceitful hook thinks there is curved bronze under every piece of food.<sup>3</sup>

1 For the bull *Simus fili* of 27 June 1299, quoted here, see E.L.G. Stones (ed.), *Anglo-Scottish Relations, 1174-1328: Some Selected Documents* (2nd edn., Oxford, 1970), no. 28. The bull was, of course, directed at the English claim to overlordship over Scotland, and did not in fact reserve to the pope actions raised about the right to Scotland; it reserved actions arising from disputes between the English king and any of Scotland 'touching any of the aforesaid business'. The relevance of this to Spyny's argument is doubtful.

2 W: At his coronation he shall swear an oath to keep and maintain wholly the liberty of holy church of Scotland, so that it shall be subject or obedient to no archbishop apart from the apostolic see. Wales had four sees; St David's claimed to have lost metropolitan status to Canterbury.

3 A reproachful reference to the breaching in 1332-3 of the peace of Edinburgh, 1328, after the payment



27. Item quia ipsi Vallicos per totum, et Ybernicos quibus possunt, [37r] ita inhumaniter et seruiliter tractant quod iam Vallicorum nomen et nobilitas in toto euanuerit, cum non sit aliquis de gente illa vel populo secularis dominus vel prelatus, et idem de Ybernicis prout possunt subtiliter suo more faciant, presumitur quod nos inhumanius et crudelius tractarent, quos senserunt<sup>1</sup> hactenus grauius aduersantes et de quibus vix securos se fore putabunt, quamdiu vnus de nobis supererit ex inimicitia ab olim radicata. Et sicut<sup>2</sup> nos pro modulo nostro capitibus Scoticis et stolidis initentes repulsam vel vilipensionem<sup>3</sup> ineditam reputabimus, maximam et vindictam volumus, etiam si mori oporteat, cum puerum cuius ad fletum dependent labia ad plorandum facile sit mouere. Et ideo, dum licet, videtur cautius abstinere, cum *melius* [sit] *viam Domini non agnoscere quam post agnitam retroire.*

28. Item cum banniti terras suas non rehabeant, semper erit remanens seminarium discordie inter ipsos et nostrates qui ipsas terras habebunt. Et, cum banniti sint veresimiliter specialiores futuri apud principem, sequitur quod, vel subtili ingenio vel premeditata malitia, ipsi occupantes spoliabuntur terris ipsis ex causa satis leui, presertim cum rex Anglie promittat eis bannitis remunerationem pro ipsis terris. Et, vt referunt experti sequentes curiam Anglie, tales promotiones longas et difficiles tractus habent, ymmo communiter respondet rex Anglie talia petentibus, quod prius habet filiis propriis prouidere, quia *ordinata caritas incipit a seipso.* Et cum ipsis ad votum per suas terras in Scotia poterit satisfieri, non est herreticum sapere regem Anglie et suum consilium occasiones querere faciendo, tamen de non causa, vt nostrates morti etiam turpi condempnentur, vt alii rehabeant quod est suum.

29. Item quia cum ipse promittat seruare et non revocare donationes regis Roberti et David et custumam lane ad sex solidos et octo denarios pro sacco<sup>4</sup>

1     sensirint  
2     sic  
3     vilipensam  
4     suo

27. Again that they themselves treat the Welsh altogether, and the Irish as far as they can, so inhumanely and so like slaves that now the name and nobility of the Welsh has altogether vanished, since there is no secular lord or prelate of that race or people, and they do the same to the Irish as far as they are able, cunningly, in their way, and it is to be presumed that they would treat us more inhumanely and cruelly, whom they perceive as hitherto opposing them more seriously, and from whom they will scarcely think themselves safe as long as one of us survives, because of long-rooted enmity. And so we, to our manner relying on rude Scottish heads, will ponder on the rebuff and contempt inflicted [?] on us and we will desire a great revenge, even if we must die, since it is easy to move the boy to cry whose mouth is turned down for weeping. And therefore, while it is possible, it seems best to abstain, since it is better not to enter the way of the Lord than to leave it after acknowledging it.<sup>1</sup>

28. Again, since the disinherited would not re-possess their lands, there will always be a surviving source of discord between them and our folk who hold those lands, and since the disinherited will most likely be very close to the prince, it follows that, by cunning design or malice aforethought, the occupiers of those lands will be despoiled for a trivial cause, especially since the king of England promises compensation for those lands to the disinherited. And, as the experts following the English court say, such suits have a long and difficult haul; especially as the king of England usually answers such plaintiffs that first of all he has to provide for his own sons, because charity begins at home. And since they could be satisfied as desired by their own lands in Scotland, it is not a heresy to know that the king of England and his council will seek opportunities of causing our folk, shamed indeed, to be condemned to a death, though without a case against them, so that others may repossess what is theirs.<sup>2</sup>

29. Again, that because he promises to maintain, and not revoke, the grants of King Robert and King David, and to reduce the custom on wool perpetually

of £20,000 to Edward III. The final quotation is from Ovid, *Ex Ponto*, 2.7.9-10 (H.S. Offler).

1 The Irish described here are those outside the government-controlled lordship of Ireland, Ireland *inter Hibernicos*. H.S. Offler suggests that *cum ... mouere* is perhaps an echo from a grammar book, and for the difference between *fleere* and *plorare* refers to Isidore, *Differ*, i. 227 in Migne, *PL*, 83.84. The final quotation is from 2 Peter 2:21.

2 W: The king of England will make full and agreeable satisfaction to the following lords: [the earl of Atholl, Beaumont, Percy, Ferrars and the heirs of Talbot] and all others who claim lands in Scotland, for the lands which they claim there, both by the gift or the permission of the said king of Scotland made since he was a prisoner of the king of England and otherwise, so that those who are now in possession of these lands, and their heirs, shall enjoy them without grief, claim or disturbance from them or their heirs.

For the quotation, *Glossa Ordinaria ad Decretum Gratiani*, c. 35, C. 7, q. 1 *praefenda est* (H.S. Offler).

perpetuo reducere, sequitur quod viuet ex rapina cum nichil de suo habeat et populum predabit vel interpretabitur<sup>1</sup> donationes illorum regum non debere reuocari que facte sint sine dampno corone et iuste fieri potuerunt<sup>2</sup> sine periurio donantis. Ceteras vero reuocabit, ymmo reuocare necesse est tales donationes sub pena periurii ut in capitulo *Intellecto*, [37v] Extra, *de iureiurando*. Et isto modo sentio ego, quicquid dicant alii vel pretendant.

30. Item alieni tollent locum nostrum et gentem cum maritagia nobilium mulierum Anglicis concedentur et warde et maritagia puerorum et adolescentium nobilium de Scotia. Sequitur quod infra paucos annos dominia multa et quasi omnia Scotie venient et transferentur per maritagia et aliter in Anglicos, dato adhuc quod rex Anglie seruet inuiolabiliter omnia promissa, et sic maiorum nostrorum nomina et cognomina deperibunt.

31. Item illud regnum et regnicole Scoti adeo attenuabuntur et ad tantam exinanitionem<sup>3</sup> deuenient quod ipsorum miseria futura non poterit breui sermone exprimi, eo quod redditus vniuersi, custume,<sup>4</sup> exitus itinerum iusticie et camerarie, contribuciones, et emolumenta alia ad regem spectantia, deferentur in Angliam et redditus terrarum que ad dominia Anglicorum per wardas maritagia vel alias deuenient, eo quod preeligent morari in sue natiuitatis terra et prope dominum regem quam in ista, et sic diuitie auferentur in terram alienam et pauci qui remanebunt de natiuis erunt coloni sub seruitute perpetua et erumpna.

32. Item caueant sibi nobiles nostri et eo cautius quo domino nostro regi David attinent propinquius, quia, non obstantibus promissis quibuscunque, ad eorum exterminium rex Anglie vltra citra[que]<sup>5</sup> conabitur, nec vnquam se reputabit securus quamdiu supererit vnus de semine regio viuens, eo quod

1 interpretabit

2 poterunt

3 examinationem

4 vniuersos, custumas

5 que required for sense (or et citra)

to 6s 8d per sack, it follows that he will live by robbery, since he will have nothing of his own, and he will despoil the people;<sup>1</sup> or he will make an interpretation that the grants of those kings ought not to be revoked which were made without loss to the crown and it will be possible for those to be justified, without perjury, on the part of the giver. But he will revoke the rest, indeed he must revoke such grants, under pain of perjury, as in the well-known chapter *Intellecto*, in *Extravagantes*, concerning those under oath.<sup>2</sup> And I feel this way, whatever others may say or claim.

30. Again, foreigners will usurp our our abode and our race when the marriages of noble women, and the wardships and marriages of noble boys and youths of Scotland, are granted to Englishmen. It follows that within a few years many, and virtually all, lordships of Scotland will come and be transferred, by marriages and otherwise, to Englishmen, even allowing that the king of England keeps inviolably all his promises; and thus the names and surnames of our great men<sup>3</sup> will perish.

31. Again, the very kingdom and its Scottish inhabitants will be so attenuated and brought to so feeble a state that their future misery cannot be expressed in a brief compass, in that all the rents, customs, issues of justice and chamberlain ayres, and other revenues belonging to the king, will be borne off to England; and likewise the rents of lands which come to the lordships of Englishmen, by wardship, marriage or otherwise, in that they would prefer to dwell in the land of their birth and close to the lord king, rather than in this land, and so wealth will be borne off to a foreign land, and those few of the natives who remain will be bondmen under perpetual servitude and tribulation.

32. Again, let our nobles beware, and the more so as they are nearer to our lord King David, because, notwithstanding any promises whatsoever, the king of England will strive with all his might for their extermination, nor will he ever think himself safe so long as one of the royal stock<sup>4</sup> survives, in that he

1 W: Item that he will hold and maintain prelates, earls, barons, and all freeholders of the said kingdom of Scotland, of old and new, quietly and wholly in their franchises and lordships of lands rents and possessions and offices, according to their infestments and according to what they have been accustomed to.... Item that the merchants ... shall not pay more than a half a merk for the sack of wool as great custom.

2 The citation is X. II.24.33. H.S. Offler notes that for the pivotal importance of this decretal in the canonists' discussion of inalienability, see P.N. Riesenbergh, *Inalienability of Sovereignty in Medieval Political Thought* (New York, 1956); L. Buisson, *Potestas und Caritas* (Cologne, 1952), 273-89; H. Hoffmann, 'Die Unveräußerlichkeit der Kronrechte im Mittelalter', *Deutsches Archiv für Erforschung des Mittelalters*, xx (1964), 389-474; J.R. Sweeney, 'The problem of inalienability in Innocent III's correspondence with Hungary', *Mediaeval Studies*, xxxvii (1975), 235-51.

3 Or: ancestors.

4 *Vnus de semine regio*, presumably any descendant of Robert Stewart; but others, e.g. Mar, would have an interest.

semper suspicabitur tales questionem super iure regni moturos, licet ipsi nuncquam meditentur talia, exemplo Herodis qui, credens Christum de semine et stirpe antiquorum regum Iude sibi regnum Iudee et Ierusalem erepturum, finxit se primo adorare<sup>1</sup> velle eum, vt interficeret, et postea adeo ipsum persecutus est vt coetaneos necaret, putans quod ex quo ipsum specialiter inuenire non poterat sub generali saltem clade faceret deperire. Aliud exemplum habemus Iudicum ix c., et familiarius exemplum est magis ad propositum in Vallia et Hybernia vbi Anglici principantur.

33. Item oblati consentire non decet: Cum brevis vita nobis sit data a natura et memoria bene acte vite sempiterna sit, istudque regnum semper etiam in tempore regis Arthuri regem proprium nomine Anguselem habuerit et semper distinctum fuerit, nos pro breui vita nostra et in nostre dampnationem memorie, ipsius statum antiquum, pro quo tuendo maiores nostri aliquando gloriosum triumphum et aliquando, ut erat fides ipsorum et opinio et est mea, victoriosum marthirium de hostibus reportauerunt, interuere nos non decet. Quia, si isto modo, nulla coactione pre/cedente [38r], consentiat populus, irreuocabilis est consensus et nuncquam poterit permutari,<sup>2</sup> cum nec metus, nisi vanus, dolus malus aut coactio intercedat, et, si nitatur postea resilire, erit in dominum insurgere et tanquam proditores in dominum proprium punientur; et idcirco, dum res est integra, bonum est a talibus abstinere.

34. Item quia consentiendo petitis cessaret vnctio nostra et per consequens insignia celebriora regalia, quia quilibet rex, etiam pedaneus vt in Hybernia, est coronatus, quia cum vnctio regis iterari non debeat et rex Anglie inungere-tur in Anglia, sequitur quod apud nos postea inungi non potest.

35. Item quia dominus Willelmus de Douglas miles tales quondam habuit condiciones quod dominus rex noster pro xl milibus librorum redimeretur et castra nostra in termino prime solutionis nobis redderentur, dummodo con-cederetur<sup>3</sup> a populo quod vnus de iunioribus filiis regis Anglie domino nostro

1 adorari

2 prutere

3 concedetur



will always suspect that such men will raise a question about the right to the kingdom, although they may never think of such a thing; after the manner of Herod, who, believing that Christ, born of the seed and stock of ancient kings of Judah, was about to seize the kingdom of Judea and Jerusalem for himself, first feigned that he wished to adore him, so that he might kill him, and afterwards so persecuted him that he killed his contemporaries, thinking that although he had not been able to find him specially, he would cause him to perish anyway in a general slaughter. There is another example in Judges ch. 9 and there is a more familiar example, more to the purpose, in Wales, and in Ireland where the English rule.<sup>1</sup>

33. Again, it is not proper for us to agree to the proposals. Since the life given us by nature is short, and the memory of a well-lived life is everlasting, and since this kingdom always had its own king, even in the time of King Arthur, called King Angusel, and was always distinct, it is not proper that we, to benefit our short life and bringing damnation on our memory, should squander its ancient estate, for protecting which our forefathers sometimes won a glorious victory, and sometimes, as was their belief and opinion and is mine, a victorious martyrdom from the enemy;<sup>2</sup> because if the people consent in that way, under no compulsion, the consent is irrevocable and can never be altered, since no fear (except vain fear), fraud, nor force intervened. And if afterwards an attempt to resile is made, it will be a rebellion against one's lord, and they will be punished as traitors towards their lord; therefore, so long as no irreversible step has been taken it is wise to abstain from such proposals.

34. Again, that by consenting to the proposals our unction will cease, and in consequence the more renowned royal insignia, because any king is crowned, even a petty one, as in Ireland. Since royal unction ought not to be repeated and the king of England would be anointed in England, it follows that afterwards he cannot be anointed among us.<sup>3</sup>

35. Again, that Sir William de Douglas, knight, formerly had conditions whereby our lord the king would be ransomed for £40,000, and our castles would be handed back to us at the term of the first payment, so long as it was agreed by the people that one of the younger sons of the king of England should

1 For Herod and Christ, Matthew 2:8-16. The story in Judges 9:1-16 is that of Abimelech.

2 This refers to the mythical histories of Britain; in Geoffrey of Monmouth King Arthur conquered the rebellious Scots and installed a puppet king, Angusel or Augustus. See Geoffrey of Monmouth, *The History of the Kings of Britain*, trans. L. Thorpe (Harmondsworth, 1966), 299. The Scottish myth admitted a temporary conquest, but denied any previous or subsequent English lordship.

3 W provided for a separate Scottish coronation, but this would not and could not mean a second anointing of the king, since this rite could be undergone only once; it was a form of ordination.



regi, si sine liberis decederet, deberet succedere, non videtur quod, cum non simus debiliores nunc quam tunc extitimus, pro defectu solutionis in terminis totius regni dominium et successionem debeamus a nobis et nostris successoribus abdicare.

36. Item quia multi nobiles nostri et maiores de regno casualiter exheredantur perpetuo, rege Anglie seruante omnia, quia ipsi nunquam sufficerent suas terras releuare et sic semper in manu superioris domini remanerent, quod non solet hic fieri cum consueuerimus habere regem proprium propitium et benignum.

37. Item redditio castrorum et remissio custume ad antiquum<sup>1</sup> statum sunt vnum dulce nichilum, quia vult quatuor castra reddere et sibi finaliter [cedi]<sup>2</sup> vt totum regnum habeat, et, cum per nos magis meliorari possint quam per ipsum, ad hoc [ea]<sup>3</sup> offert nobis ad tempus, vt ipse totum habeat regnum perpetuo, et vt ipse ea meliorata recipiat, et vt ipse interim exoneretur a sumptibus quos facit circa ipsa. Que, stantibus conditionibus inter nos et ipsos, ad modicum commodum nobis cedent, et, si resiliamus, non erunt qui ea pro nobis tueantur, contra dominum proprium insurgendo, presertim cum a nobis sperare non poterint de succursu.

38. Reducere autem custumam ad statum solitum tenebitur per iuramentum, cum etiam domino nostro regi non sit concessa [38v] ad tantam summam nisi ad tempus et ex causa sue redemptionis.

39. Quod autem dominus noster rex et sui heredes terras suas habeant et alii domini in Anglia, bonum esset si nichil aliud latitaret. Sed quia regi Roberto viro tam sapienti strenuo et experto non placuit in hoc articulo.

1 antiquam

2 Offer: cedi required for sense.

3 Offer: ea required for sense.

succeed our lord the king, should he die childless.<sup>1</sup> Since we are not weaker now than we were then, it does not seem that we ought to give up for us and our successors the lordship and succession of the whole realm, for failure of payments at the terms.

36. Again, that many of our nobles and of the great men of the realm would be disinherited for ever by casualty, the king of England keeping everything, because they would never have enough to take up their lands, and these would thus always remain in the hands of the superior lord, which is not what is usual here since we have been accustomed to have our own gracious and kind king.<sup>2</sup>

37. Again, the return of the castles and the remission of the custom to the old level are one sweet nothing, because he wishes to return four castles, so that he may have the whole kingdom ultimately for himself;<sup>3</sup> and, since they can be improved more by us than by him, for this reason he offers to cede them to us for a time, so that he shall have the whole kingdom for ever, and shall take them back when improved, and in the meantime shall be unburdened of the costs which he has for them. Which, under present conditions between us and them, will do us little good, and, if we resile, there will not be anyone to protect them for us by rising against their own lord, especially as they cannot hope for help from us.

38. As for the custom, he will be obliged by his oath to reduce it to the accustomed level, since it was not granted even to our lord the king at such a figure except for a time and because of his ransom.<sup>4</sup>

39. It would be a good thing if our lord the king and his heirs, and other lords, could have their lands in England, provided that nothing else lurked in the proposal, but King Robert, such a wise, vigorous and able man, did not agree to this article.<sup>5</sup>

1 This refers to the negotiations conducted by Sir William Douglas of Liddesdale (it is curious that he is not here called *quondam*), for the release of David II in 1350-1, for which see Duncan, 'Honi soit', 120-5.

2 'Take up their lands', i.e. pay relief for them. W: he will swear that he will keep and maintain the laws statutes and customs of the kingdom of Scotland made and established by the late good kings of Scotland ...

The Scottish custom was for relief to be the annual value of the lands as assessed by an assize of the neighbours, so it is difficult to see how this threat could burgeon.

3 W: The king of England will cause to be delivered the town of Berwick, the castle and the country around, the town and castle of Roxburgh and the country around, the castles of Jedburgh and Lochmaben and the country around.

4 The terms on which the Scottish customs were increased after 1357 are not otherwise attested, and they did not return to their original level of half a merk on each sack of wool.

5 For the royal lands in England, W: Item that the king of Scotland be put in possession and in heritable estate of the greater part of the land and rents which his ancestors had in the kingdom of England, and should have satisfaction for the remainder in a suitable place, doing to the king of England the service

40. Circa premissa notandum est quod marcatores Anglie rem venditam ad duplum veri pretii et pro quo eam vendere volunt solent appreciare vt, si institorem incautum inueniant, ipsum illequeant sed, antequam rem venalem reportent, pro medio petiti pretii, si sit qui offerat, ipsam vendunt. Et forsitan ita est in proposito, quia domini in hoc casu a marcatorum moribus non sunt penitus alieni. Dummodo sit cautus institor qui offerat rationem.

[*A resolution*]

41. Ex premissis concludendum quod non licet nec decet nec expedit petitis vel oblatiis consentire. Probatur quod non licet per rationes immediate post oppositum, quia subsumus immediate domino pape; nec decet quia insignia nostra cessarent, puta unctio, et quia memoriam nostram dampnaremus, et quia maiores nostri, viri sapientissimi, Anglicorum magis experti astutiam, nuncquam voluerunt talibus consentire; nec etiam expedit propter multa inconuenientia et intollerabilia, inarrabilia, que post oppositum iam sunt dicta.

[*Reasons for resolving against*]

42. Ad rationes prime partis respondetur:<sup>1</sup> Quod, sicut nos sumus attenuati in viribus per mortilitates et guerras, ita sunt ipsi, quia, licet in Francia eis prospere successerit sepe in victoriis, hoc tamen non contigit sine dispendio sue gentis, et semper ipsi fuerunt plures quam nos, et tamen aliquando contendabamus cum eis de pari et eos vicimus diversis vicibus successiue, nec in *multitudine* bellantium consistit semper *victoria*, et ipsi hodie multum sunt dispersi in Britannia, in Ybernia, et versus Terram Sanctam, et qui sunt, non habent cor ardens ad invadendum nos, cum sint emolimenta modica habituri, si, quod absit, preualeant et non sine tediosis laboribus et suarum personarum periculis, sicut alias sunt experti, et sciunt quia nos habemus aptos ad

40. On the aforesaid matters, it is to be noted that the merchants of England usually put up the value of the article for sale to twice the true price they want for it, so that, if they find an unwary shopkeeper, they entrap him, but before they bring back the thing for sale, they sell it for half the price asked for, if there is anyone who offers. Perhaps it is like that in the proposal, for the lords in this case are not entirely strangers to the customs of merchants, provided that the one buying the package is on his guard.

41. It is to be concluded from the foregoing that it is not permissible, proper nor expedient to consent to the requests or proposals. It is proved that it is not permissible by reasons immediately after 'the opposite' [§24], because we are immediately subordinate to the lord pope; that it is not proper because our insignia would come to an end, especially unction, and because we would condemn our memory, and because our forefathers, very wise men, understanding better the cunning of the English, would never agree to these terms; and that it is not expedient because of the many intolerable and indescribable inconveniences, which have already been given after 'the opposite'.<sup>1</sup>

42. To the reasons given by the first part it is answered that, as we are reduced in strength by plagues and wars, so are they, because, although things have often gone well for them in victories in France, this has not happened without loss of their people; they were always more numerous than us, yet occasionally we fought with them on equal terms and defeated them on divers occasions successively; victory does not always reside in a multitude of warriors; today they are much dispersed in Brittany, Ireland, and towards the Holy Land.<sup>2</sup> And those who remain do not have a burning desire to invade us, since if they should prevail, which God forbid, they would gain little reward, and that not without tedious labours and dangers to their persons, as they have learned elsewhere; and they know that we have fine warriors, though somewhat

due for these lands alone.

It is not clear whether this meant the former Bruce possessions only, or whether the former royal lands (e.g. the honour of Penrith) would also have been restored. Robert I made it clear in all his negotiations with England that there would be no restoration of English lands to Scottish barons, or vice versa.

1 *non licet ... expedit*. The three criteria of just action had been defined by Bernard of Clairvaux, *de Consid.* iii.4.15 in *Opera Omnia*, ed. J. Leclercq & H.M. Rochais (Rome, 1963), iii, 442. They gained currency among canonists from Innocent III's decretal *Magna devotionis*, X. III.34.7: *tria precipue duximus in hoc negotio attendenda: quid liceat secundum equitatem, quid deceat secundum honestatem et quid expediat secundum utilitatem*. Cf. Hostiensis, *Lectura*, in X, III.34.7. *Illā, s.v. 'et quid expediat'* (H.S. Offler).

2 There was a second outbreak of plague (the 'Black Death') in Scotland in 1362. The victories in France would include specially Poitiers, 1356, at which John II was captured. Although released in 1360, he had to return to captivity and died in London in April 1364. The claim that the English were engaged fighting in Brittany and the Holy Land is far-fetched.

bellandum, licet aliquos<sup>1</sup> inexpertos, et, iuxta vulgare prouerbium, *catuli mordent acerbius<sup>2</sup> et minus lupos verentur quam canes alii seniores*.

43. Ducem etiam habemus et principem, dominum nostrum regem, pro quo et eius statu populus hactenus multa sustinuit, qui dominus noster rex ita difficilia et ardua facit proponere, vt probet an sit *spiritus* [39r] *fortitudinis* vel vite scintilla illuceat in aliquo, in quo *spiritus* et animus *domini* nostri regis possit *acquiescere*, cum videat eum velle stare pro libertate populi et confouenda iustitia, et vt possit infallibiliter percipere quod *spiritus vite* sit *in rotis*, id est in suis nobilibus et aliis, nec est aliter sentiendum de domino nostro, quia cum ipse tot humanitatis beneficia a populo isto recipit, qui<sup>3</sup> se et sua pro ipso exposuerit et adhuc exponere sit paratus, quod ipse tot beneficiorum oblitus populum velit inducere vt subsit et seruiat suo hosti.

44. Quia inter ista ambigua nodosa et difficilia videretur eligibilis census vel recognitionem in signum subiectionis solvere, quod solum solent petere inimici, et regem proprium habere, quam totum regnum subdere et antiquos hostes constituere voluntarie dominos. Cum in vno spes future libertatis semper vigeat, in alio spes recuperationis omnimoda sit sublata.

45. Plures etiam nobiles Dei gratia habemus aptos in duces assumi, quos nominare omitto, ne forsan eque digni et maioris meriti inuideant; et licet nullum nominarem, *suscitabit dominus spiritum fortitudinis in puero iuniori* et mille modis dominus sue plebi prouidebit.

46. Nec fouebunt Anglici more insolito iustam causam, quia non est iustum pro quodam pecuniario debito petere totum regnum, de quo debito modo quo possumus meliori volumus satisfacere. Et hoc bene possumus, dummodo rex donationes ineptas factas in preiudicium corone regie reuocet et de suo

1 possibly read aliquantum for aliquos

2 acribius

3 quid

unskilled, and, as the vernacular proverb says, 'pups bite more sharply and fear the wolves less than old dogs do.'<sup>1</sup>

43. Also we have a leader and prince, our lord the king, for whom, and for whose status, the people have hitherto put up with much. Which lord king of ours has caused to be put forward such difficult and hard proposals, so that he may prove whether the spirit of bravery or the spark of life is alight in anyone, in whom the spirit and mind of our lord king can find pleasure, since he sees that he wishes to stand for the freedom of the people and the furtherance of justice; and so that he may perceive without fail that the spirit of life is in the wheels, that is, in his nobles and others. Nor is it to be believed otherwise of our lord, since he has received so many benefits of humanity from this people, which has exposed, and is still ready to expose, itself and its goods for him, that forgetful of so many benefits, he would wish to induce the people to subject themselves to, and serve, his<sup>2</sup> enemy.<sup>3</sup>

44. Among these doubtful, knotty and difficult matters it would seem preferable to pay a tribute or acknowledgment as a sign of subjection, which is all an enemy usually seeks, and to have our own king, than to subject the whole kingdom and voluntarily constitute our old enemies as our lords. As the hope of future freedom always flourishes in the one, so the hope of recovery is altogether removed in the other.<sup>4</sup>

45. Also, by God's grace we have many nobles ready to be made our leaders, but I shall not name them lest those equally worthy and of greater merit are envious; and although I name none, the Lord will arouse a hope of strength in a little child, and the Lord will provide for his people in a thousand ways.<sup>5</sup>

46. Nor will the English in unusual manner foster a just cause, because it is not just to seek a whole kingdom for a certain pecuniary debt, which debt we wish to pay off in the best way we can. We can do this well provided that the king revokes inept grants made to the prejudice of the crown,<sup>6</sup> and has of his

1 The quoted words are from 1 Maccabees 3:19. The final saying has not been traced. J. Werner, *Lateinische Sprichwörter und Sinnsprüche des Mittelalters* (Heidelberg, 1912), 87: *sepe fit ut catulus dei maxima vulnere parvus* (H.S. Offler).

2 Or: their.

3 *spiritus fortitudinis* ... *quiescere*: Isaiah 11:2; *spiritus vite in rotis*; Ezechiel 1:20-1.

4 The tribute or acknowledgment here might be the ransom, or it might be homage for the kingdom as exacted by Edward I in 1291 and 1292; the 'hope of future freedom' suggests the former, the 'sign of subjection' the latter.

5 The relevance of the quotation from Daniel 13:45 is intriguing. It may be that the 'little child' is a hoped-for heir to David II, but Spyny otherwise assumes that the choice is between Edward III and a Scottish heir, presumably the Steward. Or the Lord will provide good leaders from the nobility?

6 This shows Spyny's ignorance of Scottish affairs during his absence, for there had been such a revocation in the Council of 1357 (APS, i, 492a).



habeat unde viuat et soluat cum aliis notabiliter suam partem, et colat iustitiam; et banniti nostri ad rehabendum terras suas conditiones bonas in prorogatione terminorum solutionis et in remissione penarum pro suis viribus<sup>1</sup> procurabunt et contribuent libenter cum aliis in redemptionem; de quibus omnibus bonum est quod temptentur.

47. Ad rationem vbi dicitur quod bonum est facere de necessitate virtutem et eis concedere voluntarie quod possunt nobis inuitis habere, respondetur quod melius est quod talia inconuenientia habeant nobis inuitis, quia tunc licitum est semper et qualibet hora reluctari, sicut pluries nostris fiebat temporibus, quam quod semel de consensu populi haberent quia tunc nuncquam posset populus resilire.

48. Et ad hoc quod fortuna eis arridet, dicitur quod, quando magis applaudit, tunc tendit citius ad ruinam et *que tota nobis iam enotuit eis se velat* et insidias secus<sup>2</sup> parat iuxta illud:

*impetus euertit quicquid [39v] fortuna ministrat  
prospera nil stabile cui dedit illa homini.<sup>3</sup>  
casibus in letis quam sit propinqua ruina  
et lapsus facilis nemo videre potest.*

49. Et quando dicitur quod melius est uni subesse quam quemlibet sentire tyrannum, respondetur quod illi faciliter in fide et fidelitate terre et populi perseuerantes reuertuntur ad suum dominum et per eum, stabilita terra in pace, cito castigantur, et modicum deberet cuilibet videri si qui, dum<sup>4</sup> pugnent pro libertate, viuant de communi. Et talis tyrannides cito finitur, sed crudelitas Anglorum si semel approbati fuerint de peiori in pessimum perseuerabit perpetuo acius semper solito inualescens, et ideo videtur eligibilis pati ad tempus aspera quam sine redemptionis spe aliqua subici perpetue seruituti.

50. Ad rationem ex parte finis quia tunc plena erit concordia quia non erit de quo litigetur etc., respondetur quod verum est si renunciemus iuri nostro non habebimus super iuri illo materiam vltius murmurandi ex quo

1 iuribus

2 secas

3 *Offler reads omina; Balfour-Melville omnibus. The emendation is mine.*

4 si quidem. *Offler suggests si quamdiu.*

own wherewith he can live and with others conspicuously pays his share, and fosters justice; and our disinherited<sup>1</sup> with all their strength will procure favourable terms for recovery of their lands by deferred terms of payment and by remission of penalties, and they will contribute freely with others to the ransom. It is good that all these things should be tried.

47. To the argument where it is said that it is good to make a virtue of necessity, and to give them voluntarily what they can have against our will, it is answered that it is better that they should have such inconveniences against our will, because then it is always and at every moment lawful to resist, as was often done in our times, than that they should have it once by consent of the people, because then the people may never resile.

48. And on the point that fortune smiles on them, it is said that when it applauds the more, then it inclines the more quickly to ruin; and that which has revealed itself totally to us conceals itself from them and prepares cruel traps, as the verse says: an impulse overthrows everything that good fortune provides; fortune has never given anything secure to any man. No-one can see how close ruin, how easy the fall is in happy events.<sup>2</sup>

49. And when it is said that it is better to be under one man than to endure any tyrant, it is answered that lands and peoples persevering in their faith and fealty to him return easily to their lord, and are quickly corrected, once the land has been established in peace, and it should seem a small matter to anyone if some, while they fight for freedom, live at the common expense. And such tyranny is quickly ended, but the cruelty of the English, if they are once approved, will persist perpetually, going from bad to worse, becoming increasingly more savage than before. And therefore it seems a better choice to suffer hardships for a time than to undergo perpetual subjection without any hope of redemption.

50. As to the argument on the point of the end, that there will be full concord then because there will be nothing to dispute etc., it is answered that it is true that if we renounce our right we shall have no matter for further complaining

1 *Banniti nostri*, our disinherited. *Ad rehabendum terras* shows that *banniti* is not a misreading. This argument for paying off the ransom defeats me. The disinherited, Atholl, Beaumont, etc., could procure from Edward III easier terms for the Scots, but why should they, since rejection of W deprived them of their lands and of compensation? And how do they contribute to the ransom? The Scottish tenants driven from the English pale in the Border sheriffsdoms could not influence Edward III and drew no rents till 1369 (when they got half their rents) to contribute to the ransom; in fact their best hope lay in W.

2 *que tota ... enotuit ... se velat* Boethius *Philos. Consol.* ii.1.11, ed. Bieler, *Corpus Christianorum*, ser. lat. xciv (1957), 18: *Quae sese adhuc velat aliis, tota tibi prorsus innotuit*. The verse is from Nigel de Longchamp (Wireker) *Speculum Stultorum*, ed. J.H.Mozley & R.R.Raymo (Berkeley, 1960), ll. 581-2, 827-8 (H.S. Offler).

renunciauimus non coacti, sed an ipsi nobis ministrabunt materiam insurgendi ego non dubito sed dubitet ipse si quis careat ratione. Sed, si quis velit sagaciter et acute futura perspicere, poterit euidenter et ineuitabiliter colligere regem Anglie et ipsius consilium ista persuadens et petens ad deletionem, euulsionem et exterminium totale populi istius conari.<sup>1</sup>

51. Quia cum sit naturale cuilibet ut suorum maxime filiorum promotionem desideret, seniorique filio regis per successionem hereditariam sufficienter<sup>2</sup> et vltra sit prouisum regnumque Scotie videretur sufficiens promotio pro aliquo de iunioribus, quod iam oblatum contra paternam pietatem erga filium rex renuit et recusat, non videtur alia subesse ratio nisi quod in detestationem et odium istius populi, et vt sit non solum acephalus sed vt tollatur et euanescat penitus, et quod de ipso de cetero non habeatur memoria, istud fiat. Cum tamen magnum sibi videri debeat quod, exheredatis quodam modo nostris heredibus, in suum filium successionem regiam transferamus, et debet sibi ad magnum gaudium et gloriam crescere quod duos filios reges posset dimittere et maxime sic vicinos et iuniorem pro/vehi [40r] [ad]<sup>3</sup> excellentiam sine preiudicio vel diminutione aliqua senioris; sed ipse tante gratitudinis ingratus non [in]<sup>4</sup> odium filii sed in detestationem gentis nostre non vult super nos regem regnare qui nos tuere debeat sed vt ipse nos deuoret, deleat penitus et euellat annullet et nullos faciat et vt finaliter ad nichilum redigamur.

52. Et hec omnia que monent<sup>5</sup> dissentire in regem Anglie, vetant in principem Anglie at Vallie consentire, cum eadem sit ratio de vtroque, quia cum ipse sit futurus rex, consentire in ipsum est in regem consentire Anglie. Et si dicas non, quia filius eius habebit, nichil est, quia talis pater talis filius sunt eadem persona, et, postquam res per directum dominium est mea, possum de ea disponere prout placet; et certe, si consentiamus in principem Vallie, equa erit nostra conditio cum Vallicis, quorum quam debilis sit conditio fide cernimus oculata, quia sic lesi sunt vt *corruant*, sic persecuti quod vltius non *resurgent*. Et est felicius<sup>6</sup> de aliis et aliorum ruinis exemplum sumere quam, quod absit, simus toti mundo in fabulam proprie miserie et exemplum.

1 coronari

2 sufficientem

3 required for the sense

4 required for the sense

5 or mouent

6 felicius

over that right, in that we renounced it without coercion, but as to whether they will provide us with a cause for uprising, I personally have no doubt, but a person devoid of sense may doubt. But anyone who is prepared to consider the future shrewdly and clearly, will manifestly and inevitably deduce that the king of England and his council who persuade and urge these proposals are seeking the destruction, eradication and total extermination of this people.

51. That as it is natural to anyone that he should seek the advancement of his own sons above all, and there is sufficient provision and more by hereditary succession for the oldest son, and as the kingdom of Scotland seems sufficient promotion for one of the younger sons, which the king rejects and refuses, when now offered to him, contrary to paternal piety towards a son, no other reason seems to underly this except that it is done in detestation and hatred of this people, that it shall be not only headless<sup>1</sup> but shall be made away with and virtually vanish, and that from henceforth there shall be no memory of it. Since, however, it ought to seem a great thing to him that, our heirs being disinherited in some way, we transfer the royal succession to his son, it should cause him great joy and glory that he can leave two sons as kings, and such near neighbours, and that the younger son be exalted to excellence without any prejudice to or diminution of the elder; but he, rejecting such gift, not in hatred of his son, but in detestation of our race, does not wish a king to reign over us who should protect us, but purposes himself to devour us, totally destroy us, eradicate us, annul us, and make us of no account, and that finally we should be reduced to nothing.

52. And all the arguments which warn<sup>2</sup> us not to agree on the king of England, forbid us to agree on the prince of England and Wales, since the same argument stands for both, because since he is the future king, to agree to him is to agree to the king of England. And if you say not, because his son will possess it, this is nothing, because such a father and such a son are the same person, and after a thing is mine by direct dominion, I can dispose of it as I please; and certainly if we agree on the Prince of Wales, our condition will be on a level with that of the Welsh, and how weak their condition is we perceive with our own eyes, because they are so injured that they sink to the ground, so persecuted that they do not rise up again.<sup>3</sup> And it is a happier thing to take an example from others and from their ruin, than that we—God forbid!—should be a fable and example to the whole world of our own misery.

1 'A headless people' was a cry much used by the Scots after 1296 of their predicament in 1290-1.

2 Or: move.

3 Isaiah 24:20. The argument in §52 is that Scotland might become like the principality of Wales, an apanage of the eldest son—but this would be ruinous.

[*A compromise proposal*]

53. Et quia magni ingenii est cogitatione futura percipere et ante constituere quid faciendum sit cum euenerint, et ignaue gentis et desperate mentisque deiecte absurditates predictas et inconuenientias innumeras inde secuturas concedere petulantisque tamen sit et precipitis petita nimium mordaciter interimere et sic ad guerram aduersarios prouocare; idcirco per litteras vel nuntios informantur:

54. Primo quod populus iste inconstantie et variationis notam effugiens cum vnum et certum de filiis Anglie, scilicet dominum Johannem de Gandauo, quodam modo elegerit<sup>1</sup> et assumpserit, in regem Anglie vel principem nuncquam volet<sup>2</sup> consentiendo variare, et quod si tempora preterita vel etiam presentia bene considerarent,<sup>3</sup> circumstantionando<sup>4</sup> debite deberet eis videri magnum, ymmo, ut ita dicam, maximimum, quod vni<sup>5</sup> de eorum filiis ex tanta causa nobis offerimus in regem succedere. Quod cum ipsi refutent cum sciamus hoc non esse in odium filii; sequitur quod hoc in annullationem nostram redundare cogitent vt etiam antedictum est.

55. Et si ipse filius domino nostro regi succederet sequeretur pacis eternitas, que ratio in aliis filiis Anglie cessat. Quia cum ipse habeat multas terras in Anglia, pro quibus semper tenebitur homagium et fidelitatem facere regi An/glie [40v], veresimiliter et indubie potest colligi quod nuncquam aliquid faceret aut temptaret, unde posset terras suas perdere; que ratio cessat in aliis, cum non habeant quid perdant, et rex Anglie semper illo modo ipsum punire poterit, quod nequibit fieri in filio minori.

56. Et nuncii informantes Anglicos loquantur audaciter et palam, non meticolose et pauide, quoniam, iuxta Tullium, sapienti nullum incommodum pro republica est vitandum. Et cum pro ea maiores nostri mortui sunt pugnantes in bello nos degeneramus a patribus qui nec verbum asperum in ipsius subsidium proponere volumus aut audire.

57. Secunda ratio que mouere nos debet ad petendum istum magis quam alium filium est quia, cum uxor sua sit de domo Scotie et familia, puta neptis comitis Buchanie, filius suus nobis futurus rex et dominus pro parte media foret

1 eligerit

2 volumus

3 considarent

4 certum stantionando

5 vnus



53. And because it is a mark of great ability to give thought to the future and to decide beforehand what is to be done when it comes about, yet it is a mark of a cowardly and despairing race and of a spiritless mind to admit the predicted unpleasantnesses and the numberless difficulties which would follow from them, and the mark of an unreliable and rash person to kill off a proposal far too biting, and so move the enemy to war; therefore let them be informed by letters or envoys as follows.

54. First, that this people, fleeing the censure of inconstancy and variability, since it has chosen and adopted in a certain way a definite one of the sons of England, namely the lord John of Gaunt, will never wish to change willingly to the king of England or the prince. And that if they consider well past times or even present ones in the circumstance,<sup>1</sup> it duly ought to seem to them a great thing, even, so to speak, the very greatest, that we offer for such a reason, that one of their sons should succeed as king over us. If they reject this, since we shall know that this is not out of hatred of the son, it follows that they think that this will result in our annihilation, as was also said before.

55. And if that son should succeed our lord the king, there should follow an eternity of peace, an argument which does not hold for the other sons of England; because, since he has many lands in England, for which he will be always bound to do homage and fealty to the king of England, it can be deduced truly and undoubtedly that he would never do or attempt anything whereby he might lose his lands; this reason does not hold for the others, since they do not have anything which they might lose, and the king of England can always punish him in this way, which he could not do to a younger son.<sup>2</sup>

56. And the messengers talking to the English shall speak boldly and plainly, not fearfully and timidly, for, according to Cicero, no trouble for the sake of the commonwealth is to be avoided by the wise man.<sup>3</sup> Since our ancestors died fighting in battle for it, we let our forefathers down if we will not speak nor hear a harsh word to help it.

57. The second reason which ought to move us to seek this son rather than the other one is that, since his wife is of a house and family of Scotland that is of a niece of the earl of Buchan, his son, our future king and lord, will be Scot

1 Translation doubtful. *Circumstantionando* was used by Duns Scotus; cf. *Ordinatio*, I, d.17, n.60 in *Opera Omnia*, v, cura G. Balic (Rome 1959), 163. (H.S. Offler.)

2 The Prince of Wales was endowed with the duchy of Cornwall and earldom of Chester; but the assertion that other sons of Edward III did not have English possessions for which they would do homage is false.

3 I could not find the quotation from Cicero. H.S. Offler pointed to the sentiment in Cicero, *De Officiis*, i.21.70; i.25.85; *De Fin.* iii.19.64; iii.21.69.



Scotus, nec videretur penitus translata successio, cum sic in nostris quodam modo remaneret.

58. Tertia ratio est quia cum ipse sit potens in Anglia, eo plures habere poterit in consilio Anglie promotores et tanto magis pater rex Anglie verebitur suam promotionem impedire, que etiam ratio cessat in aliis filiis; et si pater palam et aperte impediat promotionem filii, presumi poterit de scismate inter ipsos, et, si filius uolente patre consentiat, nobis patris beneuolentiam et aliorum assensum procurabit, et, si [pro] deuitanda<sup>1</sup> patris displicentia, filius dissentiat,<sup>2</sup> populo isti de sua beneuolentia grates reddit et de duro hoste fiet mitior inimicus.

59. Vel modo isto satisfiat voluntati regis Anglie: vt in eum transferatur successio sub tali conditione vt ipse totum ius suum et nostrum in illum filium transferat, de quo supra est dictum, ita libere et integre sicut vnquam fuit liberius, nullis reliquiis aut vestigiis superioritatis aut directi dominii in eo remanentibus, id est, quod de eo non teneatur in capite, [nec]<sup>3</sup> signo quocunque aut censu aliquo teneatur.

1 pro required for sense; si de vitanda

2 discensiat

3 nec required for sense

of the half blood, and so a total transfer of the succession is not to be seen, since it remains thus to a certain extent with us.<sup>1</sup>

58. The third reason is that, since he is powerful in England, the more supporters he can have in the council of England, and the more his father the king of England will fear to hinder his advancement; this reason also does not hold for the other sons. And if the father plainly and openly impedes the advancement of the son, a breach between them can be presumed; if the son agrees with the consent of his father, he will procure for us the goodwill of his father and the assent of others; if the son disagrees, to avoid the displeasure of his father, of his benevolence he gives thanks to this people, and a hard foe becomes a gentler enemy.

59. Or let the will of the king of England be satisfied in this way: that the succession be transferred to him, under the condition that he will transfer his right and ours to the one son abovementioned, as freely and wholly as it ever could be, no traces or vestiges of superiority or direct lordship remaining in him; that is, that it shall not be held of him in chief, by any mark or tribute.<sup>2</sup>

1 John of Gaunt's first wife was Blanche, younger daughter of Henry duke of Lancaster (d. 1361), whom David II had tried to make earl of Moray, and of his wife Isabella: the latter was daughter of Henry, Lord Beaumont, titular earl of Buchan and Moray, and his wife Alice Comyn, daughter and co-heiress of Sir Alexander Comyn, brother and heir of John Comyn, earl of Buchan (d. 1310). An argument in desperation!

2 Cf. W: Item that he be sworn, as is said, that he will make no alienation, by gift or otherwise, of the said kingdom of Scotland, nor any division, to anyone in the world, who would be held to do homage or service therefor to the king of England as king of England, nor to any other, but will hold the kingdom of Scotland as free and whole as it was in any time of King Robert.

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## John Hay, earl of Tweeddale AUTOBIOGRAPHY, 1626-1670

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edited by Maurice Lee, Jr.

### INTRODUCTION

'He understood all the interests and concerns of Scotland well,' wrote Gilbert Burnet of John Hay, second earl and first marquis of Tweeddale. 'He had a great stock of knowledge, with a mild and obliging temper. He was of a blameless, or rather an exemplary, life in all respects.' But he was not without faults. 'He had loose thoughts of both civil and ecclesiastical government, and seemed to think that whatever form soever was uppermost was to be complied with ... Though he was in all respects the ablest and worthiest man of the nobility, he was too cautious and fearful.'<sup>1</sup>

Tweeddale's involvement in Scottish public life extended over half a century, beginning with his military service in the army of the Covenant as a teenager in the 1640s and concluding with the highest office in the state, the lord chancellorship, in the 1690s. He was never a dominant political figure like his grandfather and remote predecessor as lord chancellor, the earl of Dunfermline, or his first cousin and contemporary, the great duke of Lauderdale; he was, at best, a leading figure of the second rank. He has made his way into the history books because of his association with Lauderdale during the early years of Lauderdale's dominance in Scotland after 1667, especially in connection with the abortive negotiations in 1669-70 for Anglo-Scottish union, which he passionately supported, and for what might be called his public spirit. He was moderate-minded. Burnet to the contrary, he was occasionally prepared to argue for what he believed, at some political cost to himself. He mentions one such episode, when, in parliament in 1661, he 'used

1 Gilbert Burnet, *History of His Own Time*, 2 vols. (Oxford, 1823), i, 176.

greater freedom of speech than was agreeable to the Commissioner' (p. 90). He had questioned the fairness of executing James Guthrie, a Covenanting minister, for an offence of which many others had also been guilty.<sup>1</sup> This was not his only principled stand.<sup>2</sup> Not many men in public life in Restoration Scotland followed his example.

Tweeddale awaits his biographer, in part because of the mountain of paper he left behind him,<sup>3</sup> most of which is now housed in the National Library of Scotland. Among these papers is that published here, MS 7109. In form it is a bound book; the text covers sixty pages plus six lines on p. 61, and is written in a clear, late-seventeenth-century hand that is not Tweeddale's. It is written in the third person, and covers the years from Tweeddale's birth in 1626 to that point, late in 1670, when he went south to take part in the union negotiations. He had twenty-seven more years to live. The document is neat and written with very few excisions. There are occasional notes in the margin in the same hand. It is clearly a copy of a lost original version, and equally clearly is unfinished. Not only does it end in mid-paragraph, but there are also blanks left for figures to be filled in, and, twice, space left in the text for material to be supplied from 'the genealogie'. There is a great deal of chronological sloppiness which, one can suppose, would have been tidied up in a revised version. The best guess is that Tweeddale's amanuensis constructed the narrative from notes he made of conversations with, or dictation from, his master. The reference to 'the Laird of Weem, whose grandmother was sister to My Lords grandmother' (p. 84) suggests that this is how the narrative was composed.

It is not clear what uses Tweeddale might have had for this document. Its tone indicates that it was meant for eyes other than those of his immediate family: it is bland and neutral. There is no direct criticism of anyone. He does not discuss controversial issues. For example, in his account of Charles II's awful year in Scotland in 1650-1 (pp. 79-82), there is no mention of the humiliations the king suffered, or of the purging of Leslie's army before

- 1 For this episode see J. Buckroyd, *Church and State in Scotland, 1660-1681* (Edinburgh, 1980), 47-8. It is possible that Tweeddale was warned, not merely for his comments about Guthrie, but also to intimidate him into acquiescence in the proposed marriage between the countess of Buccleuch and the future duke of Monmouth. The timing of the order for his arrest suggests as much. See the discussion in M. Lee, Jr., *The Heiresses of Buccleuch* (forthcoming), ch. 5.
- 2 See, for example, the discussion in R. Lennox, 'Lauderdale and Scotland: a Study in Restoration Politics and Administration 1660-1682' (Columbia University Ph.D. dissertation, 1977), 226-34, of his opposition to the restoration of the customs farm in the face of the king's decision.
- 3 So, in a sense, does Lauderdale, and for much the same reason. W.C. Mackenzie, *The Life and Times of John Maitland, Duke of Lauderdale* (London, 1923), though still useful, is badly outdated.

Dunbar, or of the 'Start', Charles's abortive effort to assert himself after Dunbar, or even of Tweeddale's own humiliation before the commissioners of the General Assembly—he was required to repent of his having been an Engager before he could be employed in public affairs.<sup>1</sup> The nearest we get to an indication of personal feelings is that Tweeddale disliked his stepmother, a 'proud' woman (p. 76), whose presence in his father's household made him 'the more earnest than befor to go to his travells' (p. 67). It can also be deduced that he came to like Charles I, on whom, along with several of his kinsfolk, he waited at Newcastle in 1646. The weary and defeated king took a liking to this earnest twenty-year-old, talked over with him the sermons he had to endure from the Covenanting preachers his captors sent to enlighten him, and playfully called him 'ruling elder' (p. 76). In the following year Tweeddale became an Engager, though his father did not.

One purpose of the document was to show Tweeddale himself in a favourable light. He was anxious to explain away his good relations with the government of the Protectorate. We are supposed to infer from his account of his trip to London to urge the mitigation of the fine levied on the Buccleuch estate (p. 87) that it was only then that he came to know members of Oliver's government; in fact the tutors of the young countess of Buccleuch asked him to go because he was so friendly with English officials in Edinburgh.<sup>2</sup> He reluctantly agreed to serve in the parliaments of the Protectorate in order to further Scottish economic interests (p. 87). No doubt; but he was also serving himself. He exaggerated his role in persuading Charles II to adopt a policy of greater moderation toward nonconformists (pp. 92–3). His access to the king, who was not enthusiastic about ex-Cromwellians, was owing to the influence of Secretary Lauderdale, whose political follower he now was, and whose daughter was about to marry his eldest son. He owed his position on the treasury commission to Lauderdale. The commission did excellent work, and Tweeddale is certainly entitled to his share of the credit;<sup>3</sup> he suggests, however, that he was almost entirely responsible for its success (pp. 93–6). He even goes so far as to declare that it was at his suggestion that Charles named Lauderdale as royal commissioner to the parliament of 1669 (p. 96), which is absurd. Tweeddale's persistent playing down of Lauderdale's importance, while at the same time saying nothing critical of him, is puzzling, in view of the savage

1 His repentance took place on 23 Nov. 1650: *Records of the Commissions of the General Assemblies, 1650–1652*, ed. J. Christie (Scottish History Society, 1909), 117.

2 Scottish Record Office [SRO], GD157/3079, Gideon Scott of Haychesters, 'An Information of the Condition of the Family of Buccleuch', pp. 3–4.

3 See Lennox, 'Lauderdale and Scotland', especially ch. 5.

quarrel between the two that was to break out in 1672 over the disposition of the estate of Lauderdale's deceased wife, which, Tweeddale rightly believed, his daughter-in-law should have. Tweeddale's papers contain several versions of his bitter account of Lauderdale's behaviour in this matter, written after Lauderdale's death in 1682.<sup>1</sup>

The account of Tweeddale's early years is in many ways the most interesting part of the document. Charles I's comment to the little boy of seven who was brought to meet his king in 1633 (p. 65) encapsulates Charles's political ineptitude. The young Tweeddale did not much like soldiering, but undertook to go to war, he says (pp. 67-8), in order to impress the earl of Buccleuch, whose sister he wanted to marry—an ironical gesture, since Buccleuch did not much like soldiering either. He missed three major engagements in which his regiment took part, the battle of Marston Moor and the storming of Newcastle in 1644 and the disaster at Preston in 1648, though he (but not his regiment) was present at David Leslie's victory over Montrose at Philiphaugh in 1645. His descriptions of two other episodes at which he was present are not to be found in the standard works on the civil war: the botched attack on Newcastle early in 1644 (pp. 68-9) and the disruptive cannonading of Cromwell's army in July 1651 (p. 82). Tweeddale's description (pp. 70-1) of the first meeting of the English and Scottish commanders at Wetherby in April 1644 indicates that from the very beginning the atmosphere was full of suspicion and dislike. The Scots' feeling that the English regarded them as mercenaries rather than partners did not bode well for the future.

Intertwined with Tweeddale's bland and self-serving account of public business are references to the great personal problem that overshadowed his adult life: debt. His troubles began with his feckless uncle Charles, second earl of Dunfermline, who inherited a great fortune from his father the lord chancellor and proceeded to squander it. 'In a few years after his majority,' wrote his acerbic contemporary Sir John Scott of Scotstarvit, 'by playing and other inordinate spending, all was comprised [attached for debt] from him; and when he was debarred by promise to play at no game, he devised a new way to elude his oath by wagering with any who was in his company who should draw the longest straw out of a stack with the most grains of corn thereon.'<sup>2</sup> Dunfermline persuaded three of his relatives—Tweeddale's father, who was both his nephew and former brother-in-law; the earl of Callander, his

1 National Library of Scotland [NLS], MSS 3134, 3177, 14,546, 14,547.

2 Sir John Scott of Scotstarvit, *The Staggering State of Scottish Statesmen*, ed. C. Rogers, *Transactions of the Royal Historical Society*, i (1879), 316.



stepfather; and his cousin Lord Montgomery, the eldest son of the earl of Eglinton—to act as his cautioners, i.e., guarantors that his borrowings would be repaid. He could not pay his creditors, with the result that Tweeddale describes. Tweeddale had to borrow on the security of his own estates to save his father's lands from being seized, and then, in order to make good his father's pledge to bail out Lord Montgomery, he had to borrow more, with his wealthy brother-in-law Buccleuch as his cautioner, to the extent of £40,000 Scots. Buccleuch had to find the money; so from 1650 onward Tweeddale owed £40,000, plus 6 per cent interest a year, to his brother-in-law and then, after Earl Francis's death, to the young Countess Mary. He was, of course, entitled to relief from Dunfermline's estates, as was Callander, in the proportion of two-thirds to one-third, but for the moment this was not much help. Many of Dunfermline's creditors were not yet satisfied, Lady Dunfermline had her jointure, and Lady Callander, the lord chancellor's widow, her dower rights, which could not be touched until she died—and Callander was not at all easy to deal with. Not until both these ladies were dead could Tweeddale expect much relief, and even then, as he says, 'his reliefe could not amount to the payment of halfe the annuall rents [interest] of the summes he was engag'd for' (p. 89). His financial straits were such that he had to give up his separate household and move in with his father at Yester House shortly before the latter's death (p. 86). No wonder he wanted to sell Pinkie, Dunfermline's wonderful house in Musselburgh, as soon as he got possession of it in 1659 (p. 89).<sup>1</sup> Having failed, he had to sell more marketable property of his own to various members of the Edinburgh legal establishment.

There was a way out of Tweeddale's financial woes, to which he alludes briefly and uninformatively (p. 91): the possibility that, one way or another, he might get possession of the Buccleuch estate and thus eliminate his nightmarish debt, which grew by thousands of pounds each year as the unpaid principal and interest accumulated. His brother-in-law Earl Francis had entailed the estate in the year before his death, leaving it to his children. If they should die without heirs, it would go to his sister Jean, Lady Tweeddale. The estate was enormous, with a rent roll of over £100,000 a year. When the earl died he left three young daughters, quickly reduced by death to two. Tweeddale's first hope was to marry his eldest son to Countess Mary, the heiress—he made that plain in a letter to the girls' mother, now Lady Wemyss, in July 1654, written from London while he was negotiating the reduction of the family's

1 In 1671 he tried again, offering it to Lauderdale, who declined on the ground that he had too many houses and too little land. NLS, MS 14,406, 2 May 1671, Lauderdale to Tweeddale, fo. 212.

fine with the officials of the Protectorate.<sup>1</sup> Lady Wemyss wanted no part of this plan—she detested Tweeddale—and engaged in a series of ingenious and successful ploys to keep her girls out of his hands. The final one was the marriage of her last surviving daughter, Countess Anna, to the duke of Monmouth in 1663. Their marriage contract violated the entail, leaving the Buccleuch estate to Monmouth and his heirs should Anna die childless. The king took the precaution of having parliament not only ratify the contract but also declare that the act *Salvo juris cuiuslibet*, which protected the legal rights of anyone prejudiced by a private act of parliament, could never be invoked to challenge the contract's legality.<sup>2</sup>

The language of Earl Francis's entail, which severely restricted what a female heir could do, and the dubious legality of the Scottish parliament's action—by contrast with England, it was not at all clear that the Scottish parliament could alter or break an entail—gave Tweeddale grounds for hope that the estate might yet fall into his wife's hands. The marriage he arranged for his son, the disappointed would-be husband of the Buccleuch heiresses, with Lauderdale's daughter Mary, Lauderdale's only child, certainly had as one of its motives keeping that hope alive. As long as Anna had no children, Lauderdale's grandson might hope, one day, for the inheritance, and for many years Anna was childless. Her first-born arrived in 1672. In that same year, by unhappy coincidence, Tweeddale's bitter quarrel with Lauderdale erupted, and all hope of enlisting the great duke in his cause was gone. Lauderdale disinherited his daughter and left his titles and estates to his brother. Anna's children survived. And, in the end, Tweeddale had to pay. By the time the last payment was made, in 1690, the £40,000 borrowed forty years before had tripled owing to the accumulated interest. A long, disastrous story had finally come to an end.<sup>3</sup>

It is impossible to date the composition of the manuscript precisely. It was certainly written before 1694, when Tweeddale obtained his marquisate. The textual clues point in opposite directions. The lack of any hostile mention of Lauderdale suggests that it might have been written in 1671, before the quarrel, and before the failure of the union negotiations became apparent. On the other hand, the chronological confusion about the events of the 1660s indicates

1 SRO, GD157/3088, 6 July 1654, Tweeddale to Lady Wemyss.

2 For this episode see M. Lee, Jr., 'The Buccleuch marriage contract: an unknown episode in Scottish politics', *Albion*, xxv (1993), 395–418.

3 The terms of the settlement, dated 6 Mar. 1679, can be found in SRO, GD224/924/43. Thanks to two counterclaims by Tweeddale on the Buccleuch estate, his payments ultimately totalled a bit more than £71,000. For a full account of Tweeddale's relations with the house of Buccleuch see Lee, *Heiresses of Buccleuch*.

faulty memory, unlikely in a man of Tweeddale's acumen so soon after the events described. Somewhere in Tweeddale's enormous correspondence there may be a reference to the manuscript that some future scholar will turn up. I hope so. In the meantime the manuscript must remain undated, the witness of Burnet's 'cautious and fearful' man's record of the first forty-five years of his life.

I here cheerfully and gratefully acknowledge the immense contribution of my friend and collaborator Michelle Witte to the successful completion of this piece of scholarship. She transcribed the text, chased down innumerable references, and produced the final version on her word-processor, a machine utterly mysterious to me. I could not have done the job without her. Whatever shortcomings there are in what follows are my responsibility. In preparing the text we have not corrected spelling or grammar, nor supplied punctuation save where absolutely necessary.

M.L.

John, 7th of the name, and 2d Earle of Tweeddale was born at Yester, 1626 and his mother<sup>1</sup> dieng the eight day after did committ him to the keeping of his fathers sister the Countess of Dunfermline<sup>2</sup> during his childhood. He stayed with her untill he was six years of age, and being then sent for by his father he was in Edinburgh in the 1633 when king Charles the ffirst came to Scotland for his coronation, then being putt in short cloaths<sup>3</sup> he was sent by his grandmother<sup>4</sup> in her coach to kisse the Kings hand at Seatoun where the King took special notice of him, and kissing him said God make you a better man then your father, being displeased, as he was with others of the nobility, with his voting in parliament in the concerns of the Episcopal clergy. His childhood being past he was sent to the scool of Hadingtoun under the tutory of Mr Robert Ker a youth of verrie good parts and learning, where he continued three years. His tutour then dieng, after a years continuing at home under the tutorie of Mr John Coll, son to Mr Adam Coll Minister of Musselburgh who had been severall years in ffrance, he was sent to the Colledge of Edinburgh at 12 years of age, and continued there three years in the beginning wherof the troubles of Scotland happened to begin, which concluded by the large Treatie to which his granduncle the Earle of Rothes,<sup>5</sup> and his uncle the Earle of Dunfermline<sup>6</sup> were Commissioners with who his father sent him to London in the company of the Lord Lowdoun<sup>7</sup> where he stayed during all the time of the Large Treatie being near an year<sup>8</sup> and had occasion there to improve himselfe by the converse with persons and in the knowledge of affairs of state, and to apply himselfe to exercises becoming his quality, and in the study of the Mathematicks and came home to Scotland when King Charles the ffirst came down to hold that parliament wherin the Large Treatie was confirm'd. The King having staid some moneths, and then return'd to England, as was said in publick papers, a Contented King from a Contented People.

1 Jean Seton, daughter of Alexander Seton, 1st earl of Dunfermline and lord chancellor.

2 Margaret Hay. She became the third wife of Lord Chancellor Dunfermline in 1607. He died in 1622; in 1633 she married James Livingstone, 1st Lord Almond, subsequently created earl of Callander.

3 Male children frequently wore long dresses in their first years.

4 Mary Ker, daughter of Mark Ker, 1st earl of Lothian.

5 John Leslie, 6th earl of Rothes, was the brother of Grizel Leslie, Lord Chancellor Dunfermline's second wife, mother of John's deceased mother.

6 Charles, 2nd earl, half-brother of John's mother. As Margaret Hay's son he was also John's first cousin.

7 John Campbell, who became earl of Loudoun in 1641.

8 The 'Large Treatie', the Treaty of London, amplified and confirmed the arrangements concluded at Ripon in Oct. 1640. The Scottish commissioners arrived in London in Nov.; the treaty was concluded, and the king travelled to Edinburgh, in Aug. 1641. See D. Stevenson, *The Scottish Revolution, 1637-1644* (Newton Abbot, 1973), ch. 7.

The Earl of Rothes falling ill of a decay and soon after the King came to Scotland dieng therof at London<sup>1</sup> the administration of affairs fell into the hands of the Earle of Argyle who was then created Marquess, and My Lord Lowdoun then made Chancellor who entering into a strict friendship with James Marquess of Hamiltoun then also created Duke,<sup>2</sup> thinking therby to secure their Court, shortly after a great breach falling out between the King and his parliament, the King left London, and came to York where the Earle of Tweeddale then Master of Yester went with his Uncle<sup>3</sup> to wait upon Him and was with the King at Beverlie where he made an attempt upon Hull,<sup>4</sup> with a verrie small force and from thence sent down Dunfermline Commissioner to the assembly at St Andrews<sup>5</sup> and his nephew carried the Commission befor him. The assembly being ended Dunfermline returned to ye Court then at Nottingham where the King sett up his standard<sup>6</sup> and his nephew the Master of Yester with him. The King having from thence made an attempt upon Coventry, which not succeeding, he marched through the Toun of Derby to Shreusberrie gathering forces all the way as he went and gott a considerable force togither there and prince Maurice being sent to Worcester had there a rencounter with some of the parliaments forces of which he had the better, and took severall prisoners wherof was on[e] Wingate a Captain of horse, the prince himselfe being wounded.<sup>7</sup> Some weeks after the Earle of Tweeddale having been at London came to Shrewsberrie to carrie his son the Master with him to Scotland where there was to be a Meeting of the estates,<sup>8</sup> at which Meeting the Estates were invited by the King to join in his interest and the Duke of Hamilton, and my Lord Lannerick<sup>9</sup> his brother being Secretarie, were sent down to Scotland for that purpose which Argyle and the whole presbyterian partie opposing he was not able to effectuat and so Argyle and his friendship was broken and no sooner was Duke Hamiltoun returned to the

1 On 23 Aug. 1641.

2 Tweeddale has conflated dates here. Argyll and Loudoun were rewarded in 1641; Hamilton's dukedom was conferred in 1643.

3 Dunfermline.

4 Charles arrived at York on 19 Mar. 1642; the attempt on Hull was made on 23 Apr.

5 The general assembly of the church, which ran from 27 July to 6 Aug. 1642.

6 On 22 Aug. 1642.

7 Charles left Nottingham on 13 Sept. 1642 after the failure at Coventry, and arrived at Shrewsbury by the 20th. The skirmish at Worcester took place on 23 Sept. Prince Rupert commanded the king's forces there; Maurice was present and was wounded. The prisoner was Edward Wingate MP.

8 For this meeting of the convention of estates, which took place in June 1643, see Stevenson, *Scottish Revolution*, ch. 9.

9 William Hamilton, earl of Lanark, later 2nd duke of Hamilton.



King at Oxfoord but he was sent prisoner to pendinnis Castle,<sup>1</sup> and the partie prevailing in Scotland entered in a treaty with Commissioners sent from the parliament of England wherby the Kingdome of Scotland was engaged in the League & Covenant and to send [blank] horse and foot auxiliaries<sup>2</sup> (the King and parliaments forces having fought the battell of Edgehill [in margin: 23 of Oct. 1642] that summer befor) and the Convention of Estates did appoint a Committie of Estates for governing the Kingdom. The Kingdome of Scotland being so engaged, Colonells and other officers were named of the Nobility and gentrie of the severall shires and burghs of the Kingdom amongst whom the Earle of Tweeddale was on[e] for the Regiment of Foot of East Lothian, and General Leslie whom the King had created Earle of Levin at the parliament he kept in Scotland was made Generall, Major Generall Baylie was made Lieutenant Generall, David Leslie Major Generall of the horse, and Sir James Lumsden Major Generall of the foot.

The Master of Yester designing to have gone to ffrance when he went up with his Uncle Dunfermline to Nottingham and being returned with his father from Shreusberrie to Scotland his father having married a second wife<sup>3</sup> by whom he had children was the more earnest then befor to go to his travells but not being able to prevail with his father, and all his friends especially his mothers relations using their outmost endeavours to have him setle at home, and marrie he then being seventeen years of age, and himselfe being somewhat engaged in affection to Ladie Jean Scott sister to the Earle of Balcleugh<sup>4</sup> whom he had first seen in the Abbay<sup>5</sup> church when the King was last seen in Scotland, Sir James Hay of Smifield<sup>6</sup> having first shown her to him, as he did to the King and severall others and after that upon severall occasions at Edinburgh, and Dalkeith but never having spoke to her, nor having occasion, thought it necessary to recommend himselfe some on[e] way, or other to her, and her relations, and could find none so proper as to engage with her brother the

1 Charles believed that Hamilton had betrayed him in dealing with the Covenanters, and ordered his imprisonment in Dec. 1643. Hamilton remained in Pendennis Castle until the end of the civil war in England.

2 This is the first of several blanks in the manuscript. Tweeddale evidently intended to supply the figures, but never did. The Scots agreed to send 21,000 men to England. Stevenson, *Scottish Revolution*, 288-9.

3 Margaret Montgomery, daughter of the 6th earl of Eglinton. Only one child of this marriage, William, born in 1649, is listed in J. Balfour Paul (ed.), *The Scots Peerage*, 9 vols. (Edinburgh, 1904-14). This remark indicates that there were others, who no doubt died young.

4 Buccleuch. The name is spelled *Balcleugh* throughout.

5 Holyrood Abbey.

6 Sir James Hay of Smithfield, a Nova Scotia baronet, was a distant cousin, a descendant of the 3rd Lord Hay of Yester.



Earle of Balcleugh, and so many others of the nobilitie as were engaged to serve in this Warre. And his father having become infirm by reason of a great sickness he had, he was willing to take the command of yt Regiment of his fathers hand being the strongest in the army, which he provided also with the best officers and went in with yt army to England in January 1641 [*sic.* 1644] which march'd to Newcastle a great storm of snow lying upon the ground and took by the way Wartwoth Castle which a captain of his Regiment after his Major Major Lisle gott the command of,<sup>1</sup> and coming befor Newcastle the army lay within musquett shott of the walls being come boldly on trusting to the intelligence they had some few days befor yt it would be surrendred to them upon their appearance, a party of commanded men marching with fascines to fill up the ditch of the earthen ffort which they had made, and ladders to scale it with, commanded by on[e] Captain Lindesay, who having leapt into the ditch, the fascines being too few and the ladders too short, the party was forc'd to retire, he being killed<sup>2</sup> and some few of his souldiers, and My Lord Newcastle<sup>3</sup> with an armie having come in the night befor, they played from the Toun with their cannon where ever any fires were putt on, so yt the whole army lay a winter night without fire in the fields, but befor morning the generall ordered them to march off quietly without sound of trumpett, or tuck of drumm and next day had their quarters assigned them in houses, and small villages quite round for halfe a mile about the Toun, and some sent up as farre as Newburn, The Master of Yester's quarter being assign'd him between the Generalls and Colonell Stewarts at Sir Nicholas Tempests House<sup>4</sup> where the artillery the magazine and the guard of it was likeways quartered after staying some weeks they were necessitat for want of provisions to march some miles above Newcastle and to crosse Tyne at severall foords the verrie day yt the storm broke, The Masters Regiment crossing at prudeau Castle<sup>5</sup> and in three dayes march came to Sunderland where a fleet of the parliaments and severall ships from Scotland were come with all manner of provisions for them.

My Lord Newcastles army which was near as strong as the Scots coming out of the Toun lay on the other syde of Sunderland water as the Scots march'd along by Chester-in-the-street and within a fourthnight after came within a

1 Warkworth, a Percy stronghold, lies near the Northumbrian coast south of Alnwick. William Lisle was a major in Tweeddale's regiment.

2 The unfortunate 'Captain Lindsay' was evidently Patrick English, a captain in Lord Lindsay's regiment.

3 William Cavendish, 2nd earl of Newcastle, the royalist commander in the north.

4 Sir Nicholas Tempest was a Newcastle salt manufacturer. Colonel William Stewart commanded the Galloway regiment.

5 Prudhoe, about ten miles west of Newcastle.

mile of Sunderland<sup>1</sup> with a resolution to fight and both armies being in view of on[e] another drawn up there fell so great a storm of snow all yt day, and night that no man could see a house length so yt both armies march'd back to their quarters and the week following the Scots carried the fort of Southshiels by a party under the command of Lieut Coll Johnstoun the Master of Yesters Lieutenant Colonell.

At that time My Lord Lannerick escaping from Oxfoord where he was under arrest upon his brother the Duke of Hamiltouns being sent prisoner to pendennis Castle by the King gott to London and from thence to the Scots army at Sunderland, where he was receiv'd by the Committie of ye Army, acknowledging the great opposition he had made to the whole proceedings towards their Union with the parliament of England and the League and covenant which now he was desirous to join in and hoped so to carrie as should make it appear how cordiall he was in this resolution for said he, Quic quid ago multum ago.<sup>2</sup> At this time My Lord Argyle, My Lord Cassilis, My Lord Dunfermline, My Lord Lannerick and severall others took shipping and saild in their way to Scotland landing at Blaiths nook,<sup>3</sup> where My Lord Yester was come in his way to the Scots army and acquainted his son therewith, which he being much troubled for forseing the fatigue it would putt his father to and the difficulty he would meet with in his passage to Sunderland prevailed with those Lords to carrie him back again particularly with my Lord Cassilis who was going home upon a design of marriage with my Lady Ker My Lord Errolls

- 1 This account of the actions around Sunderland is very messy. The standoff in the snowstorm took place on 7 Mar. After some skirmishing the next day the earl of Newcastle pulled back to Durham. Leven followed on 12 Mar., and then returned to Newcastle to attack South Shields, at the mouth of the Tyne. His first assault, on the 16th, failed; he captured South Shields on 20 Mar. On the 23rd Newcastle made an effort to recapture it, which failed although the Scots apparently suffered far heavier losses than the royalists. Newcastle's army did not 'moulder away'; he remained in Durham for about three weeks. What prompted his retreat to York, which he reached on 18 Apr., was Fairfax's victory at Selby, south of York, on 11 Apr. See C.S. Terry, *The Life and Campaigns of Alexander Leslie, First Earl of Leven* (London, 1899), 200-6; P. Young & R. Holms, *The English Civil War: A Military History of the Three Civil Wars, 1642-1651* (London, 1974), 150, 180.
- 2 'What I do, I do wholeheartedly.' Lanark signed the Solemn League and Covenant in London before he came to Sunderland. H. Rubinstein, *Captain Luckless: James, First Duke of Hamilton, 1606-1649* (Edinburgh, 1975), 164.
- 3 John Willcock, *The Great Marquess* (Edinburgh, 1903), 158, dates Argyll's departure from Sunderland for Scotland on approximately 20 Mar.; the occasion was the report of the marquess of Huntly's uprising in the north. 'Blaith's nook' is probably Blyth, on the Northumbrian coast, about twenty miles north of Sunderland.

sister,<sup>1</sup> at which marriage My Lord Yesters presence was necessary, he being My Lord Errolls tutour, and looked upon by My Lady Ker as her especial friend, with whom she was advised in all her concerns.

A moneth thereafter My Lord Newcastles armie came again upon the Northsyde of the water of Sunderland in the view of the Scots armie and the ground between them being full of hedges, did with advanced parties of musketeers ply on[e] another a whole afternoon, and most of the night, their cannon playing from the rising ground on both sydes wherof the Scots armie had enough from the ships of Warre that came to Sunderland. Next day the English armie retir'd their rear being fallen upon by the Scots horse and commanded foot and above a thousand of them killed and of the Scots only on[e] Captain of foot, and a few souldiers. After this Newcastles army began to moulder away, and march'd to Durham. Wherupon the Scots marched to a rising ground near ffervie-in-the-Hill<sup>2</sup> from whence they could observe the motions of Newcastles armie which in a few days march'd to York having in the night befor sent away a considerable part of their fforges and the next morning their whole horse with as many of the foot as could be mounted behind them, which could not be perceiv'd till near noon having covered their march with smoke of their League whinns and such like on their way. In the afternoon the Scots army march'd to ffervie-in-the-Hill and there encamped next night at the Tees syde. The day following the army march'd to Northal-lertoun from thence to Borrowbridge then to Wetherby<sup>3</sup> where My Lord ffairfax and most of his officers mett us he not being able to keep the ffields by reason of a defeat he had gott at Addertoun Heath<sup>4</sup> and after the Scots coming he went immediatly about levieng of fforges. After this tedious march a Councill of Warre being called to advise what was fitt to be done, My Lord Newcastles armie having gott into York and the Scots armie not of strength enough either to besiege it or block it up, it was then plainly told that it had been much properer to have had yt affair under consideration befor we came

1 Margaret Hay. Her first husband, Lord Ker, the son of the 1st earl of Roxburghe, died of drink in 1643. *Scots Peerage*, vii, 347. Her marriage contract with John Kennedy, 6th earl of Cassillis, was dated 20 Feb. 1644. Her brother Gilbert Hay, 11th earl of Erroll, was twelve years old. The Errolls were the senior branch of the Hay family.

2 Ferryhill, seven miles south of Durham. The Scots arrived there on 13 Apr.

3 Terry, *Leslie*, 214, dates the rendezvous at Wetherby on 18 Apr.; E.M. Furgol, *A Regimental History of the Covenanting Armies* (Edinburgh, 1990), 408, dates it on the 17th.

4 This is puzzling, unless Tweeddale is referring to the battle of Adwalton Moor, but that engagement occurred in June 1643 and had no relevance to the events of 1644. Fairfax had suffered no recent defeats, and his son Sir Thomas Fairfax had in fact won a substantial victory at Selby on 11 Apr. I cannot identify 'Addertoun Heath'.

from Durham, and it was apparent we could not overtake Newcastle's army and that by our marching back to Newcastle we should infallibly have carried it and secured all the North of England, and when a sufficient force should have come from the South to besiege York, we could then have marched to join it, and had new supplies from Scotland which now we could not have all betwixt York and Scotland being disaffected to it so that we could not have so much as correspondence. To which nothing could be answered but yet we had come there to preserve My Lord Fairfax who being once defeated had no force to make head in Yorkshire which kindness to our brethren in England made a shew as if we loved our brethren, and neighbours better yet in our selves which was the first step made towards our loss of credit, and esteem in the world, and our being used thereafter as mercenary auxiliaries, which Major General Meldrum<sup>1</sup> who was in that command under My Lord Fairfax understood well, who seeing the Scots army march through the Town he could not express his joy to see so many of his Countrymen in so good order without tears, yet had this reflection that they were too far from home if any misfortune should befall them.

From thence the Scots army marched to Tadcaster and then took quarters around yet part of the Town which is beneath the bridge where there was a little effort upon a rising ground which was the only strength of the Town near to which the Master of Yesters Regiment My Lord Linlithgow and Waughtons Regiment commanded by Major Hepburn were quartered, and Major Bannantine with a troop of horse, where they had frequent skirmishes in on[e] of which Major Bannantine was killed,<sup>2</sup> and Major Hepburn wounded, and after some considerable time lying there nothing being like to be done and the Master of Yesters dissatisfaction with their march encreasing he resolved to leave the army, and pursue the design of his amour and so with my Lord Linlithgow and My Lord Dalhousie,<sup>3</sup> and severall other officers went to Hull and took shipping there to Scotland, and in six dayes arrived at the road of Leith.<sup>4</sup> After his arrivall he followed most the design of his amour till the Ladies brother My Lord Balcleugh return from the Scots army before York and there being an army raised in Scotland by the Committee of Estates after Argyles

1 Sir John Meldrum, a Scottish professional soldier, who had taken service with the Parliamentary armies. He was killed at the siege of Scarborough in 1645.

2 The Scots army reached Tadcaster on 20 Apr. (Furgol, *Regimental History*, 408), and moved to within two miles of York two days later (Terry, *Leslie*, 214). Alexander Livingstone, 2nd earl of Linlithgow, and Sir Patrick Hepburn of Waughton were regimental commanders. James Bannatyne of Corehouse was the lieutenant-colonel of Leven's horse.

3 William Ramsay, 1st earl of Dalhousie.

4 Leith is spelled *Lieth* throughout the manuscript.

return, and the Lords who went home with him from Sunderland, which the Earle of Calander gott the command of in the quality of Lieutanant Generall who had married My Lord Yesters sister The Master went along with them to Kelso and from thence a dayes March into England.<sup>1</sup> With this army he lay down befor Newcastle. And the Scots armie at York having joined with an armie of My Lord Manchesters wherof Oliver Cromwell was Lieutenant Generall, and a considerable number of new fforces raised in Yorkshire by My Lord ffairfax Prince Rupert having united most of the Kings fforces together wherof he was generall march'd from the South with an armie of near fourtie thousand men and fought them at Langmerstoun Moor, [in margin: Jul: 2, 1644] and where he being defeated, and the victory being entire upon the parliaments syde York was surrendred and the Scots armie march'd towards Newcastle [in margin: Jul: 16, 1644] to block it up on the southside of the river, at which time, My Lord Eglintoun, My Lord Balcleugh, and severall others came to Scotland, and the treatie of the marriage between My Lord Balcleughs daughter,<sup>2</sup> and the Master of Yester entered upon and concluded and the marriage consummated at Dalkeith the 19th day of October 1644 with great solemnity, that verrie day yt Newcastle was taken by storm Sir John Morlay who commanded within the Toun having obstinately stood out till both the Scots armies were join'd yt from York lying on the southsyde of the River, and the Earle of Calanders upon the north. In which storm few or none were killed after the Scots were masters of the Toun nor did the Toun suffer any considerable dammage and a strong garrison of severall regiments was settled there wherof the Master of Yesters Regiment was on[e].

About this time the Marquess of Montrosse by a Commission from the King raising a small force in the North, and Highlands of Scotland had fallen down upon ffife which shire flying to arms to oppose him under the command of My Lord Elcho He routed My Lord Elcho<sup>3</sup> but not being able to follow his success having but two or three horsemen in all his partie retired to the North highlands where his credit and reputation growing and Alaster McAlaster alias

- 1 Callander's army entered England on 25 June. Tweeddale's regiment fought at Marston Moor, though he himself was with the forces besieging Newcastle. Rupert's army was around 18,000, not 40,000. Young & Holms, *Civil War*, 193.
- 2 Sister, not daughter. Alexander Montgomery, earl of Eglinton, was closely connected to both families: he was the father of the groom's stepmother and the husband of the bride's aunt.
- 3 At Auldearn, on 9 May 1645. Lord Elcho would succeed his father as earl of Wemyss in 1649.



Colkittoch<sup>1</sup> coming over from Ireland with a thousand armed Irish to join him he became a considerable party, and tho considerable Scots forces were brought from Ireland it not being possible to draw any from England the Scots army there being sent to besiege Worcester<sup>2</sup> leaving nothing behind them but the garrison of Newcastle, Montrose became so well able to maintain a Warre agt the Scots parliament yt in severall rencounters they were constantlie putt to the worst by Him, tho their men were much better train'd and notwithstanding of all the supplies they had from Ireland where there was a standing Scots armie wherof the Earle of Lothian was Lieutenant Generall but he never going there Monroe<sup>3</sup> commanded. At length Montrose gave the parliaments fforces under the command of Lieutenant Generall Baylie a totall defeat at the batle of Kilsyth, so yt there was no visible standing force within the Kingdome, only the members of the Committie of Estates with My Lord Crawford<sup>4</sup> their president, My Lord Lannerick, my Lord Lawderdale, and My Lord Balcarras,<sup>5</sup> and some few others of the Nobility with their servants kept together going from place to place till although a Committie of Estates sate down at Mordingtoun within four miles of Berwick the Earle of Balcleugh getting all his friends and followers made up together above three hundred horse wherupon the Committee dispatched the Master of Yester to him, and My Lord Roxburgh to desire them to come and join with them which My Lord Roxburgh declined, not being heartie in the cause,<sup>6</sup> having a pretext that his people could not be gott together in the time of hott harvest, and My Lord Balcleugh plainly saying that he could not come out of his own Countrey which he hoped to maintain so farre as within four miles of Berwick. So soon as the Scots armie in England had notice of the condition of their Countrey they rose from the siege of Worcester, and marched northward, and sent Lieutenant Generall David Leslie, and Major General Midletoun<sup>7</sup> with three thousand horse and from Newcastle a thousand commanded foot were sent

1 Colkittoch means left-handed, ambidextrous, or cunning, and as a label more properly belongs to Alasdair's father, according to D. Stevenson, *Alasdair MacColla and the Highland Problem in the Seventeenth Century* (Edinburgh, 1980), 1-5.

2 Leven never went to Worcester. The Committee of Both Kingdoms instructed him to march on Worcester on 27 June 1645; instead he went to Hereford and invested it on 30 July. On receiving the news of Montrose's victory at Kilsyth on 15 Aug. he in effect abandoned the siege, as Tweeddale says, though he is mistaken as to the place besieged.

3 Major-General Robert Monro.

4 John Lindsay, 17th earl of Crawford, then lord treasurer.

5 Alexander Lindsay; he would be created 1st earl of Balcarres in 1651.

6 Robert Ker, 1st earl of Roxburghe, was a royalist.

7 John Middleton, a professional soldier, who supported the Engagement and would become an earl and, in 1661, royal commissioner in Edinburgh.



which the Master of Yester was to have the command of, to recover their Countrey who in as few dayes as was possible for them arrived in Scotland, and crossing Tweed went to Hadingtoun, and from Hadingtoun to Melross, and having intelligence yt night yt the Marquess of Montrose was at Selkirk march'd befor day light without sound of trumpett, or any noise, and were at sunrising at philiphaugh where Montrose had some pt of his fforces lying and upon the alarum came down to join these at philiphaugh, where Montrose was defeated and totally rowted, and the foot which came from Newcastle not reaching Melross the Master of Yester was volunteer with My Lord Crawfoord in My Lord Lannericks Regiment of Horse. The pursuit being followed as farre as Minchmoor<sup>1</sup> Generall Leslies troops came to Traquair and peebles that night, and My Lord Balcleugh lay at Neidpath with the Master of Yester, from which Balcleugh went to his house at Dalkeith and the Master continued in the army to Glasgow where the Committie of Estates sate for some time and Montrose being gone to the Northhighlands most of the horse returned for England, with Lieutenant Generall Leslie And Midletoun staid in the Countrey with [blank] Regiments of horse to attend the parliament which was called to sitt at St Andrews in regard the plague had raged the whole year in Scotland especially at Edinburgh, ever flagrante bello, so yt most people went by stirlin to St Andrews.

And the Master of Yester being chosen for the shire of peebles to serve in that parliament, being putt upon it by My Lord Crawfoord, My Lord Lawderdale, and My Lord Lannerick, who being all night together at Biggar in on[e] room had opportunity to talk of yt ensuing parliament most pt of the night and after he was chosen going from peebles to Calander he went with the Earle of Calander to St Andrews crossing at Elphinstoun to Alloway,<sup>2</sup> and from thence to St Andrews, where the Master of Yester was no sooner arriv'd, but there was sent to Him by the state of barons My Lord Waristoun, and the Laird of Wederburn, with other tuo to dissuade him from offering his Commission to the parliament, no noblemans son having ever serv'd in parliament for a baron, except My Lord Kinnowl,<sup>3</sup> with many professions yt he should have been more acceptable then any, but it not being agreeable to the constitution of yt state of parliament, nor the priviledge of the small barons to choose of their own number, they could not agree to a preparative so prejudiciall to their

1 Minchmuir, a hill five miles north-west of Philiphaugh.

2 Alloa.

3 George Hay, son and heir of Lord Chancellor Kinnoull, was elected for Perthshire in 1633 but did not take his seat. M. Lee, Jr., *The Road to Revolution: Scotland under Charles I, 1625-1637* (Urbana, 1985), 131.

estate, desiring him to think upon it befor the meeting of parliament, wherupon he addressed himselfe to these Lords with whom he had concerted his election, and they finding themselves not strong enough in parliament to carrie it advised his retiring with the Commission yt without reflection upon him there might be no Commission from yt shire and that the barons might want two of their number for no other was chosen,<sup>1</sup> which advice he acquiesced to being unwilling to thrust himselfe forward to be a member of yt parliament where so many delinquents were to appear, and many of them like to suffer death. So from St Andrews he went to the Ell,<sup>2</sup> and crossed to Northberwick, and was yt night with his new married Lady at Yester where he staid in familie with his father for halfe a year, and then took up House, and familie of his own, at Needpath, where he had a daughter born called Jean.<sup>3</sup>

After the defeat of prince Rupert at Langmerstoun Moor he retiring to Newark, and staying for some time there maugre the King's instructions the King gott no armie togither to withstand the parliaments forces unless it was at Newberrie and was necessitate to leave Oxfoord and go to the Scots army (which lay then befor Newark)<sup>4</sup> in disguise or with a small party having ordered Oxfoord to be surrendered upon the best conditions they could make and having befor acquainted the Scots of his coming they sent a party out to meet Him, and to bring him in to them, and there the King likeways ordered the garrison of Newark to be surrendred to the fforces lying befor it upon the best terms they could, and came himselfe with the Scots armie to Newcastle,<sup>5</sup> where he was no sooner arriv'd but within a few dayes the Master of Yester went there to wait upon Him and a great many others of the Nobility came soon after from Scotland. The King staid there at Sr Thomas Liddals House House,<sup>6</sup> and took up family consisting of a great many officers and some of his old servants. My Lord Mortoun<sup>7</sup> and My Lord Dunfermline waited as

1 Peeblesshire did have a representative, Sir John Hay of Hayestone. *Acts of the Parliaments of Scotland* [APS], vi, 199.

2 Elie, in Fife.

3 The child must have died young, since her name was given to a later daughter, born about 1665. See *Scots Peerage* under *Tweeddale*. Neidpath Castle, on the Tweed just west of Peebles, was Tweeddale's residence until his financial problems forced him to move in with his father at Yester House, outside Gifford.

4 The Scottish army invested Newark in Nov. 1645. It is worth noting that Tweeddale makes no mention of Naseby.

5 Charles arrived in Newcastle on 13 May 1646.

6 Not a misprint. Sir Francis (not Thomas) Liddall was a prominent royalist; his house was the residence of the Scottish governor, Sir James Lumsden, after the capture of Newcastle. Terry, *Leslie*, 411.

7 William Douglas, 8th earl of Morton, a former lord treasurer.

gentlemen of his bedchamber, Mr Mauld, Mr Levistoun, and Mr Murray<sup>1</sup> who came from London as grooms of the bedchamber, My Lord Lannerick as Secretary, Sir James Hay of Smifield as Squire of the body, Sir James Hay of Linplum as cupbearer, Archbald Hay as Comptroller, Major Lisle as sewer, Mr Henderson and Mr Blair as chaplains.<sup>2</sup>

During the time of the Kings residing there he was pleased to allow the Master of Yester severall opportunities of speaking to Him, and upon his return from Scotland from a meeting of the Assembly there he took an account of all matters in that Countrey from Him, and used to call him Ruling elder especially after the Kings hearing a sermon talking with him about it as he liked, or disliked it, and the Masters father coming from Newcastle to Scotland the King was spoke to to make him an Earle<sup>3</sup> which he was pleased to do but shewed some inclination to have done it for the son. He was told that could not well be, and it might be to his prejudice, his father having married a proud wife and it being more acceptable to the son that the father had it and for severall years My Lord Yester subscrib'd as he was wont to do after his patent past the seals till he sate in the parliament 1648, and for a mark of his favour to the Master gave him the patronage of peebles the best benefice in Scotland.

ffrom Newcastle the King sent order to the Marquess of Montrose to lay down arms, and an order to pendennis Castle for enlarging the Duke of Hamiltoun, who in his way to Scotland kissed the King's hand at Newcastle,<sup>4</sup> and stayed onlie tuo nights having severall long conferences with the King. While the King staid at Newcastle proposalls were prepared for setling peace in both Kingdomes and carried to the King which he not agreing to, the parliament of England resolved that the warre being at an end, the Scots armie should march home again to Scotland, and that their Commissioners should go to the King to Holmby House and Newcastle. Berwick and Carlisle according to the Treatie should be delivered up to such as the parliament of England should appoint. The parliament of England appointing 200,000 lib st[erling] of their arrears to be paid them, and giving the publick faith of the Kingdom for the remainder so the King went to Holmby with the English Commissioners and was from thence taken by the English armie, and by them

1 Patrick Maule, Sir James Livingstone, and William Murray, 1st earl of Dysart, were all gentlemen of Charles's bedchamber. Maule received an earldom during Charles's stay in Newcastle.

2 Alexander Henderson and Robert Blair were two of the most distinguished of the Covenanted clergy. Charles had asked that Henderson, who died later in the year, be sent to Newcastle.

3 The earldom was granted on 1 Dec. 1646.

4 In Nov. 1645 Hamilton was transferred from Pendennis to St. Michael's Mount, whose garrison surrendered on 16 Apr. 1646. The surrender, not Charles's orders, brought about Hamilton's release. He arrived in Newcastle on 17 July 1646: Rubinstein, *Captain Luckless*, 170, 173.

carried from place to place untill they at first putt a force upon the parliament and then dissolv'd it, and assumed the Government themselves.<sup>1</sup> The Scots armie came home to Scotland, and there were all disbanded save some few Regiments of horse and foot. After this the armie seized on the Kings person.<sup>2</sup>

About this time died the Master of Yesters grandmother [in margin: here to take in what is said on the 27th page of the Genealogie]<sup>3</sup>

And thereafter misunderstandings growing between the English parliament, and Scots commissioners in so much that both of them made separat applications to the King, and upon his giving satisfaction to the Scots Commissioners they returned to Scotland where the parliament of the year 1648 was held, at which it was concluded, that an armie should be rais'd for rescuing of the King, and bringing of Him to London with honour, freedom, and safetie, which was called the engadgement<sup>4</sup> (which proceedings in parliament were declared against by the Generall Assembly as not being according to the solemn league and Covenant and agreable to the ends therof) nevertheless an armie was rais'd of 12000 foot, and 5000 horse,<sup>5</sup> under the command of the Duke of Hamiltoun as generall, My Lord Calender, Lieutenant Generall Baylie Lieutenant Generall of the foot, and Middleton of the horse, the greatest and best armie yt ever was raised in Scotland,<sup>6</sup> and best provided with money in which armie the Lord Yester had the regiment of foot of Eastlothian and Tweeddale being thirteen hundred men, Sir James Hay of Linplum Lieutenant Colonell, and Major Lisle his Major which Regiment being levied with the first continued together at Hadingtoun, and were there exercised, and marched from thence near Carlisle where the Scots armie was to rendezvous, and Monroe<sup>7</sup> was to join them with the Scots Regiments from Ireland, Carlisle and Berwick being seiz'd, and in their hands befor they went out of Scotland. At Selkirk My Lord Yester having gone so farre with his Regiment was necessitat to return home to his Lady at the Needpath his Lady being past her reckoning, and was brought to bed a few

1 The forcible dissolution of the parliament took place in Apr. 1653. Tweeddale may have confused this with Pride's Purge, which occurred in Dec. 1648.

2 The Scottish army left England in Feb. 1647. The English army seized the king in June.

3 The top of p. 20 of the manuscript, about 20 per cent of the page, is left blank for the promised comment.

4 The Engagement was signed in Dec. 1647 and ratified in parliament in Mar. 1648.

5 These figures are cramped into the text in darker ink, but in the same hand: clearly a later addition.

6 D. Stevenson, *Revolution and Counter-Revolution in Scotland, 1644-1651* (London, 1977), 111, says that it was 'completely untrained, ammunition was short, and there was no artillery'.

7 Lieutenant-Colonel George Monro, nephew and son-in-law of the Scottish commander in Ireland, General Robert Monro.

dayes after of the present Lord Yester,<sup>1</sup> [in margin: Aug: 1648] My Lord Crawfoord, and My Lord Rothes<sup>2</sup> being witnesses at his Christening, and he making ready to go to the armie (having sent his equipage with his Regiment) the news of the defeat of the Scots armie at Prestoun a few dayes after their entering England, prevented his going, as it did Monroes joining with them, wherupon the West Country Shires who were disaffected to yt engadgement and had made all the obstruction they could to the levieng of the armie rose all in arms under the Command of the Earle of Eglintoun and marched to Edinburgh<sup>3</sup> where they sett down another Quorum of the Committie of Estates, the former quorum having abandoned it, and gone to stirlin where they never made a Quorum again, but sent orders to Monroe with the regiments that came out of Ireland, and were upon their march back to Scotland to come to their assistance. My Lord Crawfoord and My Lord Glencairn<sup>4</sup> entered in a Treatie with the Committie of Estates at Edinburgh for disbanding of their fforces, which Committee at Edinburgh having sent My Lord Argyle and My Lord Weems<sup>5</sup> to Berwick to invite Oliver Cromwell who was come there after prestoun, into Scotland for their assistance which necessitate My Lord Crawfoord and Glencairn to close their Treaty, and disband Sir George Monroes fforces. Oliver Cromwell came in with three thousand horse to Edinburgh, and staid so long that the parliament of England having sent Commissioners to the King at the Isle of Wight had almost concluded a Treatie for bringing him to London with honour freedom, and safety, but befor it could be finished Oliver made hast back to London and there purged the parliament of [blank] members [blank] only remaining called the Rump. At this time the Earle of Lauderdale going with My Lord Lannerick to Holland was necessitate to sell the steeds<sup>6</sup> of yester [in margin: Then as follows in the genealogie pag. 25 to the paragraph And when K. Charles ye 2d came home]<sup>7</sup>

- 1 John, Lord Yester, succeeded his father as 2nd marquis of Tweeddale in 1697. The *Scots Peerage* erroneously lists his birth date as 1645.
- 2 John Leslie, 7th earl of Rothes, Crawford's new son-in-law, was Tweeddale's mother's first cousin and the brother of the countess of Buccleuch, Lady Tweeddale's sister-in-law.
- 3 This was the so-called 'Whiggamore Raid'. For this, and subsequent events, see Stevenson, *Revolution and Counter-Revolution*, 115-22. Tweeddale's account is substantially accurate save on one point: Argyll and his allies were not anxious to have Cromwell invade. They tried unsuccessfully to forestall it by persuading the Engagers to disband their forces and surrender Berwick and Carlisle.
- 4 William Cunningham, 9th earl of Glencairn.
- 5 David Wemyss, 2nd earl of Wemyss.
- 6 More properly 'steeds': farmland and buildings.
- 7 About one-third of p. 23 of the manuscript is left blank at this point.



The Rump of the parliament gave a Commission which they called the Grand Jurie<sup>1</sup> who took the Kings life, The Duke of Hamiltouns, The Earle of Hollands, and My Lord Capells.<sup>2</sup> Immediately upon the death of the King the parliament of Scotland then sitting proclaim'd his son King Charles the 2d, and sent over to Holland the Earle of Cassillis, the Earle of Lothian, Brodie, Mr George Winram, and Jeffrey Commissioners<sup>3</sup> to bring him over, and to treat upon the conditions of the government upon his arrivall, and the Treatie being agreed upon at Breda his brother in law the prince of orange sent over with him two men of Warre and he arriv'd at Garmish<sup>4</sup> in the Mouth of Spey, and when He landed the English fleet which was sent out to take Him was seen off the Land from Garmish. The King went to ffalkland, to which place the parliament sent My Lord Balcleugh and My Lord Weems with a compliment, and to welcom him, He had in his company the Duke of Buckinghame and My Lord Wilmott.<sup>5</sup> The King went from ffalkland to Stirlin, where he was no sooner arrived but the English army under command of Oliver Cromwell and Major Generall Lambert invaded Scotland with an armie of 10500 foot, and about 5500 horse besides the train near 700 [in margin: in all about 17000]<sup>6</sup> against whom Scotland was not able to make any head till they came to Lieth, the Scots then having gott together 20000 foot and neare 10000 horse and having fortified yt Toun in that time of the Warre did cast up a trench between Edinburgh and it, to preserve Edinburgh. The English army being come so farre as Restarigge<sup>7</sup> and finding the Scots armie posted there after some small skirmishings between them marched back to Musselburgh Oliver Cromwell himselfe quartering at Pinkie and Lambert at Seatoun.<sup>8</sup>

Upon this Invasion declarations were published by the parliament of England charging the Scots with espousing the interest of King Charles the 2d, and the parliament or the Committie of Estates publishing a declaration in

1 More properly the High Court of Justice.

2 Henry Rich, 1st earl of Holland, and Arthur, Baron Capel, both Englishmen.

3 William Ker, 3rd earl of Lothian, now secretary of state, George Winrame of Liberton, a noted lawyer, and Sir John Smith (omitted here) were the moderate members of this commission. Cassillis, Alexander Brodie, and Alexander Jaffray, provost of Aberdeen, represented the clerical extremists. They were appointed in Feb. 1650.

4 Garmouth. Charles arrived on 23 June 1650.

5 Henry Wilmot, a royalist military commander, would be created earl of Rochester in 1652; he was the father of the famous poet and rake. George Villiers, 2nd duke of Buckingham, Charles's companion from childhood, also had a career as a poet and rake before him.

6 Cromwell's own figure was 16,354. R. Hutton, *Charles the Second* (Oxford, 1989), 50, 476.

7 Restalrig, now in the eastern suburbs of Edinburgh.

8 Pinkie House, in Musselburgh, belonged to the earl of Dunfermline, Seton to the earl of Winton. Cromwell's forces crossed the border on 22 July 1650 and arrived at Edinburgh on the 29th.



opposition therto, charging them with breach of covenant and invading Scotland therby breaking all Treaties, and raising a most unjust Warre wherin they were on the defensive to preserve their religion, and libertie, and to make it appear that they were another sort of men then those who invaded England in the late Engadgement 1648 they would suffer none who had any accession to yt Engadgement to join with them, or stay in the armie, and the King himselfe coming from Stirlin to the armie at Lieth<sup>1</sup> was received with great acclamations by the souldiery, but was desired to return after a weeks stay by those of the Government who conceived his being amongst them did alter the nature of their quarrell, and cause of the Warre to which he yeilded unwillingly to satisfie their jealousye. Upon this invasion My Lord Yester having remov'd his Ladie, and familie from the Needpath and putt a garrison in the House sent his whole familie over to Dundie and being himself at Lieth, and not being allowed to the stay in the armie because of his interest in the Warre called the Engadgement having commanded a Regiment there, he went over with the King to Dunfermline and was coming and going between Dunfermline and Dundee, the Engadgers as they called them not being permitted to stay for any long time at Court, but his Uncle Dunfermline having the keeping of the House and the then Earle of Lothian attending the King in quality of Secretary (tho not formally putt in the office untill My Lord Lannerick then Duke of Hamiltoun resign'd it in his favour) and there being few or none of the Engadgers haunting the Court, his being there was lesse taken notice of. A moneth after the King went to perth,<sup>2</sup> and during his stay there Oliver Cromwell marched to Gogar<sup>3</sup> towards Stirlin which occasioned the Scots army to march yt same way and coming in view of on[e] another they had some skirmishes, and a gun fight at Gogar, but could not join battell because of a brook yt lay between them, and the English army not being able to subsist there was necessitate to march back towards their fleet lying in the firth, and so to Hadingtoun and from Hadingtoun to Dumbar the Scots armie following upon their rear and sometimes attacking them which they once did where they crossed the water at Beltoun. The English armie taking up their quarters about Dumbar and Broxmouthe the Scots armie marched to Dounhill which lies a little above Broxmouthe so yt what ever way the English should march they might attack them with advantage in so much that the English armie had it

1 Charles arrived at Leith on 29 July, the day Cromwell attacked the Scottish defences. He was there less than a week, going to Dunfermline on 2 Aug. S.R. Gardiner, *History of the Commonwealth and Protectorate*, 4 vols. (2nd edn., London, 1903), i, 274.

2 In mid-Aug. 1650.

3 Now a western suburb of Edinburgh, near the airport. The skirmish there took place on 27 Aug.

under their consideration to ship all their foot and break through with their horse, but the Scots armie not contenting themselves with having this advantage of them march'd from the hill down to the dean that they might be nearer them which soever way they went, which Oliver Cromwell perceiving from the Bowling green at Broxmouth told the officers about him yt God had delivered the Scots army into their hands and ordered his whole horse to march yt night to Eastbarns and to attack their right wing upon the flank by day light which design was favoured by a rain which fell out so heavily yt the Scots could not keep in their matches, and being charged [in margin: 3d Sept 1650] on the flank were putt to confusion and rowted and the English followed the pursuit many miles, the Scots never rallying till they were at Stirlin.<sup>1</sup> Having made themselves Masters of Edinburgh and Lieth they marched to Stirlin but not being able to carrie it<sup>2</sup> went to Glasgow and Oliver staying some few dayes there returned to Edinburgh and so dispersed his armie to their winter quarters. Colonell Gilbert Ker Colonell Strachan and Colonell Hackett with the remainders of their Regiments being joined with some west countrey men made an infall upon Major Generall Lambert then lying at Hamiltoun, but were defeated and broken.<sup>3</sup> In January the Castle of Edinburgh was delivered to Cromwell<sup>4</sup> and Tantallon and Borthwick. My Lord Yesters house in the Neidpath being the last garrison on this syde of fforth that kept<sup>5</sup> John Brown who keept it out making a capitulation under Cromwells own hand for the freedom of all the persons and transporting all the goods to Dundie, save onlie the arms which were above six hundred, and ammunition sutable. The parliament of Scotland sitting at perth,<sup>6</sup> and the King with them allowing the engadgers to join with them levied an army in all the Kingdom beyond fforth amounting to 10000 ffoot and some Regiments of Horse making with the remainder of yt army which was defeat at Dumbar 3000 horse and with them the King went to Stirlin and commanded the army himselfe, and Lieutenant Generall David Leslie under him and Lieutenant Generall Midletoun. About this time a day being appointed for the Kings coronation it was kept at Scoon

1 There are many descriptions of this famous and decisive battle. Gardiner's is a good one: *Commonwealth*, i, 283-97.

2 On 18 Sept.

3 Colonels Ker, Archibald Strachan, and Robert Halket were the military commanders of the Western Association, the ostensible purpose of which was to protect the western shires from Cromwell's army. What these men really feared was that 'malignants' would get control of the king's army. Lambert's destruction of their army on 1 Dec. was actually helpful to Charles.

4 On 24 Dec., not in Jan.

5 There is a word after *kept* made illegible by an ink blot. It is probably *out*.

6 The session began on 26 Nov. and ended on 30 Dec.

with all possible solemnity My Lord Yester being on[e] yt carried the pale from the House to the Church.<sup>1</sup>

In the moneth of May<sup>2</sup> Oliver came to the ffields and marched to Lerbour<sup>3</sup> bridge within four miles of Stirlin, the Scots army lying on the other syde of the brook near Torwood where they were entrenched, and the English advancing near the water syde the Scots generall of the artillerie Colonell Weems undertook to the King to cannonade them out of their quarters and if a partie of Horse were commanded to crosse the water a little above, and fall in upon their rear in the confusion they would be into and the armie attacking them in the ffront they might have been rowted the march of which partie being drawn out was countermanded by the King. The Cannon and armie nevertheless were drawn out, and cannonaded them out of their camp and putt them in great confusion, this being done about day light, and the two armies stood in view of on[e] another all yt day. In the Evening Oliver marched to Lieth again and the Scots armie to Stirlin. A few dayes after Oliver by the assistance of the English ffeet lying betwixt Lieth and Burnt Island wafted over four thousand foot near to Innerkeithin wherupon a partie was dispatched from Stirlin under the command of Major Generall Holburn who attacking them between Burnt Island and pitreavie were defeated by them,<sup>4</sup> and the King marching from Stirlin with a considerable part of the armie, to have fought them befor they had gone to Culross he had intelligence yt they had gone to Burnt Island, and had taken it and yt a considerable part of the English army was coming over from Lieth to join them intending for perth. The King then returning to Stirlin resolved to march immediatly for England from whence he had intelligence yt many were to rise with Him and accordingly marched. Mean time Oliver had marched to perth where he left Generall Monk with those he had brought over, and then with all hast return'd to Lieth, and with his armie followed in to England by Kelso but did not reach the Scots armie until they were at Worcester and there fought them and defeated them [in margin: Sept 3d: 1651] and Lieutenant Generall Monk march'd to dundie and

1 The chronology is turned around here. Charles's coronation took place on 1 Jan. 1651; the army was raised in the ensuing months.

2 The events described below took place in July 1651, not in May. The confrontation at Torwood began on 30 June and lasted about a fortnight. 'Colonel Weems', James Wemyss of Caskieberran, was a professional artilleryman trained under Gustavus Adolphus. He commanded the Scottish artillery at Dunbar, and later at Worcester. Furgol, *Covenanting Army*, 311-12, 360-1.

3 Larbert.

4 The battle of Inverkeithing was fought on 20 July 1651. Lambert, not Cromwell, was the English commander. Pitreavie Castle is just north of Rosyth.

took it by storm allowing two dayes slaughter.<sup>1</sup> My Lord Yester with his familie as all other strangers yt were there remov'd from thence a fourthnight befor, and went to Aberdeen where staying a fourthnight in yt time the Earle of Balcleugh and He were going to Eliott<sup>2</sup> in Angus where the Committie of States were come from Stirlin, and being come so farre as Stonehive<sup>3</sup> had there certain intelligence of most of the Committies being taken by a partie of the English<sup>4</sup> and carried to Dundie, and from thence were sent to London by sea, wherupon they returned to Aberdeen, and the week following My Lord Yester went North and leaving his daughter and son at ffivie<sup>5</sup> went on himselfe to Elgin.

The English horse marching North from Dundie, he went from Elgin with My Lord Dunfermline to Tarnwall<sup>6</sup> and they with the Earle of Murray to Balahastle<sup>7</sup> the Laird of Grants House, where having staid a week My Lord Yester came southward and staying on[e] night at ffivie he had first notice of his son ffrancis,<sup>8</sup> his death and left his Lady with a purpose and resolution to purchase a passe from the English to go south with her children to the Neidpath, and so parted himselfe going up to the Highland, and first to the Earle of Marrs Countrey who was his brother in law having married his Ladies sister,<sup>9</sup> and staid with him a week at Gargath then coming by Castletoun in the brae of Marre,<sup>10</sup> in his way he had certain intelligence from an highland gentleman called Baron Reid<sup>11</sup> that the Scots armie was defeated at Worcester, and the King had escaped, as was thought to ffrance and the Duke of Hamiltoun killed and the rest of the nobility of Scotland taken prisoners. Then he came to Logierate<sup>12</sup> near to Blair in Athol yt night, and from thence thinking to go up Strathern to the Milns of fforth, and crosse there twelve miles above Stirlin being eight or ten in company wherof Captain John Brown who had been with him in all the warres, and was left in the command of the Castle of Neidpath, and on[e] Scott of Clerkingtoun<sup>13</sup> were tuo, the rest servants, having

1 Monck captured Dundee on 1 Sept. 1651.

2 Alyth.

3 Stonehaven.

4 On the night of 27/28 Aug. 1651.

5 Fyvie Castle, north of Aberdeen, the property of the earl of Dunfermline.

6 Darnaway, the seat of the earl of Moray, five miles south of Forres.

7 Ballindalloch, near the juncture of the Spey and the Avon, southeast of Darnaway.

8 Born in Dec. 1649.

9 Elizabeth Scott. She died in 1647.

10 Probably Cargarff and Braemar Castles.

11 Probably Alexander Reid of Kildrumny.

12 Logierait lies between Dunkeld and Pitlochry, at the junction of the Tay and the Tunnell.

13 William Scott of Clerkington, his wife's kinsman.

a sentinell out befor him who perceiving a Regiment of English horse coming from Stirlin yt way he was necessitate to turn up Glenquach, and being followed by a strong partie of them they were forced to part asunder by tuo's appointing the Weem<sup>1</sup> for their rendezvous where himselfe coming with John Brown about Midnight was kindly received by the Laird of Weem<sup>2</sup> whose grandmother was sister to My Lords grandmother, and daughter to the Earle of Rothes,<sup>3</sup> the rest of his companie came to him next morning, and getting a guide from the Laird of Weem went next day by ffinlarigge to a place called Sowie<sup>4</sup> between Lochtay and Lochlomond where he had scarce victualls if he had not brought bread with Him, and was necessitate to keep two of the companie awake by turns for securing their lives. Next day he went by Lochdochor,<sup>5</sup> and Ardkinless<sup>6</sup> his House there to the head of Lochlomond, and sending his horse by land took boat, and sailed to the Kirk of Lusse,<sup>7</sup> where he staid a week and kept correspondence with the Committie of Estates, and was invited to come to them but after so much toil thought it would be to small purpose to go thither, but going down to Dunbartoun he lay a night in the Castle, which Sir Charles Areskine<sup>8</sup> still kept out, and next day adventured to go to Glasgow dividing his company by two, and two, and tristing in on[e] House to lodge in gott from thence next morning earlie without being observed, tho there was an English Regiment of ffoot and some horse in the Toun. Next day coming by Carnwath he was challenged by a sentinell of horse guards, a troop lying in the place who immediatly mounted a partie and pursued him tuo or three miles. Next day his Lady wrote to Colonell phannick<sup>9</sup> (from whom she had a passe when she came South) that she might have on[e] to her Lord who was disposed to come home, which with litle difficulty was procur'd and sent to her, the whole nobility, and Gentry that were in the Countrey returning to their own Houses upon such like passes.

- 1 Weem is a village one mile northwest of Aberfeldy. Getting there from Logierait via Glen Quach involves a considerable detour to the south.
- 2 Sir Alexander Menzies.
- 3 Jean Leslie, Grizel Leslie's half-sister, who married Duncan Menzies of Weem.
- 4 Finlanrig Castle is at Killin, at the west end of Loch Tay. Suie, in Glen Dochert, is about seven miles southwest of Killin.
- 5 Loch Dochert.
- 6 Sir James Campbell of Ardkinglas, one of the major cadet branches of the house of Argyll.
- 7 Luss is a village on the west bank of Loch Lomond, about two-thirds of the way down from the north end of the loch.
- 8 Sir Charles Erskine of Alva became governor of Dumbarton in 1649. He held out against the English until 29 Dec. 1651. Furgol, *Covenanting Army*, 349–50.
- 9 Colonel George Fenwick, an officer of the occupying army.



A Commission being sent from England for sequestrating the Estates of all those who were officers in the late engadgement 1648, which sate at Lieth, Colonell phanick, Colonell Saylor and Mr Desborough were of yt Commis-sion who issuing out warrants for sequestration and giving intimation therof to all their tennants and debtors, and all others who were lyable in payments to the persons sequestrate to forbear payment, on[e] of them came to the Needpath upon the verrie Saturday befor My Lord was to communicate which occasioned My Lords going in to Lieth to speak with Colonell phanick, Colonell Saylor, and Desborough from whom he procured a delay of citing his tenants for some time.<sup>1</sup>

Then the Earle of Dunfermlines creditors not being payed their annuall rents for three or four years, some of them more, begun to use all legal diligence agt the Earle of Tweeddale, My Lord Dunfermline himselfe and the Earle of Calander being both in Holland and Montgomerie his estate lying out of their way which necessitate the Earle of Tweeddale to engadge the Lord Yester his son, and for his security to dispone his interest in the Contract of Reliefe between Dunfermline, and his three cautioners Calander, Tweeddale, and Montgomerie, wherupon the Lord Yester stretching his credit as farre as it would go, and morgadging the lands that he had bought from the Earle of Lauderdale, satisfied all the Creditors who had comprized<sup>2</sup> his fathers estate, and to fortifie the title he had from his father to the contract of Reliefe, having taken assignation to the bonds he payed sent over a Contract of Reliefe for Dunfermline, and Calander to subscribe, which they refusing he comprizes My Lord Dunfermlines, My Lord Calanders and My Lord Montgomeries estates which necessitate My Lord Eglintoun to enter in communing with My Lord Yester for relieving of his son My Lord Montgomerie, who he said was persuaded by the Earle of Tweeddale to enter into yt Cautionrie and had promised him that he should not suffer by it, offering his mediation with the Earle of Tweeddale who had married his daughter to infeft him in his estate without reversion which he could not be persuaded to do upon his son My lord Yesters marriage with the Earle of Balcleughs sister and the Lord Yester advising with the Earle of Balcleugh theranent and seing no other way to save the fortune but by his fathers infefting him he yeilded to My Lord Eglintouns desire My Ld Balcleugh being content for enabling Him therto to be Cautioner

1 The commission for sequestrations was at work by Apr. 1652. F.D. Dow, *Cromwellian Scotland* (Edinburgh, 1979), 57, gives the members as Samuel Disbrowe, Colonel Edmund Syler, and Richard Saltonstall; perhaps Fenwick, who was on the Rump Parliament's commission to organise the administration of Scotland, sat in for Saltonstall on this occasion.

2 Attached for debt.



for Him for 40000 lb of the debt, so Montgomerie upon his bond of Reliefe for the Cautionrie disposes likewise his interest in the Contract of Reliefe. At this time the parliament of Scotland (as was said) sent for the King, and the Earle of Dunfermline, and Calander coming over with Him, no bussiness being look't after untill the end of the English Warre the first appearance they made was about the sequestration of My Ld Dunfermlines estate upon which My Ld Calander and My Ld Yester prevailed with My Lord Dunfermline to appear which so qualified the sequestrators that they proceeded no further therin, so most of all the sequestrations were lett fall, and were turned into fines of those who were best able to compound for them.

Then the Earle of Calander and the Ld Yester undertook a journey to putt themselves in possession of My lord Dunfermlines estate in the North to be manadged by Chamberlains commissioned by them for paying the annuall-rents of the debts they were engaged for, being reckoned generally to be according to a 3d pt for the Earle of Calander, and tuo 3d pts for My Ld Yester, and setting forth from Dunfermline where they first mett they went to Elgin in Murray, and Dunfermline to avoid seing his estate possessed by his Cautioners went to orkney to uplift so much of the Earle of Mortouns rent there as would pay his tocher with His Lady the Earle of Mortouns daughter, of which tocher he had not received a farthing principall or interest twenty years befor.<sup>1</sup>

At this time severalls who had private sureties for publick debts begun to trouble those who were bound, wherof the Dicks<sup>2</sup> being the most considerable Creditors pursue the Earle of Tweeddale with personall execution forcing Him to flee to Berwick and to abscond when he was in Scotland, this with all the trouble, and travell he had been putt to these three or four years past did cast him into a sickness wherof he died in the moneth of May 1654, his son having come to live with Him some time befor both upon the account of his infirmity, and the distress of the ffortune by the Cautionrie of Dunfermline would not suffer their families to live distinct. Soon after ffines were imposed upon severall persons in Scotland from whom payment might be most effectuall, and amongst the rest a considerable fine was laid upon the familie of Balcleugh,<sup>3</sup> the Earle of Balcleugh having died a few moneths after his return from the

1 Dunfermline had married Mary Douglas, Morton's daughter, in 1632. The journey to take possession of Dunfermline's estates must have occurred in 1652 or 1653.

2 Sir William Dick of Braid was an immensely wealthy merchant and customs farmer who loaned huge sums to the Covenanting authorities. His loans were not repaid, and by the 1650s he was in serious financial trouble. Hence his pursuit of his debtors, including the 1st earl of Tweeddale.

3 The fine was £15,000 sterling, or £180,000 Scots, almost double the estate's annual rent roll.

North of a decay which he had layen under a year befor. At the earnest desire of his widow,<sup>1</sup> and the tutours of yt ffamilye (himselfe being an overseer) and his Lady next heir of entail to My Lords two daughters (of whom the Eldest was troubled with the Kings evill).<sup>2</sup> My Lord Tweeddale went to England to deal with the protector and Councill for a release of the said fine, or a mitigation therof (they having made application to the Commissioners at Dalkeith who could do nothing therein but encouradged the sending) where upon this occasion he came to be acquaint with the protector and severall of the leading men in the administration of affairs at that time and to make some friendship with Mr Laurens president of the Councill and to soften Him as to his own interest and did procure for the family of Balcleugh a mitigation of their fine.<sup>3</sup>

The Long parliament of England being dissolv'd in 1653, and an Instrument of Government being published, the protector called a parliament of the three Kingdomes which parliament having recognized him in the protectorship he dissolved it, and therafter called another to meet the 17 day of December 1656, to which the Earle of Tweeddale was chosen Commissioner for the shire of Eastlothian, being much prest by the generality of his friends and acquaintance, and the condition of the Kingdom being then low by reason of its paying 10000 lib<sup>4</sup> per moneth of Cesse besides the Excise, all their shipping being lost, and trade quite decayed, the Courts of Judicatures all filled with strangers without all hopes or expectation of recovery if upon this occasion somewhat were not done towards the emancipating the Nation from this hard servitude by a compliance so farre with the constitution of the parliament of England, and there was a tender of an Union of the people of Scotland into on[e] Commonwealth with England sent down with Commissioners<sup>5</sup> who residing at Dalkeith, issued their orders to the severall shires to send in Commissioners in their names to consent to the tender of this Union, which being generally agreed to there was an act of Union published consisting of severall Articles,

1 Margaret Leslie, sister of the 7th earl of Rothes, now countess of Wemyss. Buccleuch had died in Nov. 1651.

2 Countess Mary's affliction was probably bone cancer. She died at age 13 in 1661, after having been 'touched' in 1660 by the restored Charles II—hence the reference to the king's evil.

3 Tweeddale's mission took place in the summer of 1654. It was not successful. In the spring of 1655 the fine was indeed reduced, to £6,000, or 40 per cent of the original assessment, but most other fines were reduced at the same time to less than 40 per cent, and some were suspended altogether. For this episode see Lee, *Heiresses of Buccleuch*, chs. 1–2. The president of the council of the Protectorate was Henry Lawrence.

4 Sterling.

5 This occurred in 1652. Discussions on the terms of union had not been concluded when Cromwell dissolved the Rump; so the Instrument of Government imposed union on English terms.

and a Council sett up for the Government of the Kingdom<sup>1</sup> and a Court of Judicature in place of the Session consisting of much fewer members then the Session. (and not above two or three of them Scots)<sup>2</sup> to administer justice to the Nation. Upon the which considerations My Lord Tweeddale was prevailed with to go to that parliament, at which by the endeavours used by Him, and the rest of the Scots Commissioners their propurtion of the burden was brought from 10000 lb to 6000 lib pr moneth<sup>3</sup> and a free trade settled in all the three dominions with on[e] another and the Islands depending on each, as was in evrie on[e] of them amongst their own people, so yt the Scots had the same freedom in England, and in their plantations as the English themselves had, and they mutually in Scotland, and the Islands therto belonging, and they were in all time coming to be held as a people of on[e] Commonwealth.<sup>4</sup> This Session of parliament being ended, another was called consisting of the same members for the House of Commons, and a House of Lords erected by the protector according to the authority given Him by the petition and advice. Soon after the Earle of Tweeddales return into Scotland he found yt any thing done by the Earle of Calander and Him towards the possessing of the Earle of Dunfermlines estate had had litle, or no success, and that the Earle of Calendar possessing the better halfe of yt Estate as his Ladies jointure he having married Dunfermlines Mother which made him have readier access to his reliefe of his cautionrie after her decease, wheras My Lord Tweeddale could not recover it from Him without a plea of Law, and yt he was not nor could not be in the possession of as much as would pay the fifth part of his interest so long as My Lady Calander lived, and which undoubtedly would sink his fortune. On the other hand the Earle of Calander being pinch'd with My Lord Yester now Earle of Tweeddale his Comprizing therof, wherof the legall was to expire within an year, or tuo, they both agreed to divide their reliefe according to the proportions of their severall engadgements, and referred the whole affair and the settling of it to Sir John Gilmour<sup>5</sup> by whose mediation it was brought to a settlement by a Contract of division according to which the Reliefe was divided, and they accordingly infetted each other in their propurtion and the Comprysing of Calanders proper estate was taken off, Calander getting for his

1 Cromwell established the Scottish council of state in May 1655.

2 The commission for the administration of justice was set up in May 1652. It had seven members where the court of session had fifteen. It did have an English majority, but only of four to three.

3 This reduction amounted to a facing of the facts; the full £10,000 sterling had never been raised. See the discussion in Dow, *Cromwellian Scotland*, *passim*.

4 Free trade was established at the beginning of the Protectorate.

5 A prominent Edinburgh lawyer who was the legal adviser to many aristocratic families. He became lord president of the court of session after the Restoration.

reliefe, My Lord Dunfermlines estate in Murray, and fishing of Spey the 3d of the Lands of ffvie and the 3d of the Lordship of Dunfermline<sup>1</sup> wherof Dunfermline had a tack of 3 nineteen years from K. Charles the 1st, and the Earle of Tweeddale gott pinkie, Dalgetie, the heretable offices of Bayalliarie, Constablerie and Mayoralty of the Lordship of Dunfermline with their fees, the lands of Grange, Lime Kilns, Milns of Dunfermline, Teinds of Innerkeithan,<sup>2</sup> tuo pts of ffvie and 2 pts of the Lordship of Dunfermline. This settlement was agreid to, and subscriv'd. Some years thereafter My Lady Dunfermline died<sup>3</sup> by whose death the Earle of Tweeddale gott the possession of Pinkie, Grange, the Limekilns, and the Milns of Dunfermline, My Lord possessing Dalgetie, and living there by his tolerance. My Lord Tweeddale remov'd himsele to Dunfermline to putt himsele in possession of his interest there and after all his diligence, and search he could make finding his reliefe could not amount to the payment of halfe the annuallrents of the summes he was engag'd for, he sold the Lands of Grange for 20000m,<sup>4</sup> and sett the Lands of pinkie to sale, and was in terms with My Lord Hoptoun<sup>5</sup> for them in the year 1659, but not agrieng upon the price he was forced to sell his own lands of Lockharratt Mains, Currie, and Halfelaw Kiln to My Lord Oxfoord<sup>6</sup> for 44000 m., and to wodsett a pt of the steeds<sup>7</sup> of the baronie of Yester, and to sell Blakehope to Sir Archibald Primerose.<sup>8</sup>

King Charles the second being called home by the parliament of England and the Monarchicall Government restored to the great comfort, and joy of the Kingdom of Scotland The Earle of Tweeddale went to London, and was there some dayes befor the Kings arrivall and saw his splendid entrie upon the 29 of May, kissed his hand, and was kindly received by Him staying there with his whole familie untill the Meeting of the parliament of Scotland, and was by the King nominat a privie Councillor and had the holding of a great pt of his

1 This lordship was crown property, part of the jointure of Anna of Denmark, from whom King Charles inherited it. King James had made Dunfermline's father, the lord chancellor, hereditary bailie and constable of the lordship.

2 Grange and Limekilns are in Fife, near Dunfermline, as is Inverkeithing.

3 In 1659.

4 Merks. A merk was two-thirds of a £.

5 Sir James Hope of Craighall, the son of the famous lord advocate, Thomas Hope.

6 James Makgill of Cranstoun Riddel, created Viscount Oxenfuird in 1651.

7 Steads.

8 Sir Archibald Primrose had been clerk of the committee of estates before 1651; he became clerk-register after the Restoration. He, Hoptoun, and Oxenfuird were wealthy members of the Edinburgh legal establishment.

lands changed from Ward to blanch.<sup>1</sup> Then he came down to the parliament which began the first of Januarie 1661, to which Major Generall Midletoun, being created Earle, was made Commissioner.

This parliament continued by some small adjournments for most pt of ye year, and then was adjourned till March 1662.

In this session of parliament the Earle of Tweeddale having used greater freedom of speech then was agreeable to the Commissioner, he did upon his return to the Court represent him so unfavourable to the King, that an order was given to the Councill to send him to the Castle, notwithstanding yt nothing had been taken notice of by the Commissioner, or any other at the time nor during the parliaments sitting, and yt towards the Conclusion of this parliament, the Earle had invited the Commissioner and most of the nobility to a splendid entertainment he gave them at pinkie, and that they parted in great friendship when the Commissioner went to England the Earle having accompanied him to Sowtra.<sup>2</sup> This imprisonment after some enquiry, and examination of members of parliament anent the speeches continued only five or six weeks, and was turned to a confinement<sup>3</sup> near on[e] year which confinement was also taken off after yt time. It is here to be observ'd yt upon the Conclusion of the first session of parliament the privie Councill was called by the Commissioner for reading of their Commissions, and setling the government in their hands, and because the Commissioner, Chancellor,<sup>4</sup> Treasurer,<sup>5</sup> and the Earle of Rothes<sup>6</sup> and severall others were to go to London a president of the Councill was chosen to preside during their absence and it was unanimouslie by vote settled upon the Earle of Tweeddale who acted in yt capacitie for three or four moneths, and upon their return the order for sending Him to the Castle following The Earle of Tweeddale said that they had first made him a precedent and then an example.

1 This meant that the lands were no longer subject to wardship. Wardship was abolished in England in 1646 (and this was confirmed after the Restoration), but not in Scotland.

2 Sowtra, about fifteen miles south-east of Edinburgh, marks the beginning of the Lammermuir hills.

3 I.e. house arrest.

4 William Cunningham, earl of Glencairn.

5 John Lindsay, earl of Crawford-Lindsay.

6 Rothes was president of the council; the president took the chair in the absence of the commissioner and the chancellor.



The 3d session of parliament was kept by My Lord Rothes<sup>1</sup> upon the 18 day of June 1663 in which session of parliament the Earle of Tweeddale was named on[e] of the Commission for plantation of Kirks, and valuation of Teinds.<sup>2</sup>

In this session of parliament the act *Salvo jure Cujuslibet* was burthened with an act, and Ratification, past in favours of the Duke and Dutchess of Balcleugh their contract of marriage which was a manifest breach of the entail in favours of the Countess of Tweeddale, and her children, which is declared to be no wayes comprehended therein, and then the parliament was dissolv'd.

After this the King was pleased, by the advice of Sir John Gilmour president of the Session who had been consulted in the drawing of the Duke and Dutchess of Monmouth's Contract of marriage to make a new entail of the Estate of Balcleugh to the Countess of Tweeddale, and her children wherein the Duke of Monmouths children of any other marriage were interposed between the Dutchess of Monmouth her niece, and her.<sup>3</sup> As also the Duke of Monmouth being to name his Curators<sup>4</sup> named the Earle of Tweeddale for on[e] wherein nevertheless of what had past he acted most diligently, and faithfullie never being absent at any Meeting of theirs at Edinburgh and every year going to the South for setling of their land, and being there at the charge of keeping a table to all the Curators present and the gentry who came about bussiness to them, and the chamberlines and Bailies who attended them, and the tutors of the Dutchess having made a composition of the gift of her ward of marriage which the Earle of Rothes had from the King upon his first coming over, for [blank] to be payed [blank] yearlie, wherof [blank] years had been paid, the Earle of Tweeddale made it appear yt no ward of marriage was fallen, and yt it was unduly compounded for, and when a precept was drawn to be subscrib'd by the Curators for the first year of their curatorie refusing to sign the same upon certain knowledge that there was no ward of marriage fallen the King was pleased to relieve the familie of Balcleugh of all the subsequent payments, and give the Earle of Rothes a precept upon the Treasury for it.<sup>5</sup>

1 Rothes replaced Middleton as commissioner owing to the latter's clumsy attempt to drive Secretary Lauderdale from public life, which angered the king. See the account in Mackenzie, *Lauderdale*, ch. 15.

2 *APS*, vii, 474-6, c. 34. There was also such an act in 1661: *ibid.*, 48-50, c. 67.

3 This modification was made in Feb. 1664. Previously Lady Tweeddale had been completely excluded: the contract provided that if both Anna and Monmouth died childless his heirs, not hers, would inherit.

4 Since Monmouth and Anna were under age, curators were legally necessary to manage the Buccleuch estate.

5 In 1661 Rothes had been granted the wardship of his niece Anna; his consent was necessary for Anna's marriage to Monmouth. His payoff was £12,000 sterling: the cancellation of a debt of £3,000 to the Buccleuch estate and £1,000 a year for nine years. Sir William Fraser, *The Scotts of Buccleuch*, 2 vols. (Edinburgh, 1878), i, 411. After the first year Charles took responsibility for the annual payments and



In the 1666 the Earle of Tweeddale going to Court was by the King named on[e] of the Extraordinary Lords of Session.<sup>1</sup> About this time the Earle of Glencairn Lord Chancellor died,<sup>2</sup> and soon after the plague of London falling out which occasioned the Kings removall from London and a surcease of all affairs, so that that vacancy was not filled up till a year after,<sup>3</sup> but the bishop of St Andrews<sup>4</sup> continued president of the Councill by My Lord Rothess his being then nam'd Commissioner to the Generall assembly<sup>5</sup> that was indicted, but never mett, and so soon as the plague ceased the Earle of Tweeddale allowed his son, who was verrie desirous of it to go abroad and had studied the french language so well at home yt he was able to speak it when he went to Court and by his private studies had acquired in his fathers House (never having been at Schools) the perfect understanding of the Latin, Greek, and Hebrew. My Lord Yester going to London could not so soon gett over to ffrance because of the quarantine<sup>6</sup> he would have been oblidge to abide, Sir Robert Murray<sup>7</sup> proposed a marriage betwixt him and the Earle of Lauderdales daughter wherupon the Earle of Tweeddale resolv'd on a journey to London where all conditions being agreed the marriage was concluded, and accordingly solemnized the King himselfe being present, and delivering the bride.<sup>8</sup>

During the Earle of Tweeddales abode at London at this time he gott severall opportunities of speaking with the King, and representing the condition of the Countrey (upon the occasion of the Insurrection yt had lately happened at pentland Hill and the rebels being utterlie defeated) and the great burthen it lay under by maintaining a standing fforce who in a great measure liv'd upon

for a long time Rothes got nothing more. British Library, Add. MS 23,123, 27 June, 2 Dec. 1665, 14, 16, 26 May, 1, 4, 20 June 1667, Rothes to Lauderdale, fos. 94-5; 23,122, fos. 201-202; 23,126, fos. 210, 216, 230; 23,127, fos. 4, 8, 52. The legality of the wardship was questionable, since it was not clear that any part of the Buccleuch estate was held of the crown *cum maritagio*. Rothes eventually got about £8,000, in a settlement completed in 1669. NLS, MS 14,544, fos. 8, 10, 12, 14, 45. In the 1690s Duchess Anna sued her uncle's heirs on the ground that the wardship was invalid.

1 This appointment was made on 2 June 1665.

2 On 30 May 1664.

3 No new chancellor was appointed until 1667, when Rothes was removed as lord treasurer and in effect kicked upstairs into the chancellorship.

4 James Sharp: more correctly, archbishop.

5 Of the church of Scotland. As Tweeddale says, it never met during the whole of the Restoration period.

6 And the war, which France declared in support of her Dutch ally in 1666.

7 Sir Robert Murray (or Moray) was an ex-soldier, a chemist who was the first president of the Royal Society, and a good friend of Lauderdale, Tweeddale, and the king. When Lord Yester, now eighteen, went to London Tweeddale entrusted him to Moray's care.

8 The wedding took place in Dec. 1666. In addition to the personal factors mentioned in the Introduction, the marriage cemented Tweeddale's political alliance with Lauderdale and thus furthered the political career described in the remaining pages of the memoir.

ffree quarter, tho they had a standing pay, and were necessarily kept up to prevent such insurrections for the future. Upon this representation the King was pleased to expresse so much tenderness, and compassion on the condition Scotland was into, yt he resolved to try by another method how to setle, and compose their minds by giving a forbearance to compell yt sort of people to hear the conformist Ministers and to discharge the High Commission for Church affairs, and yt they might not be depriv'd from having the Gospell preached to them nor ly under the tentation of keeping field Conventicles, he resolved to allow them such preachers of their own persuasion in severall corners of the Countrey not exceeding the number of 40 for whom the parishiners were to address the Councill who were empowered to allow them upon such conditions as would contribute most to the peace and quiet of the Countrey wherof on[e] was that they should not use any part of the Ministeriall function without their own parish which by way of instructions under the Kings hand were committed to the Earle of Tweeddale, and sent down with Him. And some weeks after he parted the King named My Lord Rothes who was Treasurer to be Chancellor in place of the Earle of Glencairn and resolved to putt the Treasury in a Commission, naming for Commissioners The Chancellor, The Earle of Tweeddale, My Lord Bellenden, My Ld Cochran,<sup>1</sup> and Sir Robert Murray who was sent down with the said Commission, being formerly Justice Clerk and a privie Councillor, and yt he might attend the Treasury the better he did dimitt the office of Justice Clerk and the King gave it to My Ld Rentoun.<sup>2</sup> His coming to Scotland with these orders was a great surprize, and mostly to the Earle of Rothes, who had no inclination to change his post and therfor resolv'd to go first to Court, and asked leave of the King to go.

During yt intervall the Commission of the Treasury at least a quory therof which was three were employed in putting the affairs therof in order, meeting twice a day, and sitting often till eight at night, and the Councill in pursuance of the Instructions sent with the Earle of Tweeddale resolved to disband all the standing fforces except the Regiment of foot guards commanded by the Earle of Linlithgow and the horse guards commanded by the Earle of Newburgh,<sup>3</sup> and to sett up a

1 William, Lord Bellenden, was treasurer-depute. William, Lord Cochrane, an Ayrshire magnate, in some sense represented the Hamilton interest on the commission. He would become earl of Dundonald in 1669. See Lennox, 'Lauderdale and Scotland', 109-10.

2 Sir John Home of Renton, who became justice clerk in 1663. Moray had become, nominally, justice clerk in 1651; Charles restored him to the office, but since he preferred to live in London he gave it up.

3 James Livingstone, 1st earl of Newburgh. Charles authorised two troops of horse, the other under Rothes's command. *Register of the Privy Council of Scotland [RPC]*, 3rd ser., ii, 334.

Countrie Militia. And because there was not sufficient cash in the Treasury to pay their arrears which were four moneths the severall shires were wrote to to advance four moneths maintenance as it was then called of the six yt was due upon which advance the two moneths remaining was to be forborn for the halfe year till it should become due and the Commissioners of the Treasury were to take care of the timous inbringing therof, and paying off the fforces therwith, which resolution was taken not without some strugle in Councill and opposition therto but being carried was with chearfulness gone about, so yt the dayes appointed for the Cesse coming in were punctually kept, and the Commissioners of the Treasury constantly attending the Regiments and troops were paid, and disbanded without the least disorder and a scheme for setting up the Militia prepared which being approven of by the King, and offered to the Councill was so well taken by the generality of the Nation yt arms being provided, and sent to the severall shires the Militia was sett up in verrie good order to the generall satisfaction of the nation. Whilst these things were doing the remaining ferment and discontent of yt partie who were routed at pentland hills had wrought so with some of them yt they had projected another insurrection and at a solemn meeting of theirs at Edinburgh appointed a Rendezvous in Galloway which was discovered yt verrie night at midnight to the Earle of Tweeddale and next morning he went to My Lord Rothes whom he found at five a clock in the Tinnis Court, and having discoursed the bussiness with him it was resolved yt My Lord Linlithgow should call his Regiment together as for exercise, and Cockburn the Troop and yt a Meeting of Councill should be called at ten a clock to whom the discoverie should be made yt by their order a party sufficient might be sent to keep the day of rendezvous appointed by yt Meeting of the disaffected at Edinburgh, which accordinglie was done and Major Cockburn dispatched, who came opportunely, and apprehended Cannon of Mondroggett, and some others with their horses and arms and followers whom they brought prisoners to Edinburgh, who being examined by Duke Hamiltoun, and the Earle of Tweeddale by an order of Councill confessed all, and cast themselves on the Kings mercie which after halfe a years imprisonment was extended to them.<sup>1</sup>

Therafter, My Lord Rothes then president of the Councill being allowed to come to London, and the Earle of Tweeddale called to give an account of the Instructions lately given him were both at the same time at London, where

1 Robert Cannon of Mondrogat had been denounced rebel in 1666. He was captured in Oct. 1668 and interrogated, not only about his alleged rebellion but also about his part, if any, in the attempt on the life of Archbishop Sharp in the previous July. He was released in Sept. 1669 after almost a year in the Edinburgh tolbooth. *RPC*, 3rd ser., ii, 230, 345, 348, 541, 542, 547, 557, 582; iii, 64, 65, 70, 643.

My Lord Rothes laying down his Commission to the generall Assembly, and of generall to the fforces did take the Commission as Chancellor, and in yt quality came to Scotland, and the Earle of Tweeddale having given an account to the King of the Instructions he had given Him, the King approv'd therof and made him on[e] of his Councill in England.<sup>1</sup>

About this time My Lord Newburgh falling so ill of a distemper wherof he died at length the King sent the Earle of Tweeddale to acquaint Him that he was to dispose of his place of Captain of the Guard which he would willingly have declin'd, but the King would needs have him to go to My Lord Newburgh who lay then sick att parsons green,<sup>2</sup> the King promising at the same time to continue the pay to Him during his life which he being disposed to acquiesce to by the endeavours, and method of deliverie of so hard a message, the King was satisfied with his answer and named My Lord Athol to succeed him.<sup>3</sup> Therafter the Earle of Tweeddale going to Scotland made it his bussiness with the assistance of Sir Robert Murray, and Dundonald to order the affairs of the Treasury to the advantage of the Crown, and Kingdom, so yt the kings old debts he contracted in Scotland paid, the expence of the Government fully satisfied, fees and pensions payed, the Kings Houses, and fortresses repaired, and all precepts the King drew answered as bills of Exchange, the magazines filled with arms and ammunition to serve 22,000 men, and yet no cesse lying upon the Countrey.

The Earle of Tweeddale being to return to England carried with him the account of all the affairs of the Treasury, and that there was 10000 lib of cash which His Majesty might dispose of amongst severall persons who had suffered upon his fathers and his account, during the Warre, according to his purpose, and resolution when the act of parliament imposing fines was past,<sup>4</sup> which had come short of the end proposed by all the assignments had been made therof. Wherupon the King sate down himselfe in the closett, and having a list of the persons names amongst whom he design'd to divide it he with own hand filled in the summes that every on[e] them was to gett, and drew a precept accordinglie. At this time the Earle being at London his sons lady was brought

1 In 1669. Tweeddale has conflated the events of this paragraph; Rothes laid down his commission in 1667.

2 In what is now eastern Edinburgh, east of Holyrood Park.

3 John Murray, 29th earl of Atholl, became captain of the guard on 13 July 1670. Newburgh died the following Dec.

4 In Sept. 1662. *APS*, vii, 420-9, c. 80.

to bed of her eldest son Charles,<sup>1</sup> at whose christening the King was present the Dutchess of Monmouth presenting him to the Kings Chaplain who christened him. The Earle of Tweeddale gott this year 1000 lib st from the King for defraying the expense of his journey and payed to Mr Alexr Hays wife of Baro 2700 m for the tuo rooms and shops under the great Lodging in Edinburgh, her son, and she having a right therto by a tack of some years. In the year 1669 the Earle of Tweeddale being at London upon the account of publick affairs, and the Earle of Lauderdale falling into indisposition which kept him in the House about a moneth he being apprehensive of an ague the Earle of Tweeddale waited yt time as Secretarie and in conference with the King about the affairs of the parliament and who should be Commisioner therto My Lord Tweeddale named the Earle of Lauderdale as everie way the properest person to represent His Majesty, and who would be most acceptable to the Countrey, wherupon the King resolving to employ him dispatched the Earle of Tweeddale to Scotland to prepare for the ensuing parliament and what was fitt to be done therin and for sending the draught of such things as would be fitt to draw Instructions by to the Commissioner, and gave Him a precept upon the Treasury for 500 lib for the expense of his journey and upon his arrivall in Scotland at the buriall of the Earle of Hadingtoun<sup>2</sup> the Duke of Hamiltoun and he meeting together, the Duke did inform Him yt the Bishop of Glasgow<sup>3</sup> at a Meeting of his synod had disposed the members therof to draw a petition to be presented to the Councill agt the Indulgence which was like to make some disturbance, the Clergy being mightie zealous in it, and the people of the west countrey verrie apprehensive yt it might occasion a stop in yt affair being so acceptable in order to their peace, and tranquillitie. Wherupon the Duke and he resolved yt the Chancellor should be acquainted therewith by the Duke, and then it was resolv'd amongst them that the Chancellor should speak to the Archbishop<sup>4</sup> befor the sitting of the Councill to see if He could prevail with Him to withdraw the petition, and there should be no more of it, which he not yeilding to being passionatly engag'd in the design of bringing it in, he was prevented by information given to the Councill of such a design being sett on foot, and how contrary it was to the Kings expresse command, and dangerous to the peace and quiet of the Countrey, and might occasion a disturbance befor the Meeting of the ensuing parliament, a full account of

1 Charles was probably born in 1667.

2 Haddington died on 31 Aug. 1669.

3 Alexander Burnet, more properly archbishop, an unyielding opponent of concessions to dissenters and ex-Covenanting ministers. The meeting of the synod took place in mid-Sept. 1669.

4 I.e. Burnet.



which affair was by the Councill sent to Sir Robert Murray who waited as Secretarie, the Earle of Lauderdale being come off in his way to Scotland, and his Majesties pleasure therin was signified by Sir Robert Murray to the Commissioner after his coming to Scotland.<sup>1</sup>

The Earle of Tweeddale mett him at Durham with an hundred horse the Commissioner being then lodged in the bishop of Durham Doctor Cussings<sup>2</sup> his Castle and there splendidly entertained, and all his way homeward he was mett by some of the Nobility, and gentrie and coming the way of Kelso was mett by My Lord Roxburgh and his Regiment of Militia at the border and the Duke of Balcleughs Regiment commanded by Sir Francis Scott as Lieutenant Colonell, and the Militia troop of the shire, most of the privie Councill and Session mett Him likeways at the border. He lodged at Kelso yt night, the next day My Lord Hume's Regiment of foot and the troop of Horse in the Merse mett him betwixt Kelso and Lauder, and he lodged yt night at yester being Saturday.

On Moonday My Lord Yesters Regiment of East Lothian, and the troop mett him at Gladsmoor,<sup>3</sup> and in the afternoon his own Regiment of Midlothian and the horse of Midlothian at Musselburgh, and the Town of Edinburghs Regiment in Lieth links, and so he entered Edinburgh yt night.

This parliament was ridden with verrie great solemnitie upon the 16th day of November 1669,<sup>4</sup> and sate till the 23d of December wherin an act for establishing a militia was past, another for annexing of Orkney and Zetland to the Crown, with twentie more very good acts.

The summer after the Earle of Tweeddale went to London, and the King having called some of his privie Councillors of both Kingdomes did communicat to them the desire he had of a nearer and more compleat union of his Kingdomes of Scotland, and England, and for yt and the calling of both parliaments, which accordingly was done, and the parliament of Scotland was appointed to meet upon the 30th day of Julie to which the Earle of Lauderdale was sent down Commissioner, and the Earle of Tweeddale came alongst with Him.

1 His majesty's pleasure was that Burnet should resign, which he did on 24 Dec. 1669. For this episode see Buckroyd, *Church and State*, 83-5.

2 John Cosin. For Lauderdale's triumphal progress, which was carefully stage-managed, see *Calendar of State Papers, Domestic*, 1668-9, 527-8.

3 Gladsmuir, a few miles west of Haddington.

4 Parliament opened on 19 Oct. The date of 16 Nov. may have stuck in Tweeddale's memory since that day saw the passage of the two most important acts of this parliament, the act of supremacy in ecclesiastical causes and the militia act.



The first act of this parliament<sup>1</sup> authorized certain Commissioners for the Kingdome of Scotland to treat with Commissioners of England of the weal of both Kingdomes, and the nomination of the Commisioners was left to the King of whom the Earle of Tweeddale was on[e], And befor the Meeting of the Commissioners at London, the Earle of Tweeddale was commanded by the King to go to Glasgow to attend a Meeting between Archbishop Lightoun,<sup>2</sup> and some of his clergy with others of the presbiterian persuasion who had either continued in their Churches, and were not turn'd out by the Commission of Councill at Glasgow in My Lord Midletouns administration, or were lately indulged, which conference had no other effect then calming a little the temper of the opposite partie, but it made little more advance towards uniting them.<sup>3</sup>

During this Treatie most of the Commissioners of the Union were gone to London, and the Earle of Tweeddale was called to hasten thither, and parted from Scotland with Sir Andrew Ramsay,<sup>4</sup> and Sir Robert Sinclair<sup>5</sup> with him in Coach, and at Stamford he received letters commanding his hast wherupon he took post, and went to London to assist at that Meeting which was kept verrie solemnlie at Sommersethouse.<sup>6</sup>

- 1 *APS*, viii, 6-7, c. 1. The plan had originally been proposed in parliament the previous Oct.: *APS*, vii, 551-3.
- 2 Robert Leighton, bishop of Dunblane, who was administering the see of Glasgow. He officially became archbishop in 1671.
- 3 See Tweeddale's account of this meeting, 27 Sept. 1670, Tweeddale to Lauderdale, O. Airy (ed.), *The Lauderdale Papers*, ii (Camden Society, 1885), 204-8.
- 4 Provost of Edinburgh.
- 5 A 'very prominent and unscrupulous advocate', in the words of Paul Hopkins, *Glencoe and the End of the Highland War* (Edinburgh, 1986), 55.
- 6 For the negotiations for the proposed union see M. Lee, Jr., *The Cabal* (Urbana, 1965), 43-68.

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## LETTERS OF LORD BALMERINO to HARRY MAULE, 1710-1713, 1721-1722

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Edited by Clyve Jones

### INTRODUCTION

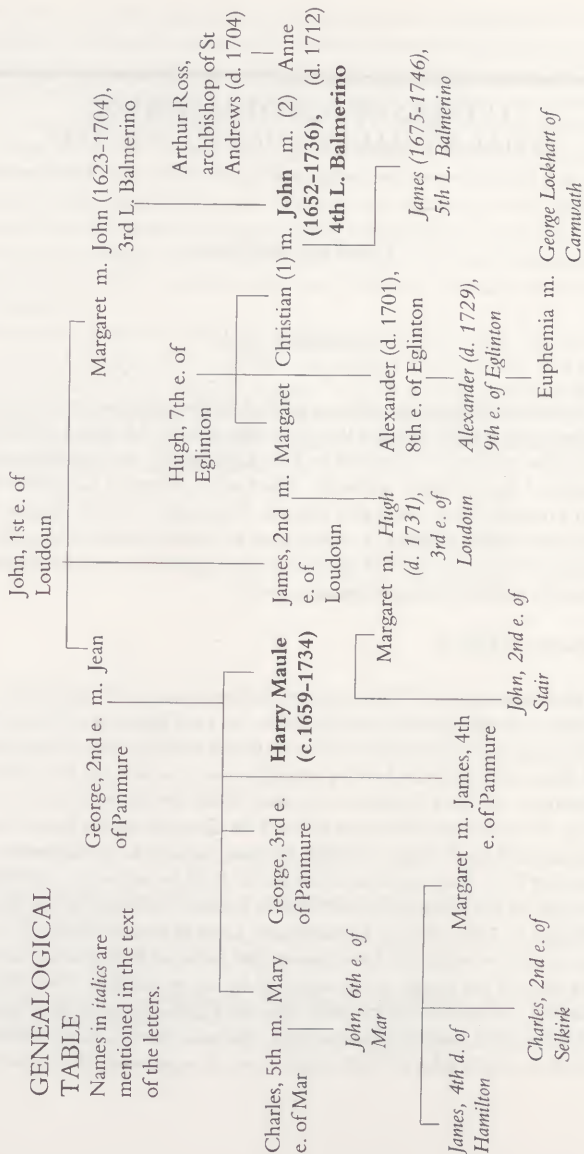
The thirty-two letters in this edition, printed for the first time, come from the Dalhousie papers in the Scottish Record Office (GD45/14/352/1-28; 390/7-9, 30). Most of them were written by John Elphinstone, 4th Lord Balmerino, to his friend Harry Maule, while the others were written to Lady Balmerino by her husband. They cover two periods: November 1710 to August 1713 (during the Harley ministry, a crucial time in Anglo-Scottish relations), and December 1721 to early 1722 (a time of great agitation in Scotland over an election for the Scottish representative peers).

#### *Balmerino and Maule*

John Elphinstone (1652-1736), 4th Lord Balmerino and 3rd Lord Coupar, was the eldest and only surviving child of John, 3rd Lord Balmerino. He was born at Edinburgh on 26 December 1652 into a family with a history of falling under royal displeasure combined with a strong connection with the law. Sir James Elphinstone, 1st Lord Balmerino (created 1606), President of the Court of Session, was convicted of treason in 1609 for allegedly having forged a letter from James VI to the Pope in 1599. His son, the 2nd Lord Balmerino, was restored in 1613, but convicted of treason in 1635 for joining in a petition of grievances to the Crown. He survived to become President of the Scottish Parliament in 1641, and an Extraordinary Lord of Session (1641-9). At his death in 1649 he left heavy debts; his son, the 3rd Lord Balmerino, was forced to sell most of the family estates acquired by his grandfather. The 3rd Lord Balmerino was to succeed his uncle (also an Extraordinary Lord of Session, 1649-52) as 2nd Lord Coupar in 1669. His son, the 4th Lord Balmerino, succeeded to both titles in 1704, and to a much impoverished patrimony (in

# GENEALOGICAL TABLE

Names in *italics* are  
mentioned in the text  
of the letters.



1710 he was reckoned to be the poorest of the sixteen representative peers elected to parliament, with an estimated income of £1,000 a year).<sup>1</sup> However, in the words of George Lockhart of Carnwath, he was to become 'perhaps one of the best lawyers in the kingdom, and very expert in the knowledge of the Scottish Constitution'.<sup>2</sup> Balmerino's eldest son, James, 5th Lord Balmerino, was to continue the legal calling of the family, and in 1714 was appointed one of the Lords of Session, assuming the style of Lord Coupar.

Through his mother Margaret, the youngest daughter of John Campbell, 1st earl of Loudoun, the 4th Lord Balmerino was related to a large number of Scottish peers, and was a first cousin of Harry Maule, the recipient of the letters printed here. Through his two wives, Christian, third daughter of the 7th earl of Eglinton (whom he married in 1672), and Anne, daughter of Archbishop Ross of St Andrews (whom he married in 1687), Balmerino had even wider connections with the peerage and episcopal church of Scotland (see genealogical table, opposite).

Harry Maule (c.1659-1734) of Kellie was the 6th son of the 2nd earl of Panmure, his mother being the eldest daughter of the 1st earl of Loudoun. Maule was a strong Jacobite and, along with his elder brother, the 4th earl of Panmure, he was out in 1715. After the defeat of Sheriffmuir, where both fought, they fled abroad. Panmure, who entered the Pretender's service, was attainted in 1716 and his title was forfeited. None the less, upon the death of his brother in 1723 Maule assumed the title as 5th earl of Panmure. After 1715 he spent several years in Holland, returning to Scotland by 1721 (he was involved in the general election of 1722<sup>3</sup>).

### *Balmerino's Politics*

In 1710 a clergyman and episcopalian activist, analysing the Scottish peers and MPs returned at the general election, labelled Balmerino an 'Episcopal Tory', which he defined as 'always Episcopal and mostly enemies to the Union and Hanover Succession';<sup>4</sup> in modern parlance an independent Tory unconnected with the Court.

1 J. Balfour Paul (ed.), *The Scots Peerage*, 9 vols. (Edinburgh, 1904-14), i, 570-1; D. Szechi, 'Some insights on the Scottish MPs and peers returned in the 1710 election', *Scottish Historical Review*, lx (1981), 63.

2 Quoted in *Scots Peerage*, i, 571.

3 See below, 116-20; and Hamilton MS (the duke of Hamilton, Lennoxlove, East Lothian), C3/126, Pitsligo to [Hamilton], 17 Feb. 1722.

4 Szechi, 'Some insights on the Scottish MPs and peers', 63. He was described by James Greenshields as 'truly Episcopal': see *The London Diaries of William Nicolson, Bishop of Carlisle, 1702-1718*, ed. C. Jones & G. Holmes (Oxford, 1985), 520.

Episcopal Tory has often been equated with Jacobite, but the two were not always the same.<sup>1</sup> The search for Jacobites has become recently something of an industry and many innocent bystanders have been included in the round-up of usual suspects.<sup>2</sup> The problem of identifying Jacobites is partly one of definition and partly one of evidence. If one takes a pragmatic approach then a Jacobite is one who, in the words of one of the movement's recent historians, Paul Monod, 'preferred a Stuart king of the exiled line to the ruling monarch or dynasty'. Monod goes on sensibly to suggest that 'it need not be assumed that all Jacobites maintained an unflagging, lifelong devotion to the Stuart family, or that they would have laid down their lives, their estates or their money for the cause'.<sup>3</sup> Even so it can be difficult to pinpoint a Jacobite, and this is where the problem of evidence arises. Most people leave little or no evidence of their inner thoughts and convictions, and Jacobites doubly so as they were open to the charge of treason. Any remaining evidence tends to be circumstantial and must be treated with caution. So is it possible to say whether Balmerino was a Jacobite?

Daniel Szechi in a detailed study of Jacobitism and the Harley ministry came to the conclusion that Balmerino was a 'probable Jacobite'.<sup>4</sup> But questions remain: how early in his political career did this independent Country Tory who had opposed the Union<sup>5</sup> turn to Jacobitism; how strong was his support of the exiled Stuarts? The great storehouse of Jacobite evidence, but one that

- 1 See, e.g., D. Szechi, *Jacobitism and Tory Politics, 1710-1714* (Edinburgh, 1984); B. Lenman, 'The Scottish Episcopal clergy and the ideology of Jacobitism', in E. Cruickshanks (ed.), *Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759* (Edinburgh, 1982), 45-6.
- 2 See C. Jones, 'Jacobitism and the historian: the case of William, 1st Earl Cowper', *Albion*, xxiii (1991), 681-96; E. Cruickshanks, 'Lord Cowper, Lord Orrery, the duke of Wharton, and Jacobitism', and C. Jones, '1720-23 and all that: a reply to Eveline Cruickshanks', *Albion*, xxvi (1994), 27-53; C. Jones, 'Whigs, Jacobites and Charles Spencer, 3rd earl of Sunderland', *English Historical Review*, cix (1994), 52-73.
- 3 P. K. Monod, *Jacobitism and the English People, 1688-1788* (Cambridge, 1989), 4. See also E. Gregg, *Jacobitism* (London, 1988), 5-7.
- 4 Szechi, *Jacobitism and Tory Politics*, 202. Earlier in this work, however, Szechi describes Balmerino as an 'independent Jacobite' peer, who exhibited 'fierce Episcopalian nationalism'. This led him to act at times with Hamilton, who had probably engineered his election to the Lords in 1710, but with whom Balmerino did not get on. Balmerino's independence is illustrated by his following his own counsel whatever patronage the Court offered him (*ibid.*, 65, 86, 88). Balmerino became Governor of the Scottish Mint in Nov. 1710, a commissioner of Chamberlaincy in 1711, and finally a commissioner for Trade in Scotland: P. W. J. Riley, *The English Ministers and Scotland, 1707-1727* (London, 1964), 155, 178, 235 n. 2; G. Holmes, *British Politics in the Age of Anne* (London, 1967), 438; below, p. 134, notes.
- 5 See P. W. J. Riley, *The Union of England and Scotland* (Manchester, 1978), 280, 288, 332. Lenman ('Scottish Episcopal clergy', 44) believes that the Union handed over the leadership of any assertion of Scottish national identity to the Jacobites.

should be used with extreme caution, is the Stuart papers (the Pretender's personal archive) at Windsor Castle. This collection is incomplete, but even so it is interesting and suggestive that Balmerino does not make an appearance in it until late 1717, when a conversation between him and Captain Henry Straton, the Pretender's principal agent in Scotland, was reported to the earl of Mar, the Pretender's chief adviser in Paris. The first letter from the Pretender to Balmerino in the Stuart papers is dated 1 January 1718, and three days later Mar was to confide that Balmerino was one of three Scots (the others being George Lockhart of Carnwath and Bishop Rose of Edinburgh) whom 'we have confidence in'. On 14 April 1718 Balmerino wrote to the Pretender (the first surviving letter from him in the Stuart papers) offering his 'faithfull humble service'.<sup>1</sup> This correspondence between Balmerino and the Pretender appears, from the Stuart papers, to have continued until 1725.<sup>2</sup> We may conclude, therefore, that Balmerino was a Jacobite in later life, but how early had he become one? The first surviving evidence of contact between the two men is a letter of the Pretender's to Balmerino dated 2 March 1711 in the Carte papers in the Bodleian Library, which shows that Balmerino had expressed his 'friendship' to the Pretender much earlier.<sup>3</sup> It is probable that Balmerino had leanings towards Jacobitism at the time of his writing the letters printed below, and indeed some contemporaries thought him to be a Jacobite.<sup>4</sup> Yet at the same time he was prepared to take the oaths of allegiance to the Hanoverian King and abjuration of the Pretender necessary for him to vote in the election

1 HMC, *Stuart MSS*, 8 vols. (London, 1902-23), v, 127-9, 140-1, 349, 365-7; vi, 366. George Lockhart considered Balmerino in 1719 to be 'faithfull to the King [i.e. the Pretender] and agreeable to his friends': *Letters of George Lockhart of Carnwath, 1698-1732*, ed. D. Szechi (Scottish History Society, 1989), 142.

2 Royal Archives, Windsor Castle, Stuart papers 54/44, 55/58, 56/52, 59/39, 153, 154, 84/144, 85/137. Access to the Stuart papers was by the gracious permission of Her Majesty The Queen. See also *Letters of George Lockhart*, 146, 157, 225-6, 228, 235, 237, 251, 295, for Balmerino's involvement in Jacobite intrigues in the 1720s.

3 'The friendship you have allways shewn me hath been so true and unalterable ... I am fully perswaded you will lose no opportunity of serving me no more than I shall lose any of giving you proofs of the friendship and esteem I have for you': Bodleian Library, Oxford, MS Carte 212, fo. 17. I would like to thank Stephen Taylor for providing me with a transcript of this letter. The letter is printed in J. Macpherson, *Original Papers: Containing the Secret History of Great Britain from the Restoration, to the Accession of the House of Hannover*, 2 vols. (London, 1775), ii, 208-9. Balmerino, who was thought to be disaffected, had been arrested during the Jacobite invasion scare in 1708, but had been released in order to retain his support at the election: see Riley, *English Ministers and Scotland*, 103-4, 106.

4 In the winter of 1713-14, James Carnegie wrote from personal knowledge to the Scots College in Rome, listing Balmerino and, amongst others, Balmerino's friends Harry Maule and Bishop Rose of Edinburgh as supporters of the Pretender (Edinburgh, Blairs College MSS 2/181/21, 2/188/3, 12 Dec. 1713, 19 Jan. 1714. I am grateful to Daniel Szechi for copies of these letters).



of representative peers and to sit in the House of Lords. As late as 1734 he voted for the government list of peers at the general election.<sup>1</sup>

*Balmerino in the House of Lords*

How active a parliamentarian was Balmerino? This is not an easy question to answer, as the official records of the House of Lords only provide the historian with a bare outline of the proceedings of the House. However, they do give us an indication of some of the activities of its members.

According to his own letter of 1 May 1711 Balmerino had that session 'never been one day out of the house (except one when there was nothing to do)', though the *Journals* belie the accuracy of this particular claim (see below, 132, n. 1). However, over the four sessions in which he was a representative peer his attendance at the Lords was on the whole good by contemporary standards.<sup>2</sup> In the 1710-11 session he first attended on 27 November 1710, two days after the parliament had opened, and he remained until the last day, 12 June 1711, attending 76 per cent of the sittings (85 out of 112). Of the Scots only Kilsyth and Blantyre attended (slightly) more frequently.<sup>3</sup> In the 1711-12 session, Balmerino first sat on 20 December 1711 (parliament having opened on the 7th) and remained to the end of the session on 8 July 1712. In between, however, he only attended 47 per cent of the sittings (50 out of 107). This was as a result of the boycott organised by the Scottish peers in protest against the decision in the Hamilton peerage case debated on 20 December 1711 (see below, 110-13).<sup>4</sup> In 1713 Balmerino was present at the opening sitting on 9 April<sup>5</sup> and at the closing one on 16 July, attending 89 per cent of sittings (58 out of 66).<sup>6</sup> In his last session in 1714 he did not attend until 6 March, though the parliament had opened on 16 February, but did remain until the end on 9 July, attending 83 per cent of sittings (62 out of 75).<sup>7</sup>

1 BL, Stowe MS 223, fo. 20, 'Liste des 16 Pairs d'Ecosse qui furent elus Pour le Nouveau Parlement' (1710); SRO, PE20/19; 21/47; 22/3; 27; 35 (official records of peerage elections 1710, 1712, 1713, 1722, 1734).

2 The only other detailed analysis of attendance is for Bishop Nicolson of Carlisle, whose attendance varied from a low of 23 per cent to a high of 84 per cent of sittings. See *London Diaries of William Nicolson*, 27-32.

3 *LJ*, xix, 163-321.

4 Only Annandale maintained the boycott; others attended intermittently (see below, pp. 112-13). Balmerino attended on 25 Jan., 9-13, 15, 27-29 Feb., 3 Mar.-8 May (*LJ*, xix, 335-490). Balmerino did not leave Scotland until 5 Dec.: SRO, Hamilton MS CI/5761, J. Hamilton to [Hamilton], 4 Dec. 1711.

5 Balmerino was also present at the two earlier prorogations of Parliament on 3 and 17 Mar. 1713 (*LJ*, xix, 503, 507).

6 *Ibid.*, 511-615.

7 *Ibid.*, 620-760.

Balmerino's good attendance record is also reflected in the fact that he is only twice recorded as leaving his proxy with a fellow peer: between 3 and 20 December 1711 when he was late, along with many of his compatriots, in attending the opening of the session, and from 9 May 1712 until the end of the session (though he is recorded as attending the last day on 8 July). The first proxy was left with Loudoun, a presbyterian Court Tory and later a Hanoverian Tory; the second with the Jacobite Kilsyth.<sup>1</sup>

A good attendance record is, of course, no guide to how active a peer was in the House, as the case of Lord Kilsyth shows. Though a good attender himself, he did not open his mouth between November 1710, when he first took his seat, and 8 June 1713 when he uttered some forty words on the malt tax (see below, 161).

The official records give three other indicators of activity. The first one is tellerships in divisions. Balmerino only acted once as a teller, on 1 June 1711 on the Scottish Linen Bill. There was only one other Scottish teller between 1710 and 1714, namely Ilay who acted eight times.<sup>2</sup> The second indication is chairmanships of committees, and these fall into two groups: the chairmen of the Committee of the Whole House and the chairmen of select committees. Balmerino only acted as a chairman of the Committee of the Whole House on one occasion in the 1711-12 session,<sup>3</sup> and twice as chairman of select committees in the first session of 1714.<sup>4</sup> The third indication is signatures to protests against divisions in the House. Balmerino only entered his protest twice: against the vote on the Hamilton peerage case on 20 December 1711 (in the company of eight other Scots) and over the malt tax on 8 June 1713 (with fourteen other Scots).<sup>5</sup>

1 HLRO, Proxy book, vol. vii. The records are, however, incomplete, as no entries exist for the 1713 session. Balmerino did leave a blank proxy dated 1713, which appears not to have been used: see BL, Add. Ch. 76695 (formerly Loan 29/165/3/Misc. 98).

2 *Divisions in the House of Lords: An Analytical List, 1685 to 1857*, comp. J.C. Sainty & D. Dewar (HLRO Occasional Publications No. 2, London, 1976). The official record is again incomplete as on several occasions the clerks of the House failed to note tellers.

3 Between 1707 and 1714 only five Scots (including Balmerino) chaired the Committee of the Whole House: Seafield (five times between 1707 and 1710) and Blantyre, Ilay and Loudoun once each in the 1711-12 session: HLRO, Historical Collection 181 (list of committees and chairmen, 1701-1800). See also J.C. Sainty, *The Origin of the Office of Chairman of Committees in the House of Lords* (HLRO Memorandum No. 52, London, 1974).

4 Between 1707 and 1714 only two Scots (including Balmerino) chaired select committees. Seafield chaired two in 1709: HLRO, Historical Collection 181.

5 J.E. Thorold Rogers, *A Complete Collection of the Protests of the Lords*, 3 vols. (Oxford, 1875), i, 207-9, 217-18.

The unofficial records of the proceedings of the House (found in diaries, letters and accounts of debates), because they are random in their production and survival, can only give an imprecise impression of the activity of a particular peer. Yet they present a picture of a far more active Balmerino than the official records suggest. His own letters, printed below, show an extremely busy peer, especially in Scottish affairs, both debating inside the House and caballing and organising outside parliament in opposition to the Harley ministry. Other sources tend to confirm the impression given by Balmerino.

### *The Letters and Their Importance*

The letters fall into five chronological groups. Firstly, there is one letter from November 1710 concerned with the election of Scottish representative peers to the new Tory-dominated British parliament; secondly, there are ten letters covering the period 16 January to 9 June 1711, the first session in which Balmerino sat in the House of Lords; thirdly, five letters from 1712, of which four cover the last half of January only; fourthly, twelve letters covering the momentous session of 1713, from 13 May to 1 August; and lastly one letter from December 1721 and three (undated) concerning the election of the representative peers at the general election in April 1722.

Of these thirty-two letters, all but three (30 January 1711, 17 January 1712, and the last undated letter of 1712) are in the hand of Lord Balmerino; the others are in the hand of his wife Anne. All but two are written to Harry Maule, while that of 17 January 1712 (in Anne's hand) is probably a copy for Maule of a letter written to Lady Balmerino by her husband, and that of 26 January 1712 appears to be written to both Lady Balmerino and a William Bruce (though one must presume that a copy was then sent to Maule by one of the intended recipients). All the letters written by Balmerino between 1710 and 1713 were sent from London, though no address appears on any of his letters, while those from 1721 to 1722 were probably sent from his home in Leith.

All but four of the letters are dated, though Balmerino misdated that of 17 January 1712 (as the 15th). One of the undated letters is by Lady Balmerino and has been placed in sequence at the end of 1712 (she died on 8 November of that year); the rest come from late 1721 or early 1722.

The importance of the letters lies, firstly, in the insight they give into the mind of a Scottish peer working at the centre of British politics in the House of Lords at Westminster at a time of great moment for Britain (the end of the twenty-year-long war with France) and for Scotland, whose Union with England was under great stress (see the following section of the introduction for details). Moreover we are given an insight into the mind of a peer who

fundamentally disapproved of the Union and probably of the settlement of the succession in the House of Hanover.

Secondly, and more importantly, these letters form a major source for the study of the House of Lords in the reign of Queen Anne (more specifically during the Harley ministry). There were no official accounts of parliamentary debates at this time, so the historian must rely on unofficial first-hand ones recorded by members of the Lords and Commons, or by visitors to the Houses, or on second-hand accounts whose sources may have been eye-witnesses. These accounts are normally to be found in diaries and correspondence. Unfortunately few diaries have survived for this period, and of the four that are known to have been kept by members of the House of Lords, only one—that of Bishop William Nicolson of Carlisle—has detailed accounts of the Lords' proceedings.<sup>1</sup> We are fortunate, however, that at least four major collections of letters survive for the House of Lords for Anne's reign: the correspondence of Thomas Wentworth, Lord Raby (later earl of Strafford) in the British Library;<sup>2</sup> the letters of John and Ralph Bridges to their uncle Sir William Trumbull (formerly at the Berkshire Record Office, now in the British Library);<sup>3</sup> the letters of George Baillie of Jerviswood to his wife (at Mellerstain House) and to the duke of Montrose (at Mellerstain House and the Scottish Record Office);<sup>4</sup> and the present Balmerino letters. Of these collections, the Balmerino letters are one of the best in quality, though they sadly fall short of the quantity of the other collections (particularly those of Baillie). Their quality comes from the fact that they are the only ones written by a peer personally taking part in the events described. Many of the others are second-hand accounts, though from reliable sources, such as Bishop Henry Compton of London, for whom Ralph Bridges acted as chaplain, while Baillie's accounts are often first-hand as he witnessed debates from the gallery

1 *London Diaries of William Nicolson*. The others were kept by Lord Ossulston (C. Jones, 'The London life of a peer in the reign of Anne: a case study from Lord Ossulston's diary', *London Journal*, xvi [1991], 140-55), Bishop Wake of Lincoln (Lambeth Palace MS 1770), and Archbishop Sharp of York (T. Sharp, *The Life of John Sharp, D.D., Lord Archbishop of York*, 2 vols. [London, 1825]).

2 For a published selection see *The Wentworth Papers, 1705-1739*, ed. J.J. Cartwright (London, 1883).

3 For a published selection see C. Jones, "'Party rage and faction"—the view from Fulham, Scotland Yard and the Temple: Parliament in the letters of Thomas Bateman and John and Ralph Bridges to Sir William Trumbull, 1710-1714', *British Library Journal*, xix (1993), 148-80.

4 SRO, GD220/5/256, 268, correspondence of 1st duke of Montrose. One of the more important collections of letters on proceedings in the House of Commons contemporary with Balmerino's is from Mungo Graham to Montrose at SRO, GD220/5/807-8. The higher quality of political and parliamentary reporting by Scottish correspondents as compared with most English letter-writers may be due to fact that they were newcomers to a 'foreign' political system in London. Also many more reports have survived in Scottish family archives than in England.

of the Lords or from below the bar of the House as well as receiving first-hand accounts from peers. Balmerino's letters also give us information from the behind-the-scenes manoeuvring that went on between the Scots themselves and between the Scots, the Whig Junto and the Tory ministry. Here again the quality of his information is only matched by Baillie. Besides vivid descriptions of debates and the private meetings held by the Scots, Balmerino gives us vignettes of various peers containing personal details probably not found elsewhere, as well as information on procedural matters in the House, particularly over money bills, protests and the possibility of party groupings in the House<sup>1</sup>—information which is extremely difficult to find anywhere, for these matters were such everyday affairs that they were largely only noted down by newcomers to the Lords, such as Balmerino (who first sat in 1710) and Bishop Nicolson (who first sat in 1702).

*The Political Background to the Letters*

While the Anglo-Scottish Union of 1707 brought immediate benefits to England—the guarantee of the Protestant succession in Scotland, as laid down for England in the 1701 Act of Settlement, and the closing of England's back door to foreign invasion—the benefits for Scotland were slow in coming. Indeed the period directly following the Union saw much disillusionment, even amongst those who had supported it. The abolition of the Scottish Privy Council in 1708, the imposition of the Treason Act of 1709, the neglect of Scottish trade, the decision of the House of Lords in 1709 to exclude those Scottish peers with British titles from participating in the election of Scottish representative peers, the 1711 ruling of the Lords to exclude such peers from sitting in the upper House, and the proposed imposition of a malt tax on Scotland in 1713, were only some of the slights the Scots felt were dealt them; all were regarded as breaches of the spirit of the Union. This dissatisfaction culminated in the attempt by the Scottish peers in 1713 to introduce a bill to repeal the Union. Balmerino's letters vividly illustrate some of these problems, as they do the campaign in 1721–22 to prevent the introduction of the Scottish provisions of the defeated 1719 Peerage Bill.

1 See, e.g., below, 124–5, 136–7, 159, 161.



1711: Greenshields's Case and the Scottish Linen Bill<sup>1</sup>

A Scot by birth and upbringing, James Greenshields held a living in Ireland, but while on a visit to Edinburgh in February 1709 he set up a meeting house using the English liturgy. In September he was cited before the local presbytery and suspended, but he continued to preach, defying both the Kirk's censure and the ban of the city's magistrates, and, as a consequence, was imprisoned. Greenshields took his appeal first, unsuccessfully, to the Court of Session, and then in February 1710 to the House of Lords. At first it was swamped by Dr Sacheverell's trial; little had been done before the 1709-10 session ended.

Revived in late 1710, the appeal was finally introduced into the Lords by the Tory Lord North and Grey on 19 February 1711, to be heard on 1 March. The case attracted both the English Whig and Tory peers. Balmerino, for his part, was said to be 'violently for him'.<sup>2</sup> We know from the diary of the bishop of Carlisle (to whom, along with Balmerino, Greenshields had entrusted his case) that a small 'steering group' of moderate Whigs (consisting of the two leading lawyers in the House—Somers and Cowper—and the bishops of Bangor, Carlisle, Lincoln and Norwich) decided to restrict the appeal 'to the Civil part, without touching on the authority of the Kirk' to avoid unnecessary conflict between Scottish and English Whig and Tory. On 1 March in the House of Lords the sentence of the Edinburgh magistrates and the Court of Session was unanimously reversed with 'little or no Debate on the main subject', though there was a division on a question for an adjournment, which was carried for sitting on (in effect for Greenshields) by 68 to 32 (only Loudoun amongst the Scots voting against), and Balmerino, according to a witness of the proceedings, 'Spoke well'.<sup>3</sup> Greenshields's case led directly to the introduction of the Scottish Toleration and Patronage Bills in the following session.<sup>4</sup> It is also often cited as establishing the right of Scots to appeal to the House of Lords from the Scottish courts, but this right had in fact been established in 1708.<sup>5</sup>

1 This section is based on *London Diaries of William Nicolson*, 49-50, 507-8, 520-67 *passim*; HMC, *Lords MSS*, viii, 356-9; ix, 158-9; and R.S. Thompson, 'James Greenshields and the House of Lords: a reappraisal', in W.M. Gordon & T.D. Fergus (eds.), *Legal History in the Making: Proceedings of the Ninth British Legal History Conference, Glasgow 1989* (London, 1991), 109-24.

2 NLS, *Advocates' MSS*, Wodrow letter, Quarto v, p. 97, [?T. Smith] to R. Wodrow, 10 Mar. 1710/11.

3 *London Diaries of William Nicolson*, 552-3, and 555, note 285 (for summary of Balmerino's speech). Islay, as well as Loudoun, opposed the appeal, but he left the House (see below, 127).

4 For the manoeuvres over toleration in this session, see below, 147-50.

5 See Thompson, 'James Greenshields', 109-10.



The Scottish Linen Bill, brought up from the Commons on 23 May 1711, sought to prevent the export of flax and linen yarn from Scotland. It passed the Lords fairly quickly, being read a first time on 24 May, a second time and committed on the 31st, and a third time on 1 June when the only division on the bill took place, in the Committee of the Whole House, on extending the measure to Ireland which passed 34 to 21 (Balmerino being the teller for the majority). It was then returned to the Commons where there were no further proceedings and it was lost at the end of the session on 12 June.

*1712: The Hamilton Peerage Affair and the Toleration and Patronage Acts*<sup>1</sup>

The 4th duke of Hamilton's peerage case caused the first major crisis in Anglo-Scottish affairs since the Union. Hamilton had supported Harley, both in the formation of his ministry in August 1710 and at the general election in the following October. Hamilton expected a British dukedom as a reward, and in early 1711 both the Queen and Harley (who in May 1711 was created earl of Oxford) agreed. However, the proposal aroused deep opposition in certain quarters in England, and considerable misgivings among the Scottish peers that it might not be granted. Three months elapsed before Hamilton's patent passed the Great Seal on 10 September 1711, creating him duke of Brandon. Seventeen days later the peace preliminaries, which greatly angered Britain's allies, were signed, and the Whigs determined on an attack on the ministry in the Lords where it was at its weakest. The Whigs felt menaced by Hamilton's new peerage, for they saw it as the first in a line of creations of docile Scots that would be used to boost the ministerial majority.

On 20 December, Hamilton's peerage was debated in a well-attended House of 114 (only nine of the representative peers were present, the rest being still in Scotland). The Queen attended incognito to help the ministry who fought hard to defend the new peerage. But the vote for Hamilton was lost by 57 to 52 (some Tories voting with the opposition), and a resolution was passed that no person who had been a Scottish peer at the time of the Union could sit in the Lords by virtue of a British peerage. Balmerino, along with all the Scots present, voted for Hamilton and protested against the result.<sup>2</sup>

1 This section is based on G. Holmes, 'The Hamilton affair of 1711-1712: a crisis in Anglo-Scottish relations', *English Historical Review*, lxxvii (1962), 257-82 (reprinted in G. Holmes, *Politics, Religion and Society in England, 1679-1742* [London, 1986], 83-108); *London Diaries of William Nicolson*, 570-90; and HMC, *Lords MSS*, ix, 196-7.

2 Balmerino voted for Hamilton: C. Jones, "'The Scheme Lords, the Neccessitous Lords, and the Scots Lords': the earl of Oxford's management and the "party of the Crown" in the House of Lords, 1711-14',

On 28 December a meeting of the Scottish peers in London decided to make a formal representation to the Queen to complain about the Lords' vote 'as a breach of the Union, and a mark of disgrace put upon the whole peers of Scotland'. The Scottish MPs gave their approval two days later, and on 1 January 1712 it was presented to the Queen. The representation contained a hint that the Union might be ended if satisfaction was not received, while unofficial warnings had been made earlier to the ministry that the Scots might 'join with the other partie'.

Oxford's answer to this latter threat was to persuade the Queen to create twelve new peers between 28 December 1711 and 1 January 1712, which considerably reduced the importance of the Scots peers to the ministry. On 13 January Oxford called a joint meeting of the Scottish peers and a group of cabinet ministers for preliminary discussions. The result was that the Scots were persuaded to continue to support the ministry pending an address from the Lords to the Queen for her to lay new proposals before the House. Four days later the Queen asked the Lords for a solution. Also on 17 January the sixteen Scots peers met to discuss a possible boycott of the Lords, but only Annandale was in favour at this stage.<sup>1</sup>

On 18 January the Committee of the Whole House discussed the problem; further sittings followed on 21 and 25 January<sup>2</sup> and 4 February. The ministry proposed a solution involving the creation of a number of hereditary Scottish peers with the right to sit in the Lords to replace the sixteen elected ones, provided the whole Scottish peerage agreed. This idea, which had been privately canvassed as early as the end of December 1711, did not command general support—the Scots peers in London appeared to want a minimum of thirty-two new peers, Lord Wharton (perhaps speaking for many Whigs) said that there should be sixteen hereditary peers and 'not half a peer more', while the ministry seems eventually to have decided on the figure of twenty-five.<sup>3</sup> On 25 January the Committee of the Whole House passed a resolution by 60 votes to 52 that the 22nd article of the Union treaty (laying down the election

in C. Jones (ed.), *Party and Management in Parliament, 1660-1714* (Leicester, 1984), 152-60, list 8. For Balmerino's account of the debate, see below, 144-6.

1 See below, 141.

2 This third sitting of the Committee of the Whole House was preceded by a meeting of Scottish peers at Hamilton's house, from which Balmerino absented himself (see below, 146-7).

3 This is the first instance found of the figure of twenty-five hereditary Scottish peers, which was to be enshrined in the Peerage Bill of 1719: C. Jones, "'Venice preserv'd; or a plot discovered': the political and social context of the Peerage Bill of 1719", in C. Jones (ed.), *A Pillar of the Constitution: The House of Lords in British Politics, 1640-1784* (London, 1989), 84-5. For Wharton's words, see below, 143.

of sixteen representative peers for Scotland) could be altered by parliament, provided that this was requested by the Scottish peerage. Oxford further proposed an act of parliament which would call the whole Scottish peerage together to decide what they would propose. But the question arose whether the peerage had the right to act alone in altering the Union without the agreement of the other two estates of the old Scottish parliament,<sup>1</sup> and if all three estates met would this not be *ipso facto* a dissolution of the Union? Consequently Oxford's proposal received a chilly reception from the Scots peers and MPs who regarded it as merely a delaying tactic. Thus the final meeting of the Committee of the Whole House (4 February) resulted in deadlock with no party to the dispute willing to compromise.

The Scottish peers now proceeded to carry out their boycott, though both Annandale and Balmerino had been absenting themselves from the House for several days.<sup>2</sup> However, it was not to prove very successful, for both the Toleration and Patronage Bills were working their way through the Commons. They were episcopalian measures which attacked the presbyterian church settlement guaranteed by the Union.

The Episcopal Communion (Scotland) Bill (or Toleration Bill) had directly resulted from Greenshields's case of 1711.<sup>3</sup> From as early as 1709 the understanding by which episcopalians were tolerated in practice, though not in law, had begun to break down. The bill passed the Commons on 7 February and was first read in the Lords the following day. It contained the oaths of allegiance and assurance, to which many episcopalians (including the bishop of Edinburgh) were opposed. Disagreements over these oaths occurred both in the Lords and, when an amended bill was returned, in the Commons. However the lower House agreed to yield to the decision of the Lords rather than lose the bill. Back in the Lords on 26 February the episcopalians prevailed and the House passed the bill by 50 to 46. The bill's sequel, another anti-presbyterian measure, a bill to restore the lay patronage of all church livings, reached the Lords on 28 April and became law on 22 May 1712.

In early February, the prospect of these two bills arriving in the upper House ended the Scottish peers' full boycott after only two days. On 8 or 9 February, at a meeting at Hamilton's house of twelve of the Scottish peers, seven favoured a return to the Lords to help pass the Toleration Bill, and on the 9th ten Scots returned to the House and remained for the duration of the passing of the bill.

1 See below, 148-9.

2 See below, 141-7.

3 For Balmerino's ambivalent attitude to the Toleration Bill in 1712, see below, 127, 149-50.

However, their boycott continued on days when the Lords were not concerned with Toleration. On 27 February, after the end of the bill, the Scots formally ended the boycott, with the exception of Hamilton and Annandale.

From then until the malt tax crisis of May and June 1713, the Scottish peerage question receded into the background, though in January 1713 the Scots peers again petitioned the Queen about their grievance. The whole question of hereditary as against elected Scottish peers was raised again with the 1719 Peerage Bill and later, after its defeat, the clause concerning the Scottish peers was to play a important role in the 1721 by-election and the 1722 general election of representative peers.<sup>1</sup>

*1713: The Malt Tax and the Attempted Dissolution of the Union*<sup>2</sup>

The third session of parliament covered by Balmerino's letters to Maule ran from 9 April to 16 July 1713. It saw the most serious crisis that the Treasurer, Oxford, had to face in the House of Lords; it took the ministry to the brink of defeat. The causes were the grievances of the Scots over their representation in parliament and the proposed new malt tax. These, when coupled with the campaign by the Whigs against the peace negotiated at Utrecht, formed an explosive mixture.

The malt tax crisis began in the House of Commons when the Committee of Ways and Means reduced the land tax to 2s. in the pound (the ministry had wanted 3s., a reduction of 1s. on the wartime rate). In order to make up the shortfall in revenue a malt tax was introduced, though the clause which imposed a levy of 6d. per bushel on English and Scottish malt alike was the work of back-benchers rather than the ministry. The Scots complained that the tax breached the Union treaty on two counts. First the treaty guaranteed that taxation in Great Britain would be imposed on a basis of general equity, while article 14 granted Scotland exemption from the payment of a malt tax for the duration of the war with France. This second breach was a technical one, for the fighting was over and a peace had been agreed, yet it had still to be ratified so the country was legally in a state of war. Balmerino was to make much of this point.<sup>3</sup> The first breach, however, was more serious, for the tax

1 See below, 116–20.

2 This section is based on G. Holmes & C. Jones, 'Trade, the Scots and the parliamentary crisis of 1713', *Parliamentary History*, i (1982), 46–77 (reprinted in Holmes, *Politics, Religion and Society in England*, 109–38). For a differing view see Szechi, *Jacobitism and Tory Politics*, 120–43.

3 See below, 159.

would be inequitable: Scottish barley was much inferior to English in quality and sold for less.

The Commons finally passed the tax on 22 May. Before then, however, the Scots representatives in both Houses had begun to campaign against the tax, and against the Union itself, which they felt was being used to the disadvantage of Scotland. On 12 May a preliminary meeting was called by Balmerino, on the insistence of the Scottish MPs, at which he hoped for a unanimous resolution to bring in a bill for the dissolution of the Union,<sup>1</sup> but any such agreement was slightly premature. The Commons' action in passing the bill on 22 May, however, led the following day to a meeting of the Scottish MPs where they agreed to press for the dissolution of the Union; co-operation was sought from the sixteen representative peers. Consequently on 26 May a joint meeting of MPs and peers was held at the Blue Post tavern in the Haymarket where it was agreed to bring in a bill of dissolution, only George Baillie of Jerviswood dissenting. Balmerino in his letter of that day seemed to realise that there was no real hope of success in that session, but he thought that an attempt to end the Union would affect the coming general election in the direction of returning those members who favoured such a course.<sup>2</sup>

On the following day, 27 May, a further meeting agreed to secure the help of the Whig Junto, and also agreed to oppose all English parties in everything if they would not support the dissolution. This agreement, however, was not unanimous, and some reserved their right to vote as they saw fit (Mar, Findlater and Loudoun among the peers and Baillie from the Commons). On 28 May Findlater (or Seafield as Balmerino continued to call him<sup>3</sup>) moved in the House of Lords for a day to consider the state of the nation, and 1 June was agreed to.<sup>4</sup> On that morning a meeting of the representative peers at Mar's lodgings chose Findlater to bring in the bill to dissolve the Union and secure the Protestant succession, and to rehearse the grievances of the Scots since the Union, namely the abolition of the Scottish Privy Council in 1708, the Hamilton peerage case of 1711, the Treason Act of 1712, and the malt tax. During the five-hour debate which followed Findlater's motion,<sup>5</sup> the Whigs were placed in a dilemma. They wished to support the Scots to the extent that they could embarrass and possibly defeat the ministry in the Lords at the same

1 See below, 151-2.

2 See below, 152-4.

3 James Ogilvy, created earl of Seafield in 1701, had succeeded his father as 4th earl of Findlater in 1711. See below, 154-5.

4 See below, 154.

5 See below, 156.



time as the French Commerce Bill (one pillar of the peace with France) was struggling through the Commons, but they did not want to see the ending of the Union which had been largely their work. Thus they did not fully back the Scots in the debate. Eventually the Scots had to accept that they could not pass the motion but could only expect Whig support for a delay in proceedings. The crucial vote on 1 June was not a vote for or against the Union but, in effect, to put off further discussion to a later date—by which time the Whigs hoped that the French Commerce Bill would be before the House<sup>1</sup> and that then they could rely on Scottish help to defeat it in return for further help over the Union. Both the Scots and the Whigs, however, were forestalled by the division, which was won by the ministry with four proxy votes (after the votes cast by those present were equal, 54 to 54).<sup>2</sup> On the following day, 2 June, the Scottish representative peers and MPs met and decided not to move for a dissolution of the Union in the Commons.

The efforts of the Scots were now bent on the defeat of the malt tax with Whig help: this was promised on 4 June by Lord Sunderland, the only member of the Junto who appears to have favoured the end of the Union.<sup>3</sup> However, the combination of Scots and Whigs was to fail once again, for on 5 June the ministry carried the second reading of the Malt Tax Bill after a three-hour debate by a majority of two (76 to 74) in a very full House.<sup>4</sup> The third and final reading of the bill took place on 8 June and the ministry won again, this time by 64 to 56.<sup>5</sup> The Scots and a handful of Whigs, after a few days' delay, entered a protest, which had been composed by Balmerino and then vetted and altered by the Whigs Sunderland and Halifax, and the rebel Tory Nottingham (at this time in alliance with the Junto), though of these three only Sunderland signed it.<sup>6</sup>

Meanwhile, the Lords had also been enquiring into Anglo-French commercial relations (28 May, 2, 4, 9 June) in preparation for the Commerce Bill passing the Commons. The Scottish votes in the Lords were vital to both sides: some Tories had begun to waver in their support of the bill, as shown in Oxford's calculations of support for and opposition to the bill in the Lords drawn up on 13 June. He put Balmerino down as one of only three Scottish

1 See below, 154–5, for Oxford's speech on the French Commercial Treaty.

2 Reports described Balmerino as speaking 'very well' in the debate: Atholl MS (the duke of Atholl, Blair Atholl, Perthshire), 45.11.24, John Douglas to [Atholl], 8 June 1713.

3 See below, 155, and Holmes & Jones, 'Parliamentary crisis of 1713', 57, 73 n. 66.

4 See below, 158.

5 See below, 160.

6 See below, 161.



opponents of the bill, along with Argyll and Ilay.<sup>1</sup> Unexpectedly, however, the Bill was defeated in the Commons on 18 June by 194 to 185.

The Scots and the Whigs, to the disappointment of the Junto, failed to remain in a permanent alliance in the Lords, and Oxford began to woo the Scots back to the ministry. On 11 June he had a meeting with the disgruntled Scottish peers,<sup>2</sup> and on the 25th he received a deputation of them and some Scots MPs. Possible expedients were discussed to ease the burden of the malt tax. After a further meeting the following day the antipathy of the Scots peers towards the ministry noticeably relaxed; by early July the ministry had largely recovered its strength in the Lords.

The 1713 session of parliament showed clearly both the strengths and weaknesses of the Scots in the British parliament. United they were a sufficient irritant to cause Oxford severe discomfort, but without the full support of the Whigs they could not hope to defeat the ministry. The political differences among the Scots, however, made co-operation amongst themselves difficult, and even the detested malt tax could not fully unite them. The vulnerable financial position of most Scottish peers meant that the ministry could eventually blunt their attack with offers of patronage, something that even the high-minded Balmerino was not above accepting for himself and his son.<sup>3</sup>

*1721-22: The 'Scottish Peerage Bill' and the Election of Representative Peers*<sup>4</sup>

The Peerage Bill of 1719, which was defeated in the Commons, was designed partly to solve the continuing problem of the Scottish peerage representation in the British parliament. The solution of twenty-five hereditary peerages was eagerly accepted by the sixteen at Westminster, but was fiercely opposed by a large number of the Scottish peers who would have had no prospect of gaining a seat in the Lords, something which the elections always held out as a theoretical possibility. There was a strong petitioning campaign against the bill amongst the peerage in Scotland, which may have had some effect on the outcome.<sup>5</sup> The loss of the bill was followed by the decision, in accordance

1 This calculation is printed in Jones, 'The Scheme Lords', 152-60, list 12.

2 See below, 163-4, for Oxford's approach to some Scottish MPs.

3 Balmerino was Governor of the Scottish Mint, and a commissioner for Trade, 1711-14, for which he was paid £1,000 (and was still owed £1,000) in 1714: see Jones, 'The Scheme Lords', 161, 164; HMC, *Portland MSS*, 10 vols. (London, 1891-1931), x, 195, 217. For the request for a position for his son, see below, 134.

4 There is no published account of the 1721 Scottish peerage by-election nor of the 1722 general election.

5 While failing to influence the Lords, at least one Scot thought that the petitioners, having been 'enter'd upon record as opposers of the Bill', might influence the Commons: NLS, MS 20773 (Fleming of

with the Hamilton resolution of 1711, not to admit the young duke of Queensberry to the Lords by his British title of duke of Dover.<sup>1</sup> However, hints were dropped by ministers that the Scottish clauses of the Peerage Bill would be revived, and the idea gathered strength in 1720–21. This formed the basis of the campaigns over the by-election for a representative peer in June 1721 (when the Tory 2nd earl of Aberdeen was returned against the government's wishes and represented a victory for those opposed to the concept of hereditary peerages),<sup>2</sup> and the ensuing general election in April 1722.

Balmerino was opposed to any change in the status of the Scottish peers in the Lords. He was closely involved in the political campaign for the 1722 election in support of the Tory list, much as he had supported Aberdeen in 1721.<sup>3</sup>

The momentum of Aberdeen's victory needed to be sustained, as rumours persisted that a Scottish Peerage Bill would be introduced in the following session. In October 1721 three addresses, one each to the King, Lords and Commons, were organised, probably by Balmerino, and 'sent up in haste' to be presented should the bill be attempted. Aberdeen was dissatisfied as the address was signed by only nine peers, and he asked Balmerino to organise a second with more signatures.<sup>4</sup>

Early in December 1721 it seems that the Whig *Squadron*,<sup>5</sup> and possibly the Whig Argyll faction, approached the Scottish Tories to obtain assistance at the next election. Nothing appears to have come of this; by February 1722 the *Squadron* were supporting an entirely Whig list. The young 5th duke of Hamilton was prompted by the Scottish Tories to contact the English Tories, particularly Oxford, for advice, and their response was to advise the Scots not to enter into engagements with either Argyll or the *Squadron* and to let the English know of any offers. Balmerino had been involved in these approaches and seemed to have favoured Argyll.<sup>6</sup>

Wigtown), fo. 93, Dundonald to [Wigtown], 7 Apr. 1719. I would like to thank David Hayton for drawing my attention to this collection.

1 See Jones, 'Venice preserv'd', 103–4.

2 See, e.g., NLS, MS 20733, fo. 114, Hamilton to [Wigtown], 23 May 1721; fo. 116, Aberdeen to Wigtown, 19 Apr. 1721.

3 Hamilton MS, C3/96, Balmerino to [Hamilton], 1 June 1721. Balmerino voted for Aberdeen by a proxy given to Leven: SRO, PE26; NLS, MS 20773, fos. 118–9, 'List of the Peerage of Scotland att the Election...', 1 June 1721.

4 SRO, GD45/14/390/1–2, 15, 24–5 (Dalhousie papers), -?- to [Aberdeen], 21 Oct., 6 Nov. 1721, Stormont to Harry Maule, n.d., Maule to Pitsligo, 9 Oct. 1721.

5 For the *Squadron* see below, 150, note 2.

6 SRO, GD124/15/1219/6 (Mar and Kellie papers), draft of Grange to Argyll, 7 Dec. 1721; Balmerino's letter below, 165; GD124/15/1224/1, Illy to Grange, 9 Feb. 1721.

The initial meeting of the Scottish Tories to consider the next election was called by Hamilton and held in December 1721. Hamilton, doubly disenfranchised by the Queensberry vote in 1709 and the Hamilton vote of 1711,<sup>1</sup> had a strong grievance against the treatment of Scottish peers by the British parliament, and he had opposed the Peerage Bill despite being one of the nominated twenty-five hereditary peers. He, along with Atholl, Balmerino and Harry Maule, was a prime mover in the 1722 campaign.<sup>2</sup>

A second meeting, including Balmerino, was held on 27 February 1722, where fifteen of the sixteen peers present signed the ensuing declaration (Tweeddale was the exception), with a further eleven indicating by proxy or letter that they would support it.<sup>3</sup> It declared opposition to any attempt to take away the right of electing peers as secured by the Union, and that no support would be given to any peer who did not agree to the declaration. Annandale described the document as 'in defence of our just rights and properties', and he certainly struck a chord with many a Scot when he wrote that the loss of the right of election would prompt the question, 'how can any of our fundamental Constitutions, our Courts of Judicature or indeed any mans property be in safety'?<sup>4</sup>

A further meeting was held on 28 February to plan an increase in support, and Balmerino (who did not attend) wrote to Atholl congratulating him on the success of the meeting of the 27th and hoping that momentum would not be lost. He warned, however, that both the Argyll party and the *Squadron* might denounce the Peerage Bill in order to get elected by attracting Tory votes. In order to ensure the election of peers who would truly oppose hereditary peerage he proposed a further obligation upon the electors, that they keep united and vote only 'such a List of sixteen Peers as shall be agreed to be the majority of such as have, or shall be admitted, to subscribe the same obligation which we did yesternight'. Balmerino was prepared to admit supporters of Argyll and the *Squadron* if they would subscribe to the

1 By the Queensberry vote he was disenfranchised in the election of Scottish representative peers because he held a British peerage (see C. Jones, 'Godolphin, the Whig Junto and the Scots: a new division list from 1709', *Scottish Historical Review*, lviii [1979], 158-74), and by the Hamilton vote he was prevented from sitting and voting in the Lords because he held a British peerage.

2 Atholl MSS, 46.1.83, 288, 46.2.9, 13, 31, Balmerino to Atholl, 20 Dec. 1721, Atholl to Hamilton, 23 Dec. 1721, Saltoun to Atholl, 12 Jan. 1722, Hamilton to Atholl, 15 Jan., 1 Feb. 1722; Strathmore MSS (the earl of Strathmore, Glamis Castle, Perthshire), Box 25/61, Hamilton to Strathmore, 1 Feb. 1722; SRO, GD45/14/342/1, Dalhousie to Maule, 12 Dec. 1721; Hamilton MS C3/126, Pitsligo to [Hamilton], 17 Feb. 1722; NLS, MS 20773, fos. 122-3, Hamilton to [Wigtown], 1 Feb. 1722.

3 See Appendix, below, 168; another copy is in SRO, GD205/42 (Nisbet-Hamilton papers).

4 NLS, Dep. 313/532/473 (Sutherland papers), Annandale to Sutherland, 1 Mar. 1722.

declaration.<sup>1</sup> However, such support did not materialise, for those appearing for the declaration at the election were substantially those who had signed it on 27 February.<sup>2</sup>

Balmerino's wish to see all parties join in opposition to the proposed bill was frustrated by the unwillingness of the Whig Argyll faction and the Whig *Squadron* to share power with the Tories. Concurrent with the Tory meetings, the Campbells and the *Squadron* were manoeuvring towards an agreement to avoid a dispute at the election, while trying if possible to placate the Tories. After much caballing with the Whig ministers, it was decided that the new vacancies in the government list would be divided between the *Squadron* (Tweeddale) and Argyll (Forbes), with Selkirk (who had been personally chosen by the King) representing the Tories. Aberdeen protested that the original proposal for fuller Tory representation had been dropped. This proposal had at first six possible candidates for four vacancies, and of the six five were Tories, including Balmerino who had refused to stand.<sup>3</sup> Then four Tories were selected for the four vacancies, but the *Squadron*, angered at the omission of Tweeddale, withdrew support from all Tories (Selkirk excepted), including Aberdeen. As a result Aberdeen (who appears to have been popular with the ministry despite his opposition) declared that he would not come into the Court's list alone among the Tories without the approval of his party in Scotland.<sup>4</sup>

Both Argyll and his brother Ilay claimed that their position over the possible Scottish Peerage Bill was close to the Tories. They said that they would not support the bill unless it was consented to by the whole Scottish peerage, a position diametrically opposed to the one they had held over the Peerage Bill in 1719. Ilay, however, felt that the sixteen in the Court's list, if elected, would

1 Hamilton MS C3/139, Balmerino to [Hamilton], 1 Mar. 1722; Atholl MS 44.2.50, Balmerino to [Atholl], 28 Feb. 1722.

2 Of the twenty peers who appeared for the Tories at the election on 21 Apr. 1722, ten had been present at the meeting on 27 Feb. and eight had been represented by proxy or by letter (the other two at the election were Aberdeen and Cromartie). Of the sixteen peers present and of the eleven represented by proxy or letter at the meeting on the 27th, seven did not appear at the election, and three (Selkirk, March and Tweeddale) appeared for the Court (Tweeddale had not signed the declaration), though March in fact voted for Aberdeen. See SRO, PE27.

3 See below, 165–7.

4 Aberdeen had received explicit support for his re-election from a wide spectrum of English Tory members of the House of Lords (SRO, GD45/14/846, Aberdeen to Coupar, Balmerino's eldest son, 4 Mar. 1722, enclosing a letter to Hamilton from eleven English Tory peers and two bishops. I owe this reference to David Hayton).

make the passage of the bill impossible: they would not be able to agree over who would be the twenty-five hereditary peers.<sup>1</sup>

As the election approached, nearly thirty peers had signed the Tories' declaration, while a final Court list had been agreed, despite indications that the agreement between the two Whig factions of Argyll and the *Squadron* was not entirely cemented.<sup>2</sup> Indeed, the election was to prove that the discipline of the Tories was greater than that of the two Scottish Whig pro-Court parties.

At the election on 21 April 1722, of the forty-three peers present, twenty were Tory opponents of the proposed bill, the rest being supporters of Argyll and the *Squadron*. The loyalty of the Tories to their own list was stronger than that of the Whigs to the Court's. Only four Tories voted other than for their own complete list. On the Whig side six supporters broke ranks and voted for ten candidates from the Tory list. The final result, however, was almost a clean sweep for the Court, with only Aberdeen returned for the Tories. The Court votes for Aberdeen (the only sitting Tory candidate) probably resulted from the fact that, as the earl of Carnwath had noted the previous year, the 'Whigs regard him and Tories trust him'.<sup>3</sup> It may also have been a protest, by the Court peers who voted for him, against a possible Scottish Peerage Bill.<sup>4</sup>

Fourteen Tories (including Balmerino) entered a protest at the election, asserting that the sixteen elected had no power to approve of a Peerage Bill and were bound to defend the privileges of the whole peerage. The Whigs entered a counter-protest accusing the Tories of behaving contrary to the statutes governing elections, an accusation dismissed by Aberdeen and his supporters.<sup>5</sup>

The only direct success the Tories could claim was the election of Aberdeen, who was the first peer not on the Court's list to be returned at a general election since 1708. Nevertheless their campaign in effect killed off the proposed Scottish Peerage Bill and, though rumours persisted of its reintroduction, it was never again given serious consideration.

1 SRO, GD124/15/1224/4, Ilay to Grange, 27 Feb. 1722. The contents of this letter are partly confirmed by Atholl MS 46.2.42, Kincardine to [Atholl], 16 Feb. 1722.

2 Atholl MSS 46.2.76, 82, copy of Atholl to Dunmore, 21 Mar. 1722, John Douglas to [Atholl], 23 Mar. 1722.

3 SRO, GD45/14/390/5, Carnwath to Maule, 31 Aug. 1721.

4 This analysis of the 1722 election is based on SRO, PE27. J. Fergusson, *The Sixteen Peers of Scotland: An Account of the Election of Representative Peers of Scotland, 1707-1959* (Oxford, 1960), 162, states that forty-two peers were present at the 1722 election, but SRO, PE27 shows that the figure was forty-three.

5 SRO, PE27; Atholl MS 43.6.58, 'Copie of the Earle of Aberdeen's Answer'; NLS, MS 20773, fo. 120, 'Minutes of the proceedings At the Election of Sixteen peers...', 21 Apr. 1722.

*Editorial Method*

The original spelling, capitalisation and layout of the letters have been preserved wherever possible, with alterations made only to clarify the text. Punctuation has been modernised only where it elucidates the sense of the letter. Minor contractions have been expanded without comment, while other expansions and alterations are indicated in square brackets. The addresses of the letters and Balmerino signature have not been included. All dates have been reproduced as on the letters, with added information in square brackets.

*Acknowledgements*

I would like to acknowledge the kind permission of the earl of Dalhousie to publish the Balmerino letters from his family papers, deposited at the Scottish Record Office, and which are published with the approval of the Keeper of the Records of Scotland, and to thank the Keeper and his staff at HM General Register House for the excellent service they have provided during the years I have worked on the documents in their care. I would also like to thank the duke of Atholl, the duke of Hamilton, and the earl of Strathmore for allowing me access to their papers. The following have either provided material for this edition, answered queries or read earlier drafts and have, consequently, saved me from many errors, for which I thank them: Tristram Clarke, David Hayton, Daniel Szechi, Stephen Taylor and Graham Townend. My greatest thanks, however, go to my editor for the Scottish History Society, Julian Goodare, who has painstakingly commented on and corrected drafts of this edition. Without his efforts the work would have been much the poorer. I, however, accept responsibility for any remaining errors.

C.J.



*Abbreviations*

BL, Add. MS	British Library, London, Additional Manuscript
CJ	<i>Journals of the House of Commons</i>
HLRO	House of Lords Record Office, London
HMC	Historical Manuscripts Commission
HMC, <i>Lords MSS</i>	HMC, <i>Manuscripts of the House of Lords</i> , new series, 12 vols. (1900–77)
LJ	<i>Journals of the House of Lords</i>
NLS	National Library of Scotland, Edinburgh
SRO	Scottish Record Office, Edinburgh

GD45/14/352/1

Wednesday<sup>1</sup>

Sir, I am pleased to be at a Certainty as to L[ord] Colvill.<sup>2</sup> I intend to writ to the Viscount of Garnock<sup>3</sup> this is only for forme, I know well If I get his vote it will only be for your speaking to him. I would be glad to know who has Wigtons<sup>4</sup> proxie or List. Craford<sup>5</sup> is come in to us and D[uke of] Q[ueensberry]<sup>6</sup> has got E[arl of] Cathness<sup>7</sup> his proxie. I had a Conference yesterday with the D[uke] of Roxburg<sup>8</sup> and Another with D[uke of] Ham[ilton]<sup>9</sup> who Swore if I would come into his list<sup>10</sup> he should answer for it upon his life that I should cary it. This was his conclusion but I told him this was too late tho it was a good offer to me who had no expectation to be chosen by the means of them whom I was in. I am Yours B[almerino].

[P.S.] This Evening at the D[uke of] Q[ueensberry]'s our list is to be closed And recommended to our friends. I believe truely that 4 or 5 of our opposites

1 The date of this letter is probably 1 or 8 Nov. 1710. The election for the sixteen representative peers took place on 10 Nov.

2 Robert (d.1728), 3rd Lord Colville of Ochiltree.

3 Patrick Lindsay-Crawford (1697–1735), 2nd Viscount Garnock. He was Harry Maule's nephew.

4 John Fleming (c.1673–1744), 6th earl of Wigtown. He was Maule's brother-in-law.

5 John Lindsay (c.1672–1714), 19th earl of Crawford, representative peer 1707–10.

6 James Douglas (1662–1711), 2nd duke of Queensberry and 1st duke of Dover (created 1708) in the new post-Union British peerage, representative peer 1707–8, and Secretary of State for Scotland 1709–11.

7 Alexander Sinclair (d.1765), 9th earl of Caithness.

8 John Ker (c.1680–1741), 1st duke of Roxburghe, representative peer 1707–10, 1715–27, and member of the *Squadron*.

9 James Hamilton (1658–1712), 4th duke of Hamilton and 1st duke of Brandon (created 1711) in the British peerage, representative peer 1708–12.

10 For Hamilton's list in Aug. 1710 see Szechi, *Jacobitism and Tory Politics*, 204–5.

will exclude as many of us but they brag they will certainly cary more than we.<sup>1</sup> As to all which my Concern is very litle.

GD45/14/352/2

16 Jan[uary 1711]

Sir, What you was pleased to recommend to me I shall nather let D[uke of] Argyle<sup>2</sup> nor E[arl of] Mar<sup>3</sup> forget it, But Argyle is so busie mortifying the late ministrie that this is not the season. The D[uke] of Atholl<sup>4</sup> and E[arl] Marischal<sup>5</sup> were very earnest to complain of the hard useage of themselves and other prisoners,<sup>6</sup> but Atholl having spoke of it to the Queen, she said it was very unfit at this time so that it was Laid aside. But yesterday one told me that E[arl of] Yla<sup>7</sup> was resolved to bring it in, I said I did not believe it, but meeting his lo[rds]hip in the house [of Lords] I asked if he intended it. He said that at our last meeting He was looking for a fair occasion to bring it in, and by god if he got not that he should bring it in by head and shoulders, I said I would have been much surprised to hear him but he might be sure I would have seconded him; this day we do not meet but tomorrow we will be on the affair of Spain.<sup>8</sup>

1 For Queensberry's list see *ibid.* Hamilton was able to place six of his followers on the final list of officially approved candidates, as well as putting in two independent Jacobites—Balmerino and Home—and forcing the ministry to accept Kilsyth, a notorious Jacobite (*ibid.*, 65–6). The *Squadron* gave up the contest and none of their peers were elected.

2 John Campbell (1680–1743), 2nd duke of Argyll and earl of Greenwich (created 1705) in the pre-Union English peerage. He sat in the House of Lords by virtue of this English earldom.

3 John Erskine (1675–1732), 6th earl of Mar, representative peer 1707–15, Secretary of State for Scotland 1705–9, 1713–14. He was Maule's nephew.

4 John Murray (1660–1724), 1st duke of Atholl, representative peer 1710–15.

5 William Keith (c. 1664–1712), 8th Earl Marischal, representative peer 1710–12.

6 Balmerino and 18 other Scottish peers were imprisoned following the attempted Franco-Jacobite invasion of Scotland in 1708.

7 Archibald Campbell (1682–1761), earl of Ilay, representative peer 1707–13, 1715–61. He succeeded his brother as 3rd duke of Argyll in 1743.

8 News of the disastrous defeat of the British army in Spain at Brihuega had reached London on 24 Dec. 1710. The Tory ministry feared that this would trigger a Whig attack on the government in the Lords. To divert attention the Court and Tories designed to lay the blame for the present situation in Spain on the previous Marlborough and Godolphin ministry and the Whig generals responsible for the disaster at Almanza in 1707. For a brief background to the debates on Spain see *London Diaries of William Nicolson*, 516–18. See also *ibid.*, 525, for Rochester forewarning Balmerino about 'warm-Work on the Affairs of Spain'.

This day E[arl of] Eglinton<sup>1</sup> and I have been with E[arl of] Anglesey<sup>2</sup> about Mr Greenshields his case.<sup>3</sup> He was a very good speaker in the house of Commons<sup>4</sup> but has not yet spoke in ours. We considered the act of Uniformity and that against Intruding,<sup>5</sup> I cannot tell what will become of it. E[arl of] Yla is so keen against us, and has a litle engaged his brother that way, who yet laughs and says he knows not what his brother means except it be to be head of the Kirk. Yet I think we shall carry it. I am sure we shall reason it better then they.

Our home politiques seem to be suspended for a litle but that will soon be over. We are talking of dineing together to morrow (we 16—we house of Lords) and after that once a week to speake of business and to concert matters but I am convinced we will all of us agree to dine very well (at half a guinee the head besides our wine) and never mind or agree in any thing els.

I have not seen your friend Mr Fletcher<sup>6</sup> these ten days but I hope in 3 Months he and I shall wait on you at Leith.

It seemed strange to me that all the late Ministrie voted in their own cause.<sup>7</sup> I had a discourse on this head with the Lord Ferrers,<sup>8</sup> who knows the forms of our house exactly, and he say except a man be impeached they never hinder him to vote tho a discreet and modest man will abstain from it; Thus the E[arl of] Peterburrow might vote his own narrative just and honourable,<sup>9</sup> and carry it by his single vote, against his enemies, and the late ministrie might have

1 Alexander Montgomerie (d.1729), 9th earl of Eglinton, representative peer 1710-14. A nephew of Balmerino.

2 Arthur Annesley (d.1737), 5th earl of Anglesey.

3 See above, 109.

4 Anglesey had been MP for Cambridge University 1702-10.

5 The 'Act of Uniformity' is a reference to the 1693 Act for Settling the Quiet and Peace of the Church (Wil. & Mar. c. 38), while the one against intruding refers to the 'Act concerning vacant stipends' of 1685 (Jam. VII c. 22) which required patrons of livings to employ the vacant stipends in pious uses or otherwise they would lose the right of presentation to the living. The act was reinforced by the 'Act concerning Patronages' of 1690: *Acts of the Parliaments of Scotland* [APS], viii, 474; ix, 196, 303. Six days earlier Balmerino explained this second act 'against Intruders into vacant Stipends' to Bishop Nicolson: see *London Diaries of William Nicolson*, 530.

6 Andrew Fletcher (1655-1716) of Saltoun, former MP in Scottish parliament and prominent opponent of the Union.

7 Over the conduct of the war in Spain.

8 Robert Shirley (1650-1717), 1st Baron Ferrers (1677) and created 1st Earl Ferrers in Sept. 1711.

9 Charles Mordaunt (c.1658-1735), 3rd earl of Peterborough, general of the allied forces in Spain and ambassador to 'Charles III' of Spain (the allies' candidate) 1706-7, who had been recalled by Godolphin, had employed Dr Freind to write *An Account of the Earl of Peterborow's Conduct in Spain*. After an examination by the House of Lords he received a vote of thanks for his actions in Spain. This was part of the Tory ministry's campaign to discredit the Whig conduct of the war.

carried it by their votes that they were not censurable, but deserved Approbation and Thanks, but their custome, is an answer to all.

I beg pardon for this confused letter I am in hast tho that does not Appear by the lenth of this. I am Dear Sir Your most faithfull humble Servant.

[P.S.] No connexion in my letters. The E[arl of] Rochester<sup>1</sup> is in my opinion the finest Gentleman that ever I knew; so much probity and firmness, he is excellently versed in the minutest forms, an excellent charming speaker and well enough versed in law. What he wants in that, his sence supplies it.

GD45/14/352/3<sup>2</sup>

Jan[ua]r[y] 30 [1711]

Sir, My lord gives his Most humble service to You, and bids me tell you that Mr Fletcher wa[s] going to giv[e] Carnwath<sup>3</sup> a Kiss for saying yesterday (he calls it) in the house of commons, one of the best things, to Mr Harley,<sup>4</sup> that ever was said. The Scots pleading that no further imposition should be laid on Scots linnen exported,<sup>5</sup> that being our chiefe commodity, as wool was of England, Mr Harley said we had no reason to complain, for they had bought it, with the Equivalent.<sup>6</sup> Up rises Carnwath and said he was very glad to hear that, from so good a hand, for since he knew that we were bought it confirmed what he ay thought, that we were sold. This was much taken notice of by a house that loves free speaking. My lord adds, his father<sup>7</sup> never made a better Speech, tho it was shorte. Ther is no other news but it's said Kilsyth<sup>8</sup> and Blantire<sup>9</sup> are each of them to hav a new regiment. I am Sir your Most humble Servant, Ann Balmerino.

[P.S.] I am afraid you will not get this Scribble read.

- 1 Laurence Hyde (1642-1711), 1st earl of Rochester, Lord President of the Council 1710-11, and uncle to the Queen.
- 2 Written by Lady Balmerino.
- 3 George Lockhart (1681-1732) of Camwath, Jacobite MP Edinburghshire 1708-15.
- 4 Robert Harley (1661-1724), MP New Radnor Boroughs 1690-1711, Chancellor of the Exchequer, 1710-11, Lord Treasurer 1711-14, created 1st earl of Oxford and Earl Mortimer 23 May 1711.
- 5 See above, 110.
- 6 This was the sum of £398,085 paid by England to Scotland at the Union as compensation for the failure of the Company of Scotland (the Darien project), and for the Scots paying, apart from a few exceptions, the same customs and excise duties as the English. See P.W.J. Riley, *The English Ministers and Scotland, 1707-1727* (London, 1964), 203-29.
- 7 Sir George Lockhart (d.1689) of Camwath, a highly successful lawyer well-known for his eloquence. He was President of the Court of Session. See *Letters of Lockhart of Camwath*, pp. xiv-xv.
- 8 William Livingston (1650-1733), 3rd Viscount Kilsyth, representative peer 1710-15, took part in the Jacobite rising of 1715, was attainted and forfeited his title 1716.
- 9 Walter Stewart (1683-1713), 6th Lord Blantyre, representative peer 1710-13. A follower of Argyll: see below, 162.

GD45/14/352/4

24 Feb[ruary 1711?]

Dear Sir, The D[uke] of Argyle with much frankness and earnestness assured me he would do your friend all the service in his power. I shall hold him at it becaus he is to leave this in a few days.

I will not trouble you with any trifling stories and I have non other to entertain you; my wife will always give you part of any thing I writ.

I am with much sincerity Sir Your most humble Servant.

GD45/14/352/5

8 March [1711] at 1 in the morning

Sir, Yesterday I had a visit from your Cousin Loudoun.<sup>1</sup> He tells me that D[uke of] Argyle has again promised to recommend earnestly to the Q[ueen] your friends affair ere he part from this which is to be in a few days. Yesterday morning his Grace behaved like a Hero (as he has done often). One Col[one]l Coot<sup>2</sup> ane aid de Camp to D[uke of] Marlbro[ugh]<sup>3</sup> refused in some company to drink his health saying that it was becaus he had proved ingrate to Marlbro[ugh] (with some other hard words).

One, probably of the Company, writ ane Acc[oun]t of this to his Grace without subscribing, upon which the Duke went and found out Coot, who would fain have diminished, what he could not deny; the D[uke] said that he was a rascal and that he hoped he would not forget he had called him so, and now that he had done it before his face, he was going to do it behind his back.

Coot sent him a challenge (it was on the 6th at night) and bid him bring a friend, so D[uke of] A[rgyle] took Lord Barimore<sup>4</sup> along with him to Hide park at 7 yesterday morning. Coot came alone And said he needed No friend for he trusted any he would chose. In a word the Duke run him in the thigh and disarmed him. It seems he thought the duke would Kill him so he fell on his Knees and asked pardon. The Duke said all he asked of him was that hereafter he would only fight his own quarrells.

1 Hugh Campbell (d.1731), 3rd earl of Loudoun, representative peer 1707-31, Lord Keeper of Scotland 1708-13.

2 Lt. Col. Thomas Coote of the First Foot Guards: C.Dalton, *English Army Lists and Commission Registers, 1661-1714*, 6 vols. (London, 1892-1904), vi, 50, 318-19.

3 John Churchill (d.1722), 1st duke of Marlborough, Captain General and Master General of the Ordnance 1702-1711.

4 James Barry (1667-1748), 4th earl of Barrymore in the Irish peerage, MP Stockbridge 1710-13, 1714-15, Wigan 1715-27, 1734-47.

That being ane admirable day, there was a vast croud in St James's park of the best quality in Britain at 12 o'clock and his Grace was walking there. I was walking with Annandale<sup>1</sup> and we mett Mar who gave us ane acc[oun]t of it tho we had heard of it confusedly a litle before.

Greenshields carried his cause without a contrary vote Except Loudouns.<sup>2</sup> For E[arl of] Yla had retired after the appeal was sustained knowing there was nothing to be said worthy of his staying and so left it to Loudoun, who to do him justice spoke very modestly insisting chiefly that the Council had so decyded often (which was the thing Complained of). If Lord Guernsey<sup>3</sup> and I had not stopped it, the magistrates had been soundly fined.

I tell you freely I hope there will be no more done this Session. We have it in our hand to get presently a Tollera[tio]n, or the act against Baptiseing rescinded, or patronages resolved.<sup>4</sup> But our Courtiers are for no more at this time, and I am heartily of that mind. Cromerty<sup>5</sup> (at whose lodging we meet), Carnwath and many others are for proceeding, at least to patronages; But I hope to advise with you ere any more be done.

Yla said to Eglinton that when he went to Scotland he would put the oaths to all the Episcopal ministers, Eglinton frankly replied that he never expected better off his hand at which Yla blushed. Yla has been threatning to bring in a Toleration. But I said we would not see it till It came from Carnwath or from me.

I have very few things to tell you of which I have certainty, But many which are talked of.

GD45/14/352/6

3d Apr[il 1711]

Sir, I told you formerly that when I told Loudoun how frankly D[uke of] Argyle had promised to recommend your friend to the Q[ueen's] favour, he told me that he had spoke to Argyle long ago on that head and that he would undertake to keep him in mind of it. I prayed him to do so, being the more willing he should take it off my hand becaus I saw that Argyle in point of access was difficult, just like other great men, and tho I know that he has a sincerity,

1 William Johnston (1664-1721), 1st marquess of Annandale, representative peer 1708-13, 1715-21.

2 Loudoun did stand apart from the other Scottish peers in the Lords. In 1710 the representative peers were described as either Court Tory or Episcopal Tory, except for Loudoun who was labelled Presbyterian Court Tory. He was the only Scottish peer to become a Hanoverian Tory. See Jones, 'The Scheme Lords', 131. For Greenshields's case see above, 109.

3 Heneage Finch (c.1649-1719), 1st Baron Guernsey, younger brother to the earl of Nottingham.

4 See above, 112-13.

5 George Mackenzie (1630-1714), 1st earl of Cromartie.



plainness and openness which is not common among Courtiers, Yet I saw he was so taken up with Spain and the late ministrie that it was very like he might forget. I shall call to Loudoun and desire him to writ to you what he has done. Perhaps there too I will be told that he is abroad when I know him to be at home. The best custome in the world, and which obliges me most for (excepting 3 or 4 persons) I never desire to see any of them in the face. After all I am of opinion that if once we saw some litle changes here (which we expect to see very shortly)<sup>1</sup> any thing may be obtained in that as well as if D[uke of] Argyle were here, and if it be thought necessary I doubt nothing of E[arl of] Ilay his concurring to whom I spoke once on that subject telling him how good an answer I had got from his brother.

As to patronages<sup>2</sup> and severall other things I have so many things to tell you that I must defer them till I have the honour to see you. It is certain we can get any thing done which we can reasonably demand just now, nore is it any fear of the power or discontent of the presbyterians, nor is it to oblige the present ministrie, that I am for deferring it (I know that if any one man in either house would bring me a bill for these purposes even the ministrie would go along). Why then is it delayed. Why! in truth for some good reason which I think not worth a straw. I will talk with Lord [Bishop of] Ed[inbu]r[gh]<sup>3</sup> and you shortly upon this head; I know you will differ, and by this means I will remain judge, and I suspect I shall be of your opinion. Pray tell him so. I am the more frank for delaying at present because I have no doubt but next session we will have things in our hands as much as now. Nay a whig parliament (which I hope never to see) would not refuse us them. Pray take the trouble to tell Lord Ed[inbu]r[gh] that yesterday I saw a letter of J[ohn] S[age]'s to J[ames] G[addegar].<sup>4</sup> It was full of impracticable concerts of getting 12 act 1695<sup>5</sup> explained in favours of Mr Hay<sup>6</sup> and folk in his case. I believe it was occasioned by J.G.s first suggesting them to him. But I have a draught of an act in my

1 Possibly early speculation about the promotion of Harley to the Lord Treasurership.

2 See above, 112-13.

3 Alexander Rose (c.1647-1720), bishop of Edinburgh since 1687, previously bishop of Moray. He was arrested in 1708 in the wake of the attempted French invasion.

4 John Sage (1652-1711) was a Scottish non-juring divine consecrated a bishop without diocese or jurisdiction in 1705, who died at Edinburgh, 7 June 1711; James Gaddegar (1655-1733), a former minister of Kilmalcolm, who lived in London and was consecrated a bishop in 1712. I owe these identifications to Dr Tristram Clarke.

5 The 1695 Act against Irregular Baptisms and Marriages (Wil. c. 15; *APS*, ix, 387).

6 George Hay, whose episcopal ministry at Abertour was terminated in Oct. 1710 for illegal baptising and preaching by a sentence of banishment before the Lords of Judiciary at Aberdeen. After an unsatisfactory trip to London in early 1711, Hay's case was successfully redressed. See T.N. Clarke, 'The Scottish Episcopalians, 1688-1720' (Edinburgh University Ph.D. thesis, 1987), 239, 269-70.

pocket—(our Sovereign Lady with consent etc. cases rescinds and annuls the 12 act of the 5 Sess[ion] of the 1 parliament of K[ing] W[illiam] and declares it of no force in all time comming)—(short and substantiall). I really think this may be obtained this very Session (without any more—that is the point). But there being some hazard, I am doubtfull if I shall adventure on it.

I am more and more of the opinion (which I writ to Lord Ed[inbu]r[gh]) That Yla nor Loudoun would never dare to bring in a Toleration;<sup>1</sup> it might come at lenth from Carnwath or me, in the one house or other. Seafield<sup>2</sup> told me that he had diverted Yla from brining it in, But I believe nothing (unfortunately) hindered it more then my saying to Yla that if he thought fit to bring it in, Upon honour I should second it and make it as good and large as I could. he said our people would not take the oaths. I replied, some few at Ed[inbu]r[gh] it is like would scruple them, But our divines in the North were better lawyers and casaists (and that I doubted if the presbyterian ministers would swear to a King according to the act for Limiting the Succession).<sup>3</sup> So it seems this is laid aside till he think further of it.

I beg pardon for this long letter, it troubles me to writ so Much when at the same time it is not fit to writ the litle that I know (or rather guess) of our politiques. I am with all my heart Dear Sir your most faithfull servant.

[P.S.] Mind me to tell you a Conversation I latley had with your worthy friend Mr Fletcher whom I love and esteem, tho I was forced in one point to differ from him.

I have not time to read this over.

GD45/14/352/7

London. 12 Apr[il] 1711

Sir, I find by the E[arl] of Loudoun that he knows not whither D[uke of] Argyle spoke to the Queen or no about your friend's affair. He told me Argyle had promised to do it (this is what I told him) but I fear the Duke (who in truth is a person of great sincerity) has forgot it, and Loudoun it seems has forgot it too. But he assures me so soon as this session is ended he will heartyly set about it, but that presently it is not fit to move any business.

1 See above, 112-13.

2 James Ogilvy (1663-1730), 1st earl of Seafield, representative peer 1707-10, 1712-15, 1722-30, Lord High Chancellor of Scotland 1702-4, 1705-8, succeeded as 4th earl of Findlater 1711. A nephew of Balmerino.

3 Act of Settlement of 1701 which bypassed the Catholic heirs and placed the succession on the nearest Protestant heir, the Electress Sophia of Hanover, granddaughter of James I and VI.

Now since Robin Boyd<sup>1</sup> is here nobody needs writ you any news, indeed I have none of moment. But the scene will open when we rise (so it is expected). I am Dear Sir Your most faithful servant.

Turn over.

[P.S.] Mr Skinner<sup>2</sup> is often with me and Archbishop [of] York<sup>3</sup> is desirous to serve him, But you and my lord Dun[onald?]<sup>4</sup> are to blame who do not prescribe to us particularly what to do, for there seems to be something Special in his case. He is condemned by the presbytery for heretical (no for erroneous) doctrine. Now they are clearly judges of ministers in his circumstances if their doctrine be erroneous. Now we must not advyse the good Queen to any thing that is illegal, for E[arl of] Sunderland<sup>5</sup> said to me that now the prerogative (god be thanked) was very low, tho by the by If she use it right it will be found higher then he wishes. Pray writ to me distinctly and particularly what you think we should ask.

I dare scar[c]ely writ any thing of the very free tho innocent and legal discourses your friend Salton<sup>6</sup> has to me. Till meeting adieu.

I dined with Annandale at the globe in the Strand. The landlady is a very discreet woman, she is obliged to us I am sure for some hundreds of pounds but she was more obliged to your friend Wigton on another account (so I am told) then to us all.

Just now at 6 a clock Annandale is with Mr Harlay who was not well this last night,<sup>7</sup> tho Dyer<sup>8</sup> said he was with the Queen on munday yet he has not been able as yet to go abroad, but the H[ouse] of C[ommons] have ordered the speaker to complement him in their name upon his first appearance in their

1 Probably a cant name.

2 This may refer to John Skinner (1662-c.1725), the former episcopal minister of Brechin, who had been deposed in 1709 by the presbytery of Brechin for 'insufficiency, heterodoxy, profanation of the Lord's Supper, by admitting scandalous persons there to'. After his appeal to the synod had failed he had threatened to petition the House of Lords, had declined all jurisdiction of the Presbyterian Church and had continued to preach. See *The Correspondence of the Rev. Robert Wodrow*, ed. T. M'Crie, 3 vols. (Edinburgh, 1842-3), i, 80, 82-3; H. Scott, *Fasti Ecclesiae Scotticae*, 10 vols. (Edinburgh, 1915-81), v, 380.

3 John Sharp (d.1714), Tory archbishop of York, chief ecclesiastical adviser to Queen Anne.

4 John Cochrane (1687-1720), 4th earl of Dundonald, representative peer 1713-15.

5 Charles Spencer (1674-1722), 3rd earl of Sunderland, youngest of the five-member Whig Junto.

6 Andrew Fletcher of Saltoun.

7 Harlay had been stabbed on 8 Mar. in an assassination attempt by the French refugee Guiscard. His resulting absence from parliament was to be prolonged for political reasons: the emotional reaction in Harlay's favour disarmed his parliamentary and Cabinet opponents.

8 John Dyer's thrice-weekly manuscript newsletter was 'the political bible of the Tory squire and parson, with its flagrant party bias and its Jacobitical undertones': Holmes, *British Politics*, 30.

house.<sup>1</sup> It is not doubted but we will have the honour of his company in our house next winter as a peer and as Lord high treasurer.<sup>2</sup>

I have truly twenty diverting storys to tell you but I will forget 19 of them ere I see you. I hope that will be about the first of June. I wish I were sitting with you amongst the whinns in the east end of the links. When this is sealed I am going to take a turn in the Mail and after that to meet Annandale a[nd] marischal at the British coffee house; the truth is I have been too long sober.<sup>3</sup> Again adieu.

GD45/14/352/8

1 May [1711]

Sir, It is needless to offer to writ about that Subject<sup>4</sup> on which you talked with Lord Ed[inbu]r[gh], there are so many things to be said which yet seem not difficult to me (so ignorant am I). This day I was a good while on that subject in the H[ouse] of Lords with E[arl of] Rochester (who is clear for the thing, but as clear for delay). Also yesterday I had a visit from the noble E[arl of] Anglesey who is entirely of your mind. I have writ a great part of that conversa[tio]n to Lord Ed[inbu]r[gh] who will tell you of it. Tell him I bid you ask it. Our resumptions will be in on thursday, it is thought they will not pass now but in November next. It is thought they may. Loudoun (who is against it) has promised me the copy of that bill that I may this night consider it. D[uke of] Ham[ilton] is also against it. Selkirk<sup>5</sup> has some of the Bishops rents and I trow so has he. Portland<sup>6</sup> is said to have 60 th[ousand] lib. st[erling] yearly of these grants besides a good estate. It were a pitty that they who have merited so well should be robbed.

1 Harley did not return to the Commons until 27 Apr.

2 Harley was promoted to the Lords as earl of Oxford on 23 May and to the post of Lord Treasurer on 29 May 1711.

3 The British Coffee House in Pall Mall was the favourite haunt of Scots in London. It was also a venue used frequently by an Anglo-Scottish dining group, of which Balmerino was a member, which congregated around Annandale and the English peer Lord Ossulston. Ossulston's diary also confirms that this coffee house sold alcoholic drinks. See C. Jones, 'A Westminster Anglo-Scottish dining group, 1710-12: the evidence of Lord Ossulston's diary', *Scottish Historical Review*, lxxi (1992), 110-28.

4 The Land Grants Bill, first brought into the Lords in May 1711 and rejected, was a Tory/Country measure designed to set up a commission to look into the land grants of William III with the object of reversing them. It was part of the Tory backlash against the previous Whig ministry. It was first read on 17 May, and rejected on its third reading on the 20th by a tied vote—78 to 78. By the rules of the House in such an event the negative side carried the division. See Szechi, *Jacobitism and Tory Politics*, 112-14.

5 Charles Douglas (1663-1739), 2nd earl of Selkirk, representative peer 1713-15, 1722-39, younger brother to Hamilton.

6 Henry Bentinck (1682-1726), 2nd earl of Portland.

E[arl of] Mar is this afternoon gone to the Baths. I have never been one day out of the house [of Lords] (except one when there was nothing to do).<sup>1</sup> But now I intend to play me. This day Sir Hew Paterson<sup>2</sup> proposed to me to go to Oxford, Blenheim and the Baths. I think I will go on Munday if not on Friday. But I project to do all this in a fortnight. We have nothing (besides money matters which go for nothing)<sup>3</sup> to do, but to decide private causes In which I have hitherto taken more part then well fell to my share.

Loudoun was this morning with me (about the resumptions) no doubt he will mind your friends affair if this session were ended. We wait for that time in hope to see we Know not what (great changes). Kilme<sup>4</sup> will assure you that in November we will have brave work, Impeachments and so furth but I know nothing of this. They talk that Mr Harlays son is to marry E[arl of] Clarendons daughter<sup>5</sup> to make the peace. I know as little of this as of E[arl of] Mar his marriage with Mrs Marshams sister.<sup>6</sup> They talk Mr Harlay has refused his daughter to Lord Desford.<sup>7</sup> These news of matrimony would have pleased Will[iam] Thomson<sup>8</sup> better then to know if the D[uke] of Savoy was to be King of Spain.

D[uke of] Ham[ilton]'s friends believed a little while ago that he was to be Secretary. I believe he will be made a Duke etc.<sup>9</sup>

I think you are in the right when you suspect that some folk are not burdened with the affairs of Europe. Mr Fletcher is your humble servant and so am I. Adieu dear Sir.

1 According to the official record, between 25 Nov. 1710, when the session opened, and 1 May 1711, Balmerino missed 15 sittings, most of which were concerned only with legal matters (*LJ*, xix, 163-284).

2 Sir Hugh Paterson (1686-1777), 2nd Bt., MP Stirlingshire 1710-15.

3 The consideration of money bills by the Lords was normally a formality: see below, 157 note 2, 166.

4 Possibly a reference to William Cochrane (d.1717) of Kilmarnock, MP Wigtown Burghs 1708-13. For a similar identification see *Letters of Lockhart of Camwath*, 10, n. 25.

5 Lady Theodosia Hyde (1695-1722), only surviving daughter (and heir after the death of her brother in 1713) of Edward Hyde (1661-1723), 3rd earl of Clarendon. She succeeded her brother in the Irish peerage as Baroness Clifton. In 1713 she married John Bligh, an Irish MP, who was later created Baron Clifton (1721), viscount (1723) and earl of Darnley (1725) in the Irish peerage. Harley's son married the only daughter and heir of the duke of Newcastle in 1713.

6 Abigail Masham (d.1734) was Queen Anne's 'dresser' and had replaced Sarah, duchess of Marlborough, as her favourite. Mar's first wife had died in 1707 and in 1714 he married a daughter of the marquess of Dorchester.

7 James Ogilvy (c.1689-1764), styled Lord Deskford, heir to the earl of Findlater and Seafield.

8 Probably a cant name.

9 Early speculation about Hamilton's being created a British peer. Upon Queensberry's death in July 1711 his post as Secretary of State for Scotland was not filled until Mar's appointment in 1713. During the vacancy Harley ran Scottish affairs.



[P.S.] I am so weary with writting that I cannot take time to read this over. I wish I were with you at Baylie Smarts.

GD45/14/352/9

Saturday. 19 May 1711

Sir, My journeys of pleasure are putt off tho I know not well why I have done it. Your nephew E[arl of] Mar is Expected this night from Bath. I tell you with great sincerity that I know not if D[uke of] Q[ueensberry] is to be turned out, nor who is to succeed him. But truely I believe he will be out and that Mar will be his successor. The lesse reason a man has for his faith, there is the more merit in it.

Yesterday having dined in a tavern with D[uke of] Ham[ilton], Marischal, Kilsyth, etc. we went to divert ourselves on the river. As we went to Spring garden we rencountered the Prince of Hesse Darmstadt and walk with him and two german gentlemen. When we returned D[uke of] Ham[ilton] would detain me near two hours walking in the Privie garden<sup>1</sup> in moon light. The rest left us. He made great complaints to me. I doubt not but he will be used well in his own particular, but I doubt much of his getting the Secretarys office as appears by what I said above, tho I must say of my belief as a man examined this session before the Commons said of his conscience, being ask't what it was he said boldly it was his fancy. A litle time will let us see what is designed. I will give you some account of the odd conduct of the D[uke of] Ham[ilton] this winter. It is but a few days ago that he would draw up with me for when he was in no fear I was no more his brother Basil,<sup>2</sup> his right eye, etc. nor did he once invite me to his house this winter but twice because he found Annandale had engaged me to go with him to a Tavern and he could not get Annandale without me. The last time was the first of March (Greensheilds his day)<sup>3</sup> and his business was to ask if he had not that day behaved bravely. I said he had done better then Atholl who satt still (when we divided on the learned question Delay till to morrow, or proceed presently)<sup>4</sup> he so far mistook his politiques in that matter that his dutchess and friends had so much ado to set him so right as he was (tho he would not open his mouth so much as to express his good will. It is true he said Reverse).

1 Off Whitehall, at the back of the Banqueting House.

2 Possibly a reference to Lord Basil Hamilton (1671-1701), younger brother of the duke of Hamilton.

3 See above, 109.

4 By remaining in his seat Atholl in effect voted against Greenshields. Not Contents remained seated while the Contents withdrew below the bar to be counted.



God knows I bear him at no ill will tho I was not pleased with his saying to Eglinton when he prayed him to favour my Son James's<sup>1</sup> pretensions. By god he would as soon pass from his pretensions to be Secretary as from Pencaitl[an]d.<sup>2</sup> But for his own sake I wish he did not Consult so much with Jerviswood,<sup>3</sup> Mr Cockburn,<sup>4</sup> Sir Jo[h]n Enster.<sup>5</sup> Will[iam] Ham[ilton] (Wilshaws son)<sup>6</sup> said to him he would just be like his Grandfather—fall thorow betwixt stools. In a word if he be right there is no Man with whom he will be so intire as me. What has put this in his head to complement me so God knows. As for James I do not expect the vacancy in the Session to him and yet this is the only thing which I have sought, not having opened my Mouth for my self. I know several of my COUNTRYMENS pretensions, but these are secrets which I cannot dispose of, and are uncertain. This I am certain of that Mr C. F.s affair shall want no furtherance I can give it. Believe me to be with great truth Sir Your most faithfull Servant.

[P.S.] I know not what ground is for it, but it is believed that Ham[ilton] and Mar will both be made new peers. Also others are talked off.

GD45/14/352/10

London. 2d of June [1711]

Sir, Concerning your friends affair it is altogether in vain to move in it till the Lord high treasurer begin to mind Scots affairs for now we would not well know whom to apply to.<sup>7</sup>

I remember that before I came from Scotland I asked Mr Ja[m]es Anderson<sup>8</sup> what it was in particular that he aimed at since Jo[h]n Montgomery<sup>9</sup> had got

1 James Elphinstone (1675–1746), later 5th Lord Balmerino.

2 James Hamilton of Pencaitland. In Sept. 1711 Balmerino was to write to Oxford asking for a place in the Court of Session for his son. Balmerino feared that the only rival for the place was Pencaitland, who had the support of Hamilton, and indeed he became an Ordinary Lord of Session in 1712. Balmerino applied again in Mar. 1714 and his son got the post in July. See HMC, *Portland MSS*, v, 96, 182–3; x, 195, 217.

3 George Baillie (1664–1738) of Jerviswood, *Squadrone* MP Berwickshire 1708–34.

4 John Cockburn (c.1679–1758) of Ormiston, MP Haddingtonshire 1708–41.

5 This almost certainly is Sir John Anstruther (c.1678–1753) of Anstruther, 1st Bt, *Squadrone* MP for Anstruther Burghs 1708–12 Apr. 1712, 1713–15. I would like to thank David Hayton for suggesting this identification.

6 William Hamilton (d. 1724), well-known antiquarian and genealogist, son of William Hamilton of Wishaw.

7 For Oxford's conduct of Scottish affairs see Riley, *The English Ministers and Scotland*, 158–73.

8 Possibly James Anderson (1662–1728), Edinburgh lawyer and antiquary, who was anxious for a public post. I owe this identification to Dr Tristram Clarke.

9 Possibly John Montgomerie (1680–1731), MP Ayrshire 1710–27. Balmerino was Governor of the Mint in Scotland 1710–14.

the mint, and I found him shy to tell me. He said the E[arl of] Ilay would do something for him and hoped he should have my good word. If E[arl of] Yla do not forget his, in the croud of other affairs, no doubt he has a powerfull patron, nor shall he want any poor assistance I can give.

The news of the peace concluded by portugal was the public news at Court on sunday last now it is contradicted, But some say so was the news of Savoy having made peace in 1697. Nay the french were bound for some weeks to conceal it. Our Courtiers openly are wishing for peace.

But now I come to My Main design which is to give you ane acc[oun]t of our treatment yesterday in the house of Lords. But first let me tell you that the Lord Treasurer did take the Oaths yesterday at 11 a clock in Chancery, and in the Exchequer with extraordinary state, being accompany by a great number of peers, highly complemented by the Lord Keeper.<sup>1</sup> But now to our linnen Cloth bill,<sup>2</sup> it went heavily out being often delayed but at lenth yesterday it was read, the only material point was its dischargeing the Exportation of unmanufactured linnen yarn from Scotland or Ireland or any forrein part. Against this joyned against us Whig and Tory (a few excepted). The first was my nobel friend Lord Guernsey. To him I made answer at some lenth. He replied praying that I (whom he complemented here) would be pleased to let the house know how this matter stood at present by the law of Scotland for if we had any law prohibiting this Export, then this clause was needless; and if we had not, he thought it would be a hardship to Ireland who being under many pressures already should not have this added of discouraging their linnen manufacture. To this it was no great difficulty to answer, so I did it the best I could.

Then Lord Sommers<sup>3</sup> made a long discourse insisting that their lo[rds]hips were in honour bound not to discourage the linnen manufacture in Ireland for their lo[rds]hips would see upon their Books that they had solemnly promised this when they thought fit to put them under some disadvantage as to the woolen manufacture. In this discourse he cited me so often (for as yet non other had spoke of our side) and pretended to answer me from point to point, that I was obliged to reply to him, and this being the 3d time I was ashamed to have the whole discourse so I promised I should trouble them no more upon this subject (which promise I kept above ane hour, which was

1 Sir Simon Harcourt (1661-1727), created Baron Harcourt Sept. 1711, Lord Keeper 1710-13, Lord Chancellor 1713-14.

2 See HMC, *Lords MSS*, ix, 158-9, for the Lords' proceedings on the Scottish Linen Bill on 31 May 1711.

3 John (1651-1716), Lord Somers, former Lord Chancellor, and a member of the Whig Junto.

very fair, But then I was tempted to say some thing in answer to E[arl]s [of] Abbinton<sup>1</sup> and Anglesey).

The debate lasted long, D[uke of] Ham[ilton], D[uke of] Atholl spoke for us, So did E[arl of] Mar very oft, very keenly and well, so that I served only to put them all by the ears. Shrewsbury<sup>2</sup> and Buckingham<sup>3</sup> spoke a litle faintly for us. My lord Treasurer has not opened his mouth as yet in any affair and uses not to stay above half ane hour. E[arl of] Godolphin<sup>4</sup> spoke for us twice very heartily and very well. You will wonder that I have not mentioned E[arl of] Yla who can speak so well. He never medled till near the end that he spoke a litle (he told me that D[uke of] Bucks asked why he was so silent, he answered because he was astonished).

It is plain they will ruin and enslave Ireland in the matter not only of wool but many other things which England is concerned in and they will dedomage [sic] them upon us in our linnen and every thing els.

The most remarkable passage in the debate was what Sunderland said in answer to D[uke of] Ham[ilton], Who had insisted that whatever they had promised to Ireland, yet now that we were allone with England, charety must begin at home, and that he hoped they would be as carefull of our linnen manufacture as they were of their own woollen manufacture especially since our woollen manufacture was destroyed. Sunderland said as to that he did own that he would as [soon] prefer the interest of Ireland to that of any one county in England. Beau. If this was not treating us cavalierly. But no more of that. I must writ on another sheet to end this pleasant story.

#### 2d part of my letter

E[arl of] Mar said it was true we had a legal union but it were fit that we had ane union of interests and of affection, that this did not seem the way to it for he believed the account of this days proceedings would appear very strange to the people of Scotland. But after Lord Sunderlands free dealing you may easily judge that such insinua[tio]ns would have no effect.

Lord Halifax<sup>5</sup> (who is thought ane enemy to our country, and perhaps it may be so) did not open his mouth in the debate tho there is not a man in our

1 Montague Venables-Bertie (d.1743), 2nd earl of Abingdon.

2 Charles Talbot (1647-1721), duke of Shrewsbury, Lord Chamberlain of the Household 1710-14.

3 John Sheffield (1647-1721), 1st duke of Buckingham, Lord Steward 1710-11, Lord President of the Council 1711-14.

4 Sidney (1645-1712), 1st earl of Godolphin, former Lord Treasurer.

5 Charles Montagu (1661-1715), 1st Baron Halifax, Joint Auditor of the Exchequer 1699-1715, former Chancellor of the Exchequer, a member of the Whig Junto.

house that speaks more handsomely nor that understands trade and taxes and all things concerning the public revenue better.

(I forgot to tell you that they would not keep in our clause prohibiting exporta[tio]n of Scots Linnen yarn but would ad a clause prolonging for some years the Irish exemp[tio]n from any duty on what they Export to america or any forrein part.<sup>1</sup> Now in this very session there is 6 pence on each piece of 40 ells put on what we export from Scotland).

Now it being put to the vote tho I saw the contents had it I said the not contents had it (or should have it) upon which Lord Conway<sup>2</sup> and I were appointed tellers and we were 21 they 34 (which is a pritty full house after 6 months sitting).<sup>3</sup> The bill as amended was presently sent to the Commons, and it was moved that this morning they go on it, But our Scots all united against that and carryed to delay it till tuesday when we hope to rise (tho some fear it may be wednesday ere we rise).<sup>4</sup> Jerviswood manadged the matter very well and spoke very plain as I am told.

When I was telling with a staff which D[uke of] Ham[ilton] gave me, the fashion is to hold it above every mans head, I said to Sunderland when it was above his, that he deserved that I should lay it on. Afterwards he and I had a discourse about our naval stores wherein indeed the whiggs in the H[ouse] of C[ommons] are for us and the Court against us (at which he is glad).<sup>5</sup> I told him we knew both partys there good will and that without witchcraft I had fortold all this in the Scots Parl[iamen]t.

After all was over I said I was glad we had had a tryal of their justice in this, But that they were mistaken in this particular, for if some of our Lords and gentlemen in the West of Scotland and Galloway would agree they could order their people to manufacture all their Yairn as was intended by this Act. Lord Guernsey said that was true, but then we needed it not. I said ane act would have made it easy and certain, now it depends on a voluntary combinat[i]on.

It is now past 1 a clock. I am hasting to the house, and yet this short letter looks not like want of time.

1 For this clause see HMC, *Lords MSS*, ix, 158.

2 Francis Seymour Conway (1679-1732), 1st Baron Conway (1703).

3 The session had opened on 25 Nov. 1710.

4 I.e. 6 June, but parliament was not prorogued until 12 June (*LJ*, xix, 323).

5 For details of the answer of the Commissioners of Trade and Plantations to the Lords (22 Mar. 1711) and the accounts of imported naval stores and East India goods (1710-11), see HMC, *Lords MSS*, ix, 115-24, 173, 343-63.

We must think of some voluntary regula[tion]s of our linnen and also (if possible) of our woollen manufacture.

Greensheills is with me every day, I have told him I will concern My self no more about him but only in compassion to his family to recommend him to the Lord Keeper. He has been foolishly trying his hand with the members of convoca[tio]n, both Universitys and lastly got the Queen to be spoke to. I told Greenseills that I knew he complained of me behind my back, and since [he] had taken non of my counsel he shall get no more of it.

I know not when I come off but long to see you. Becaus no body could tell you this abominable story more particularly then I, therefore I have writ this volume. Pardon me for it. I am perfectly yours. Adieu.

[P.S.] My wife will tell you what past in the house this day. No great matter.

I come from walking in the park with your friend Mr Fletcher, he says god damne him if there be such cockneys in the whole world as the english, and that he may possibly pass thorow their country but that he will never live in it again. He is to go shortly post to York and there he will buy horses. Again I kiss your hand.

D[uke of] Ham[ilton] did incline to have Dundonald chosen in his place but now I find by Kilsyth that Lithgow will be the man.<sup>1</sup>

GD45/14/352/11

London. 9 June [1711] Saturday

Dear Sir, Your friend Mr Fletcher is in a transport of hopes. I am sure you would give a hundred guineas to be here ten days and to hear the sentiments of great people on our affairs.

I writ to you ane acc[oun]t of our linnen cloth bill, and how instead of a bill for us they turned it into ane excellent Irish bill against us.<sup>2</sup> Now they are like to interpret the 22 art[icle] of Union as perversely as they did interpret soundly the act against intruding;<sup>3</sup> Whig and Tory have joyned against the D[uke] of Brandon and tho his patent is not passed the sealls, he was told and believed that this day, upon the informa[tio]n that it was passing, they would mention

1 James Livingston (d.1723), 5th earl of Linlithgow, elected representative peer Jan. and dismissed Oct. 1713; a Jacobite, he was attainted in 1716. Hamilton upon being created a British duke expected to resign as a representative peer. As a result of the decision of the House of Lords in Dec. 1711, which prevented him sitting by right of his new dukedom (see above, 110), he remained a representative peer until his death in 1712.

2 See above, 110.

3 See above, 124.



it and declare any Scots peer (who was such at the happy Union) incapable of any new patent but only of being represented by the 16.<sup>1</sup>

The D[uke] of Bucks said this day that he expected a very fine debate when this should come in. I hope to have your instruc[tio]ns about it ere november.

Ask my wife who is Meant by Falstaff, who by Walter Paterson.<sup>2</sup>

This last in this nice juncture is very civile to me, and tells me some of his secrets, but this is non of them that God damn him (amen) if he do not propose a dissolution of the Union tho they should send him to the Tower. The other has told me that he sees we will destroy their liberty and Constitution (which I tell him would be an ill thing but I cannot answer for people whom they make desperate) and therefore he wishes it were dissolved if it were not for fear we would reject the Protestant Succession. I answered that I who was always against the union would never be for a dissolution of it, except the Queen and her Ministers were first for it and especially the whig Lords who made it. But for the Protestant Succession he would easily get the word of honour of the Scots 16 to go into it (if it were to come to that) nay the Union might be dissolved on that condi[tio]n and no otherwise. Only I said we must have some abatement of the equivalent<sup>3</sup> with which the Whiggs (and his Lo[rds]hip) had bribed us. Also we must have freedom of trade to america, to non of which he is averse. He thinks they would deal better with the ministry if they wanted us. I say to him that he is in the right But for me Except the present Ministrie agree to this I will hold by the union to continue But if the Queen and they agree to it I assure him that all Scotland will put on bonfires and dance about them.

All this may evanish in smoak therefore only tell it to Lord Ed[inbu]r[gh] and to James. Nay I allow it to be told to our wives, for I find by Lord Ossulton<sup>4</sup> that discourses of this Kind are beginning to be Common among the whig Lords. This is no great complement to the Two Lady.

We expect Lord Raby<sup>5</sup> every day. There is great talk of peace.

1 See above, 110, for the reasons for the delay in passing Hamilton's patent until 10 Sept. 1711.

2 These appear to be cant names used to maintain confidentiality in correspondence.

For the Equivalent, see above, 125, note 6.

4 Charles Bennet (1674-1722), 2nd Baron Ossulton, a follower of the Whig Junto, who appears to have acted as a liaison between them and a group of Scots peers and MPs: see Jones, 'A Westminster Anglo-Scottish dining group'.

5 Thomas Wentworth (1672-1739), 2nd Baron Raby, created earl of Strafford 29 June 1711, Ambassador to Berlin 1705-11; he was sent as Ambassador to the Peace Congress at Utrecht in Dec. 1711.



Yesterday D[uke of] Ham[ilton] was admitted to the Blewcap club.<sup>1</sup> From 7 at night to 6 this morning D[uke of] Beaufort<sup>2</sup> entertained on the river with great magnificence the dutchess of Ham[ilton], Lady Ann McKenzie. To make all Grave his mother ny lady Granville<sup>3</sup> was there, etc.

GD45/14/352/12<sup>4</sup>

Jan[ua]r[y] [17] [1712] [misdated 15 January]<sup>5</sup>

[No salutation] I stood in the court of requests<sup>6</sup> till the Queens Speech was over and to morrow we are to consider it in a committee. In it she mentions our address and case which will probably giv us som words to morrow.<sup>7</sup> Lord Treasurer<sup>8</sup> brought in a bill for giving the Pr[incess] Sophia, her son and her grandson precedence of the archbishop of Canterbury and of all others.<sup>9</sup> This was to out do the Duke of Devon[shire]<sup>10</sup> and whigs who only brought in a bill for the grandson to giv him only precedence of all Dukes.<sup>11</sup> Much of our tym was spent in makeing peace betweixt the D[uke] of Bucks and E[arl of] Anglesey upon the account of some hard words.

What in my last I called coffie house news is truely mor then so tho since really the coffie houses talk of it I do not desyr that any bodie but Ja[mes] should know that ever I mentioned it. D[uke of] H[amilton], Mar, Loudoun and Ilay seem fond of the notion only they apprehend it will nather do here nor in Scotland but I am convinced that to call a meeting of the Scots estates is in

1 Hamilton was elected on 1 June and admitted on the 8th to the Society of the Board of Brothers (or the Honourable Board of Loyal Brotherhood), established in 1709 by the Duke of Beaufort as a high Tory drinking club which met once a week during the parliamentary sessions. Hamilton was the only Scottish member. See BL, Add. MS. 49360 (minutes of the club), fo. 57.

2 Henry Somerset (1684–1714), 2nd duke of Beaufort.

3 Rebecca Child (c.1666–1712), widow of the marquess of Worcester (d.1698), had married as her second husband, in 1703, John, Baron Granville (d.1707).

4 This letter is probably a copy by Lady Balmerino sent to Maule of a letter to her from her husband. It is in her hand. See the reference to Maule at the end of the letter.

5 Balmerino (or his wife) misdated this letter. The Queen's speech referred to was read on 17 Jan. 1712 and was discussed in a Committee of the Whole House on the 18th (*LJ*, xix, 358, 360).

6 The Court of Requests, in the Palace of Westminster between the Commons and the Lords, had by the eighteenth century become an informal meeting place where the public could mingle with members of both Houses. For details see *London Diaries of William Nicolson*, 70, 73–5.

7 The speech concerned the peace negotiations at Utrecht and a commitment to settle the question of Scottish peerages in the wake of the Hamilton case (*LJ*, xix, 358).

8 Lord Oxford.

9 The Dowager Electress Sophia of Hanover was the recognised Protestant heir to the British throne by the 1701 Act of Settlement. Her son the Elector succeeded Queen Anne in 1714 as George I. For the bill see *London Diaries of William Nicolson*, 578–9, n. 38.

10 William Cavendish (c.1673–1729), 2nd duke of Devonshire.

11 The Electoral Prince, Sophia's grandson (later George II), had been created duke of Cambridge in 1706.

effect to dissolve the union and without them not only a majority of the peers but even all of them being unanimous cannot alter any reserved article tho they would do it the better, nay a point of the proposals concerns the barrons and burgeses imeadiatly (who will never consent) but tho they would I say they cannot without the nobility (that is to say) all our three estates (so called of late).<sup>1</sup> Let James consider it with — who will I know make good use of it both with our peers and barrons, but with great discretion that my name may never be heard in it.

This morning all of us (lords) who are of the house mett at D[uke of] H[amilton's] where Annandale was verie warm and singular in his opinion. He did not incline to go to the hous till he saw some things effectually don to repair us by the ministrie, but since we hav got very earnest and positive assurances from them that they intend it and that the Queens Speech this day would mention it we thought that we wer bound to assist in the meantyme and enable thos from whom only we could expect relief both to perfect our redress and the Queens just measures about the pea[c]e. I went heartily in to this tho I must tell you that it is because I wish sincerely good success to the Queens designs of peace for the happiness of her people but not that I expect any redress from the Court. Certainly the Queen is most heartie in our affair. So is the Treasurer, Shrewsbury, Paulett,<sup>2</sup> lord Keeper<sup>3</sup> and some others but the English Tories whom last year we saved from the whigs and who joined in all other things with the Court ar so ungratefull and hearty enemies to us that they will not in this be ruled by the Court, so that they will not assert the Queens prerogative and our capacity by an act but will resolv into the ridiculous and impracticabl project mentioned in my last.<sup>4</sup> Some here dream that all things seem to tend to a dissolution of the union. Roseberry<sup>5</sup> says openly that the whigs, Tories and Scots all desyn it and yet no man will speak out and that nothing stops it but the Court.

Eglinton solvs all difficulties in a moment, he says if they make an act of parl[iament] asserting the Queens prerogative and our capacity of receiving such patents as the D[uke] of Brandons, then all is right again as it was, but if they will not do it then it is better for the union is dissolved; as for anie

1 This talk of the possible repeal of the Union had been caused by the Lords' vote on 20 Dec. 1711 not to allow any Scottish peers granted British titles to sit by virtue of those titles. See above, 110.

2 John (c.1668–1743), 1st Earl Poulett, Lord Steward 1711–14.

3 Lord Harcourt.

4 This letter has not survived. This is probably a reference to the offer by Oxford to replace the representative peers by hereditary ones: see below in this letter, and above, 111.

5 Archibald Primrose (1664–1723), 1st earl of Rosebery, representative peer 1707–15.

expedients which the toun talks of as taking away our elections by the consent of all the scots nobility or a majority of them and instead of that giving us 32 hereditarie sitting peers, leaving the rest their titles and dignitys and making them capable to be members of the house of comons, he says this is impracticable stuff and an amusement.<sup>1</sup> As for our leaving the house, we cannot do it (says he) till our protestation be admitted or expunged,<sup>2</sup> and where as some think we should continue in the house after wards but not joyn the court in anie (tho a reasonable) vote till they redress us, he says if we please he shall absent but if he be present by god he will never let the whigs gain a vote of the tories if he can help it. Some people off hand speak better then others on deliberation. Tell me what Mr Maule says of that wise expedient. It is indeed coffie house talk and yet I do not desyn it should be spoke of as mentioned by me for several reasons.

GD45/14/325/13

London. 24 Jan[ua]ry 1712 at 6 at night

Sir, There are certain triffling considera[tio]ns for which I have forbore to wret to you, but now I lay them aside. Thom[as] Smith<sup>3</sup> asks kindly for you believing I correspond (perhaps) too much with you but I tell him I left you well but have never had a line from you since I came hither. I beseech you writ freely and fully your opinion to me about our present affair. While things continue Secrets I will say nothing of them to any mortal but a few days I see discovers what we mean to hide.

Just at this moment the house of Commons is upon D[uke of] Marlbro[ugh]'s affair.<sup>4</sup>

I know not what they have done. I hear their is ane incredible croud there waiting the Event.

- 1 The entitlement of Scottish peers to be elected to the English House of Commons, which they had enjoyed before 1707, was ended by the Act of Union (as explained in a subsequent Commons resolution). The Peerage Bill of 1719, which had twenty-five hereditary Scottish peers replacing the representative peers, did not restore the rights of the other Scottish peers to be elected to the Commons, unlike the Irish Union of 1801 which allowed Irish peers not elected to represent the peerage in the Lords to sit in the Commons. On 19 Jan. Oxford noted for discussion with the Queen a proposal that hereditary peers replace the representative peers. See BL, Add. MS. 70047 (formerly Loan 29/218/749-50), Harley papers, general series, Scotland 1.
- 2 Presumably a reference to the protest of 20 Dec. 1711 on the Hamilton peerage signed by nineteen peers (including nine Scots). See *LJ*, xix, 346-7.
- 3 Possibly a cant name. It is not Thomas Smith (d.1716), Whig MP Glasgow Burghs 1710-16.
- 4 Marlborough had been accused of peculation over the contracts for bread and wagons for the army in the Netherlands. See *London Diaries of William Nicolson*, 581, n. 52.

M[arquess of] Annandale says he sees that no good is to be done and therefore he will not return. I say I am positively of his opinion that their Expedients of hereditary peers is stuff and must come to nothing but before we absolutely desert the house I wish we heard from our Constitutents, but they are not likely to send it us without being asked and some of us are not like to ask it. No man more averse then George Reid.<sup>1</sup> My wife will give you the Key to these names. I have proposed this question to them, If the English will nather by a bill assert the Q[ueen's] prerogative and our Capacity nor give us such ane Expedient of hereditary peers as would please any but such as were in the list (nor them too if they be honest men) or 3dly if they will not dissolve the union, what must we do[?] All our Lords say we must desert and abandon the house (both peers and commoners) for our present Condi[tio]n is intollerable. Next I ask, seems the Expedient of hereditary peers practicable, they say they think no, but that we must see how far they can carry it, and then it will be time to come to Extremitys. All that I say is suspected to tend towards a dissolu[tio]n of the happy union, to remove this suspi[cio]n I tell them that I ever abhorred it, but that if I had once been for it, the procedure of the last and of this session would have cured me. Nevertheless I shall accept of any Expedient reasonable in it self and being done in the right way, that is by the Estates who made the contract, and not by the nobility, tho I am sure the propositions to the nobility will be so ignominious that it would stick there as surely as amongst the estates.

Tomorrow is appoynted for it, and I know not if we are to speak or not. But last day we sat and were called on and heard ourselves abused, and wisely said nothing, Our statesmen say if we say a word we will spoil all. But all will spoil of it self. Walter Paterson is sometimes as right as any man, next moment he is all refined politiques. E[arl of] Wharton<sup>2</sup> said the noble Lord with the white staff (E[arl of] Oxford) surely when he men[tio]ned a number of hereditary peers Meant only 16, not half a peer more, But that he did not understand what he meant by subjecting the judgement of this house to a meeting of peers in Scotland. We all patiently heard this, it is true others of more learning and sence (even Halifax and Sunderland) thought it could not be done without estates. In all this Coupar,<sup>3</sup> Sommers, Nottingham<sup>4</sup> and Guernsey have held their peace.

1 Probably a cant name. See the following sentence.

2 Thomas (1648-1715), 1st earl of Wharton, member of the Whig Junto.

3 William (c.1665-1723), 1st Baron Cowper, former Whig Lord Chancellor, created 1st Earl Cowper 1718.

4 Daniel Finch (1647-1730), 2nd earl of Nottingham, an Hanoverian Tory who supported the Whigs

The summe of our famous debate on the 20 dec[embe]r was, Lord Guernsey said D[uke of] Brandons patent gave him a hereditary right to sit and vote in parl[iamen]t and to sit on the tryal of peers.<sup>1</sup> This is Essential to the peerage and makes him a peer. Now he is a peer already and therefore the Q[ueen] cannot make him a peer. Next the last words of 23d article did Exclude all Scots peers and rendred them expressly incapable of what they now pretend to.<sup>2</sup> That this were to make a man more a peer then he was Can a man be more a peer and lesse a peer, and Nottingham said if one could get such a patent all could get it which would alter or elude the 22 Art[icle] for Elections.<sup>3</sup>

You will laugh at such sophistical trifling reasons, not worth answering, and yet advanced boldly in presence of a great Q[ueen]<sup>4</sup> who they say had graciously restricted her prerogative by 23d Art[icle]. E[arl of] Abington first answered that there was no place for this debate Considering what had passed in the case of the d[uke of] Dover.<sup>5</sup>

Next I said, that the siting and voteing etc. its being Essential to the peerage was a doctrine which I had advanced in the Scots Parl[iamen]t before the union, that to deprive me of it Except by my consent or for my fault, could not in Justice be done; yet this was overruled against me, But now since the Union to call that Essential which was expressly seperated from our peerage by the 23d article was strange, if it was essential then D[uke of] Ham[ilton] and we all had it already, But if it was only accidental then this new patent only gave him a further degree of priviledge and power in the peerage which was no more inconsistent then to give a peer a further degree of dignity, and any Argument that would conclude against the one, would hold against the other, and if anything appeared odd or new in speaking of Degrees of power in the peerage let that be charged on the union not on me. And whereas it was said that we could not get this degree of power by reason of the 23d art[icle] this was to pass from the argument that the thing was inconsistent in it self, and

over the peace with France.

1 See above, 110.

2 The sixteen Scottish representative peers were to have all the privileges of the English peers, particularly the right to sit on the trial of peers. The rest of the Scottish peerage were to have all the rights and privileges of the peers of Great Britain, except the right to sit in the Lords, and they were to take precedence after peers of like rank at the time of the Union and before those created after the Union (*LJ*, xviii, 259).

3 The parliamentary representation of Scotland was to consist of forty-five MPs and sixteen peers (*ibid.*).

4 Queen Anne would attend the Lords 'incognita' (i.e., unofficially, without her robes and regalia), often as a form of ministerial pressure on the members. See Holmes, *British Politics*, 390-1.

5 Queensberry had been created duke of Dover in the British peerage in 1708, had resigned his position as a representative peer, and had sat in the Lords by virtue of his new dukedom without comment until his death in July 1711.



to betake themselves to the provision in the art[icle] as to which I beg leave to observe that it was made very plain by the lawyers at the bar, nor did the noble Lord seem to contravert it that nothing could diminish or restrain the prerogative but plain and express words and that no consequences, construc[tio]ns nor interpreta[tio]ns (tho Just) could do it, now where were these Express words.

Next the word in the article is Except, now where did ever ane Excep[tio]n in any Contract Import ane incapacity of acquiring the thing Excepted by any posterior and distinct right (I insisted largely on this instances, because I saw this was the main point which stuck with the English every man being taught to say we were excluded and incapacitated by the last words art[icle] 23d).

I said a word as to the proportion of 16 to the number of English peers but this was men[tio]ned but not insisted on by Guernsey.<sup>1</sup> Then in Conclusion I said that as the Treaters on the part of Scotland had never meant it nor could they hear it mentioned without indigna[tio]n so it was evident that the Q[ueen]'s majesty had never any such meaning or inten[tio]n either to hurt hir self or us as witness this patent. What I men[tio]n as said by Nottingham being afterwards I could say nothing to it but it had no weight being so oft said and answered last Summer in private conversa[tio]n.

Mar spoke just after me, upon my faith very well for he had exactly considered the case and insisted that the English treaters had said that the prerogative was intire and that we were capable of such patents as this. Loudoun and Yla kept them selves till the debate was near a close and exerted themselves to the utmost and very handsomely both. Before it went to the vote tho it was easy to see that all was in vain,<sup>2</sup> I spoke as to the state of the vote and again took occasion to show that ane Exception was no incapacitating, But Lord Haversham<sup>3</sup> some years ago called this, to stop the tide at Gravesend with ones Thumb.

I have since had occasion in conversa[tio]n to let them see that in Scotland a man by a new patent is said to get a new peerage and that they remained distinct, as the late D[uke of] Ham[ilton] was many years E[arl of] Selkirk and

1 The number sixteen for the representative peers (as the number forty-five for MPs) was chosen on the basis of comparative revenue and population between England and Scotland: *The Treaty of Union of Scotland and England*, ed. G. Pryde (1950), 43–4. In 1719, when the Peerage Bill, which proposed twenty-five hereditary peers to represent Scotland, was before the Lords, there was opposition on the grounds that the Scots 'do not pay a full 50th of the publick Taxes' while the twenty-five peers would 'give them the tenth part in the Legislature' (Christ Church, Oxford, Wake MS. 8, no. 94, Prideaux to Wake, 11 Mar. 1718/19). I owe this reference to Stephen Taylor.

2 The vote was 57 to 52 against Hamilton (HMC, *Lords MSS*, ix, 174).

3 John Thompson (c.1648–1710), 1st Baron Haversham.



D[uke of] Ham[ilton] and at lenth resigned in favours of his 2nd son<sup>1</sup> (so I had in my person Two peerages by succession).<sup>2</sup> They deny that any man can resign. I knowing their way of judging all things by their own law just before the vote was put urged that D[uke of] Ham[ilton] being only so by his mothers resigna[tio]n, was no peer as yet and so was according to their rules capable of this new patent. But no wonder they rejected this since they rejected better things.

I have not time to read this over. I beg pardon for its lenth, let James see it. Adieu dear Sir.

Now I have read it over but hastily. Mar would not say they were promised patents but only told they were capable.

GD45/14/352/14

Saturday. 26 Jan[ua]ry. 1712

My Dear,<sup>3</sup> This day Fraserdale<sup>4</sup> gave me what gold James gave him for me. This letter is for W[illiam] Bruce.<sup>5</sup> On thursday after I had sent my long letter to W[illiam] Bruce to the post house I was sent for by D[uke of] Ham[ilton] and our other friends who saw that according to what I had declared in the Meeting of peers that no contract could be altered but by consent of the Contractors, who upon our part were the estates (and not the peers) of Scotland. It was like I would oppose their project about hereditary peers they dealt with me about it, but I cut them short and said I looked upon the whole project as most unjust with rela[tio]n to such peers as would be excluded, and in the manner of doing it impracticable (even supposing it a good project for the na[tio]n). Therefore since I saw that no good was to be done and that they would not urge for declaring the Q[ueen]'s prerogative nor yet for a dissolution of the union but hearken to things which ill as they were, seemed not to be sincerely intended, therefore I should go no more to the House, which they took very well, and Lowdown said then he thought it were best I came not to D[uke of] Ham[ilton]'s to the Meeting of the Scots peers (which was yesterday at 10 in the fore noon). I said with all my heart for I had sufficiently told them

1 William Douglas (1634-98), 1st earl of Selkirk, married in 1656 Anne, duchess of Hamilton in her own right. He was created duke of Hamilton in 1660, and in 1688 resigned his earldom to his third (but second surviving) son, Charles, who became 2nd earl of Selkirk.

2 Balmerino's father, John (1623-1704), succeeded as 3rd Lord Balmerino in 1649, and in 1669 succeeded his uncle as 2nd Lord Coupar.

3 This letter was written to his wife, but was intended for William Bruce, and presumably was passed on to Maule by him or Lady Balmerino.

4 Alexander Mackenzie (c.1683-1755) of Fraserdale, MP Inverness-shire 1710-15.

5 Unidentified, but see 148 below.

my Mind already and I should leave them to go their own way. But you must remember that when I declared myself among our peers (I mean such as are of the house) no man was of my opinion but Annandale. Here I have a Secret which I may and would tell you, but I will not writ it.

In a word all but I met at D[uke of] Ham[ilton's] where they were all clear to go on, only Annandale held firm and haveing argued the matter left them to go to the house, and Lord Ossulton and Lord Herbert<sup>1</sup> came out of the house and gave us an acc[oun]t how the debate went and we four dined together. What a sad figure our people made and for all their compliance how they were treated and their project defeated I have not leasure now to tell you because I am just expecting Annandale to Call me to go dine at Pontacks<sup>2</sup> where Roseberry has ordered our dinner, and Ossulton, Herbert and Hundsdon<sup>3</sup> (Gamesters) are to be their. I will come off just when dinner is done.

D[uke of] Ham[ilton] has been calling here when I was in my Tour of visits and he left word to pray me to come just now to his house for some friends were to be their. I sent him word I was going to dine in the city. I will no More be of secret committees; and I believe that now after they have given up all to the pleasure of the English they will be forward to quite the house.

I was yesterday to have lodged Sandy Patersons appeal against the late magistrates of Edinburgh but I was forced to give it back to Will[iam] Hamilton to seek a better hand.<sup>4</sup> Tho I have told Every body that I do not intend to set my foot ever again in that house yet the Tollera[tio]n Act is going so current in the H[ouse] of C[ommons] but like to meet with some opposi[tio]n in ours,<sup>5</sup> that some gentlemen pray me to go in on that occasion but I believe I shall not be prevailed with to do it.

The letters and prints will give you the Resolve of the Lords yesterday;<sup>6</sup> Mar prayed it might run at the Desire and with the consent of the Scots peers, but this was laught at and treated with contempt. Nay the Treasurer and Lord

1 Henry (d. 1738), 2nd Baron Herbert of Chirbury, a close friend of Ossulton. See Jones, 'A Westminster Anglo-Scottish dining group'.

2 A French eating house in Lombard St. in the City, much frequented by Whigs (Holmes, *British Politics*, 23).

3 William Ferdinand Carey (1684-1765), 8th Baron Hunsdon, another friend of Ossulton.

4 The petition and appeal of Alexander Paterson was eventually presented to the Lords on 2 Feb.: see HMC, *Lords MSS*, ix, 191.

5 The Episcopal Communion (Scotland) Bill was introduced into the Lords on 11 Feb. (*ibid.*, 196-7).

6 The resolution stated that the sitting of Scottish peers by election was alterable by parliament at the request of the Scottish peers without it being any violation of the Union (*LJ*, xix, 365).

Keeper went in with these words—at the Request of the Scots peers—and what they can do at their request, it is like they will do without it.

I have not a Copy of the Resolve But Thomas Smith read it to me to day. He was extreemly Kind and bid me go with him to Geo[rge] Reids to advise what is to be done But I begged pardon and said I would but spoil all and that I could not meddle in it. But that I should hear him in private what he had to say. Indeed it is Geo[rge] Reid and he that have spoilt all.

Roseberry moved in D[uke of] H[amilton's] house that they should call all the Scots peers in toun tho not members to advise what. But D[uke of] Ham[ilton] and Th[omas] Smith violently opposed this least it should stick their wise project, of which they are now so ashamed of. I have a letter under Walter Patersons hand wherein he writs most rationally upon this subject, praying god to forgive some whom he cannot get to go into my Measures for a dissolution. Indeed if the peers of Scotland take right advice as to ane address to the Queen (for I hope they will not Request the H[ouse] of L[ords]) and if it be thought fit for the shires to address, I believe Mr Fletcher would be willing to help them to a draught, but I would have you to moderate it (I am speaking to Will[iam] Bruce). Also I believe the Tollera[tio]n act will at this juncture put the presbyterians in good humour.

God make all well as Sir John Scot<sup>1</sup> said to the King.

Adieu My sweet Love.

Mumper would be of great use to me now that I am to be idle.

I forbad you to writ politiques, and yet you see how ill I keep that rule my self.

GD45/14/352/15

London. 31 Jan[ua]ry [1712]

Sir, I had yesterday the honour and great satisfaction of your letter. On Munday last Thom[as] Smith asked (again) very kindly for you at me. I said, as was true, that I had not had a scrape of a pen from you, since I came hither. This I told the more willingly that if he thought I was takeing wrong measures, it proceeded only from my self. Indeed I am forced on the spot to determine my self without waiting for any mans advice.

I have exoner[at]ed my self to my Country men by telling them that the only expedient was a bill asserting the Q[ueen's] prerogative and our capacity. But since even the Court has given this up and will not be for it, I thought the expedient of hereditary peers for elective was nather reasonable in itself nor

1 Possibly Sir John Scott (d.1712) of Ancrum.

was it practicable in [the] way that they proposed to do it, by the consent of the majority of the peers, nay of the whole peers. They said ane act of parl[iamen]t could empower the majority of the peers to alter this thing, which only concerned them selves. Then said I the parl[iamen]t who can give them this power to alter what is absolutely stipulated must much more have this power themselves, and this is for us to acknowledge that they may alter every thing they please. Annandale was for leaving the house because he thought even the Court was trifling with us. But when I declared my self on this head he was glad and struck heartily in with me. They say I would have the Estates to be called and I might as well propose a dissolu[tio]n of the Union. I say I shall propose that when ever they please, But it is not my fault that nothing can alter any Article in our contract, but the partys who made it. Nay several English Lords had said this very thing, tho yet they went in to the Resolve of 25 Jan[ua]r[y].<sup>1</sup>

Roseberry spoke on[e] day very freely in my Lord Kinnoulls<sup>2</sup> that there remained nothing for us but a dissolu[tio]n yet when at our meetings he saw some folks faces he was very tame. I writ to the Treasurer that I could not agree with my countrymen in thinking that any body could alter ane article of any contract but the partys contractors, who, in the Treaty of union, upon our part were the estates of Scotland and not the nobility, nor could the peers dispose of their peerage as of their property, the publique being too much concerned in it, to permitt that. My letter<sup>3</sup> was delivered to him in the H[ouse] of L[ords] so that I have not heard from him.

Pray speak to Sir Walt[er] Pringle<sup>4</sup> and Sir James Stuart<sup>5</sup> on this head, and also the presid[en]t<sup>6</sup> that he may once declare himself so that he cannot retract (in case some from this engage him to justifie their methods) Sir Da[vid] Dal[rymple]<sup>7</sup> will not be here till saturday.

Carnwath and the Lyon<sup>8</sup> were with me yesternight about the Tollera[tio]n. I was against bringing of it in but now if it fail the presbyterians would be rampant. It is said it would meet with great opposition in our house for nather

1 See above, 111-12.

2 Thomas Hay (c.1660-1719), 7th earl of Kinnoull, representative peer 1710-14.

3 See HMC, *Portland MSS*, v, 141: dated 29 Jan. 1712.

4 Possibly a reference to Walter Pringle, a well-known lawyer, who was to become a Lord of Session in 1718 (as Lord Newhall), but who was not knighted until 1718.

5 Sir James Stuart (c.1680-1727), 1st Bt, MP Edinburghshire 1713-15.

6 Hugh Dalrymple (d.1737) of North Berwick, Lord President of the Court of Session 1698-1737.

7 Sir David Dalrymple (d.1721), 1st Bt, MP Haddington Burghs 1708-21.

8 Sir Alexander Areskine (c.1663-1727), 2nd Bt, Lord Lyon King of Arms, MP Fifeshire 1710-15.

the Whiggs nor court care for it. I think I will not be present but if I be I will be for it.

Carnwath has told some of our peers who say if they quite the house the 45<sup>1</sup> should do it also, That tho hitherto we have slighted them yet he has spoke to his brethren on this head and that they will all desert with our lords on condi[tio]n that every Lord give his word of honour not to return without the approba[tio]n of the majority of our Lords and commons as one body. This would be a good Inc[orpo]rating union.

I would gladly know the sentiments of the squadrone.<sup>2</sup> Roxburgh said to me that it was in our power to get all rectified but he did not say how. I hear he was for our leaving the house. But what next; I fear they will advise our returning if they be assured by our means to be of the number of the hereditary.

The Whiggs were pleased to hear that our Lords have some thoughts of quiteing the house on munday next, But Eglinton told them off hand that he hoped our folks would quite, but that they should gain nothing by it for we would all be at hand to establish the peace, and if it was ane ill peace by god he cared not, for he was resolved like Samson to pull down the house upon his Enemies and himself.

Jo[h]n Scot<sup>3</sup> tells me that he has got ane invita[tio]n to talk on this subject with Thom Thumb but tho Scot is too plain to be Courtier yet he has declined this.

Note. The Resolu[tio]n of the 25 Jan[ua]ry says the sitting by elec[tio]n may be changed at the Request. It does not say into a number of hereditary peers. Rota[tio]n will be a change, and I know Marchm[on]t<sup>4</sup> is Keen for this, and so is Cromertie just now, and he prays to have a Conference with me on this head. Geo[rge] Reid and Tho[mas] Smith hate to hear of this, and I tell them I believe it will land there.

Some of D[uke of] Ham[ilton]'s creatures went about insinuating that he did not heartily approve of this prospect of hereditary peers. I who knew the contrary in a letter excusing my self that I could not come to his meetings

1 The forty-five Scottish MPs.

2 The *Squadrone Volante* ('Flying Squadron') were a group formed in 1703 in the Scottish parliament who moved between the Court and Country factions. After the Union they were generally supporters of the Whig party at Westminster. Their leaders were Montrose and Roxburghe (though neither sat in the Lords between 1710 and 1715), and in the Commons, George Baillie, John Cockburn and John Haldane. After the Tory triumph at the 1710 election the *Squadrone* had some half dozen MPs (Holmes, *British Politics*, 242-5).

3 Possibly a cant name.

4 Sir Patrick Hume (1641-1724), 1st earl of Marchmont, member of the *Squadrone*, and father-in-law to George Baillie.



said that my presence would do hurt since it was impossible for me to go in to that measure for which his Gr[ace] was so violently Bent. I believe this honest freedom has not pleased him but I am too much his servant and friend to flatter him.

You know that Jo[h]n Scot and I are much of one opinion, and Scot showed me a letter which Walter Paterson has writ to him avowing that he is of his mind but that he thinks he ought to submit to the majority.

GD45/14/352/28

Munday 11 at night<sup>1</sup>

Sir, I hav often been bound to make apologies for the indiscreation of my servants. This is not the letter I presumed to ask a sight of. It was what the post brought this night. My lord ordered me to call for it at the post hous least it should miscarrie. I sent [to] ther hou[se] [as] soon [as] I read my oun letter and they said it was gon to Leith alreadie. I should be glad to see it if you hav got it but I'm afraid it has not come to your hands this night. It will be the morrow morning you will get this for I finde it is now too late. I will be uneasie till I hear that you hav got the letter beause they say some call for letters which do not belong to them and I have ground to believ they would be glad to intercept any letters of yours at this tym especialy comming from my lord Balmerino. I am Sir your Most humble Servant A[nn] B[almerino].

GD45/14/352/16

12 May [1713] at 9 in the morning

Sir, I have had nothing to writ to you hitherto and now I have very litle to say only that we are ruined and despised to the last degree; yesterday I dined at a Tavern with our friend Mr Fletcher who is very merry and looks well to admira[tio]n. He says all that has befallen us is too litle and that this malt tax which yesterday the Commons have voted on us<sup>2</sup> (for which I refer you to the votes)<sup>3</sup> is but a prelude to what we will soon feel, truely I think it will do the bussiness of it self.

Yesternight our commoners laid it on me to writ to all our Lords to meet them this day at 10 a clock at a great Tavern<sup>4</sup> to consult whats to be done (I told them Seafeld was the man to call us together about the Malt tax but that

1 This letter, from Lady Balmerino, is before 8 Nov. 1712 when she died in Edinburgh.

2 See above, 113–14.

3 The Commons (but not the Lords) had regularly published an abstract of its proceedings known as the *Votes* since 1679.

4 The Blue Post in the Haymarket (see below, 154).



I should obey them). All our consulta[tio]ns will be but silly stuff except they would Unanimously take the resolu[tio]n which every man severally says he wishes—to bring in a bill for dissolution of the Union—I think this would be a good service to the Queen and therefore I am for it.

Mean while tho Salton trusts nothing to our great folks (so called) yet I hope that E[arl of] Yla is and will be more alerte on this head than many of our Lords and because he is discontented I wish you would enquire what he is doing and if he be sincere in this matter he will be endeavouring to promote addresses from all hands to the Queen for this dissolu[tio]n. But if all be grimace then he will only be dealing with Lords, barons and burgesses about next elec[tio]ns. Your fears about our address about our peerage was ill founded for as there was nothing in it so it has had no effect.<sup>1</sup> If Yla be not promoting any address for a dissolu[tio]n, if other folks would dispose our Lords (chiefly) and others to it I truly perswade my self it would not be without effect and a fit time may be at next elections. What we wish we easily believe. (X)

I am going to the meeting. I shall afterwards give you ane acc[ount] of it.

At 4 in the afternoon.

At our meeting, it ended in the general opinion that it would be impossible to get free of this malt tax let our reasons for it be never so good, that ane endeavour to throw the whole bill out would be in vain But our commons thought they would get some abatement. I know not if this be well grounded but now since the house met I find them more of that opinion then they were before. But at best this is poor doings.

As to what I have marked above thus (X), I Know the most considerable Tories and whiggs in our house would be for it (and they govern the H[ouse] of Commons). It is only the Court that is against it, and it is in our power to make them weary of the union when we please. If they saw all orders in Scotland addressing for a dissolu[tio]n, they would soon see that they could not expect any service from us.

But tho I have written thus freely to you I know you will not use my name in it—and burn this.

GD45/14/352/17

26 May [1713]

Sir, Since we were this day to meet the Scots commons at ten, we (Scots Lords) thought fit to meet among our selves at 9 at Ilay's lodgings, where I was

1 See above, 148.

agreeably surprised to find his L[ordshi]p (he came but yesternight).<sup>1</sup> We were all very unanimous and zealous to agree to the Commons proposal to move for leave to bring in a bill for dissolving the Union. Thence we went and mett with the commons where the thing was resolved without one contrary vote. I must do Cockburn of Ormiston the justice to own that he seemed hearty enough But Jerviswood was full of shifts to put it off (of which the detail would be tedious) but finding not one man of his mind (some I believe there were but durst not own it) he did agree.<sup>2</sup> So we immediatly sent Argyle, Mar, Lockhart and Baillie (of Jerviswood) to Kensinton to acquaint the Queen (not to ask leave but to tell her majestie) that we are unanimou[s]ly Resolved to insist upon a dissolution of the Union as most necessary for Hir majesties service for the good of Scotland and of England.

The Queen will not be surprised for she was told this was a Comming. Our good Queen does not like it, but when she sees it is for hir service I doubt not but she will agree to it. I know not what answer she has given our commissioners, but we do not hope to succeed this session But we will all endeavour to have nather Lord nor Commoner chosen next parliament who is not of this mind and who will have it in their hand to force the Ministrie (who are the only persons unwilling to want us) to let us go. This is a circumstance that we are not in now that the parliament is so near ane end,<sup>3</sup> yet I know not what may fall out upon the 9th Art[icle] of the treaty of Commerce.<sup>4</sup> Tho the bill stop in the House of Commons we have promised in our house to take occasion to declare our sentiment for a dissolu[tio]n and to promote it what we can.

In a post or Two when you he[a]re the mo[tio]n is made (tho it be rejected at this time) I think people at Ed[inbu]r[gh] should be ready to put on bonfires, and in other towns also, that it may be seen we will not give it over.

Yesternight Carnwath told me [of] a long conference that Bolingbroke<sup>5</sup> had with him and some others of our Commons on this subject. He is a very generous gentleman and much a friend of Scotland.

1 From Scotland.

2 For George Baillie of Jerviswood's position see Holmes & Jones, 'Parliamentary crisis of 1713', 53-4.

3 It sat until 16 July, when Balmerino was present (*LJ*, xix, 613, 615).

4 The eighth and ninth articles of the Treaty of Commerce could not come into force until existing anti-French protectionist legislation was repealed and the new articles ratified in what would, in effect, be a money bill.

5 Henry St John (1678-1751), 1st Viscount Bolingbroke, Secretary of State for the North 1710-13, for the South 1713-14.

When we were at our meeting at the blew posts in Hay Mercate Lt Col[one]l Stuarts<sup>1</sup> footman was in Sir Geo[rge] Bing's<sup>2</sup> way who without speaking a word threw him over on the stair. The poor footman said Sir if you had spoken I would have gone out of the way upon which Sir Geo[rge] with his sword struk him over the head and then run him in the shoulder. The poor man was going away, but seing his blood and hearing the chairmen and footmen cry knock him down he run after Sir Geo[rge] and with his staff beat him so soundly that he left him for dead all over bloody. Sir Geo[rge] had no servant with him so that he lay a litle while ere any body medled with him but then they carried him to his lodging which was near.

GD45/14/352/18

28 May [1713] at 10 at night

Sir, I have not time to say the half of what I could. This day Seafield moved that monday next might be appoynted to take into considera[tio]n the State of the na[tio]n and Eglinton seconded him. So it was appoynted at a meeting of our peers yesternight where Eglinton was rare company being a litle drunk as having dined with Bolingbroke at Roseberrys lodgings. Seafield being bid drink his own health, Drunk the E[arl] of Findlaters a much honester man than the Earl of Seafield.<sup>3</sup> In a word munday is appoynted.

I refer you to other letters for the noble behaviour of all our Commons who this day joyned the whiggs against the Court in a bill capacitating Quakers to vote in Elec[tio]ns and carried it only by 19 or there about which shows how we can cast the balance.<sup>4</sup> Afterwards Lechmere,<sup>5</sup> Sir Peter King<sup>6</sup> and other famous whiggs carried a bill for us.<sup>7</sup> But I must give over.

The Treasurer in the house said to me, and you also are bite, you have the toothach and to cure it you would cut off your head, and so he went off. This day he made a noble and Cunning speech in ans[we]r to Wharton, Coupar and Halifax about the treaty of Commerce, which he said had in it great

1 Brigadier John Stewart (c.1673-1748) of Sorbie, Argathelian Whig MP Wigtownshire 1708-10, 1711-27.

2 Admiral Sir George Byng (1664-1733), MP Plymouth 1705-21. Lockhart also records this story: *Letters of Lockhart of Carnivath*, 79.

3 Seafield had succeeded to the earldom of Findlater in 1711.

4 The vote was 129 to 112 that the act enabling Quakers to affirm instead of taking an oath, which was due to expire, should continue (*CJ*, xvii, 384-5).

5 Nicholas Lechmere (1675-1727), MP Cockermouth.

6 Sir Peter King (1669-1734), MP Bere Alston.

7 Possibly a reference to a decision of the Commons to continue the Act of Charles II 'preventing Theft and Rapine upon the Northern Borders of England' (*CJ*, xvii, 384).

difficulty as to the 9th art[icle] as to which it was clear that we were free and the french bound if we pleased, and if upon due examination we liked it not we might let it alone. But in due time he would lay his opinion before them. Halifax was forced to say, Nobly spoke. In hast Adieu.

[P.S.] I forgot to tell you that I have burnt yours and that Salton is transported with joy tho I fear it will not do till next Session.

GD45/14/352/19

2d June 1713

Sir, Yesterday at 10 a clock we (Scots Lords) mett at the E[arl of] Mar's, there we debated and agreed on the wording of our Motion to be presented by Seafeld for bringing in a bill for dissolving the Union and securing the Protestant Succession as it is presently by law established.<sup>1</sup> Then he read to us the heads of his speech which were our grivances which induced us to make this mo[tio]n—the dissolu[tio]n of the Council,<sup>2</sup> the treason act,<sup>3</sup> the incapacitating the peers,<sup>4</sup> but above all our many taxes, especially the malt tax bill,<sup>5</sup> and the ruin of our trade and manufactorys. Mar, Yla, Argyle, Loudoun and I took our turns to support him against some English Lords. It seems to me that they despised us, no body thumping at us but Lords North<sup>6</sup> and Peterburrow till at lenth Lord Trevor<sup>7</sup> and the Treasurer attacked us. They insisted that our grivances might be just and therefore we might desire redress but why a dissolution. We maintained that no other remedy could sett things right. After two or 3 hours debate (No English helping us all the while) at lenth Nottingham made a long and excellent discourse answering solidly all the trash that had been said against us (as that it was not possible to dissolve the Union) but he said he knew not what to conclude. Yet he knew very well and had concerted with the Whiggs. He thought it best to adjourn this debate to another day that we might consider of this motion. Upon which Sunderland (the only honest whig which I know) was clear for us. Townsend,<sup>8</sup> Halifax and some others expresst a dislike to the dissolu[tio]n yet said that as their only

1 By the Act of Settlement of 1701 which nominated Sophia, the Electress of Hanover and her heirs should Queen Anne die childless. Securing the Protestant succession in Scotland had been the major prize from the Union for the English.

2 See above, 114.

3 See above, 114.

4 To sit in the Lords with British titles: see above, 110.

5 See above, 113-16.

6 William North (1678-1734), 6th Baron North and Grey.

7 Thomas (1658-1730), 1st Baron Trevor, Lord Chief Justice of the Common Pleas 1701-14.

8 Charles (1675-1738), 2nd Viscount Townshend.

design in the union was the succession so if they saw that secured and perhaps better provided for they would not be averse to it. Mar and Seafield were for putting the question upon our motion for leave to bring in a bill to dissolve the union. Halifax told Mar that they would not joyn us on that and that when it was writ to Ed[inbu]r[gh] that all the Scots stood for dissolving the Union he hoped it would be writ that they would put a question they were sure to lose. Upon which Mar stood up and said, that no man was more sincere and hearty than he for the dissolu[tio]n and that he thought the question as he had moved very proper, yet since he found it was misconstrued he retracted and was for a delay. Then the house divided 54 to 54. Then proxies being called for they had 17 and we had 13. Nota if the Bishop of Ely<sup>1</sup> and another Whig Bishop had not gone out we had carried it by two, for each of them had Two proxies.<sup>2</sup>

Argyle spoke very handsomely, long and violently for us which disposed the Whigs much to incline to us, yet they are so averse till they get a secret Capitula[tio]n with us upon a new point which I will not name<sup>3</sup> that they are condemned by Sunderland and some say by Wharton (who was not in toun).<sup>4</sup>

This day we mett with our commons to consider if they should try to bring in a [motion] for it in their house to show that we had not given it over, But it was resolved in the negative because they would be sure to be baffled out of sight wheras we had by the help of the whiggs made a noble appearance. But we all declared that next Session we would insist in it and joyn with any that would help us. One or two moved that we would in every thing this session joyn with the Whiggs but this was not agreed too since they would not say they would be for us, and there is nothing in view but the 9th art[icle] of commerce.

I know you will be impatient to know the secret which I was unwilling to writ but since 100 in London know it—it is presently to bring over H[anover].<sup>5</sup> Burn all my letters.

1 John Moore (d.1714), bishop of Ely since 1707.

2 The other Whig bishop was Fleetwood of St Asaph. No official proxy records survive for this session, though other evidence suggests that the two bishops had one proxy each (see Holmes & Jones, 'Parliamentary crisis of 1713', 58, n. 73).

3 The bringing over of Hanover, see below in this letter.

4 Disturbed by the caution of some of the Junto towards the Scots over the Union, Wharton had retired to his seat in Buckinghamshire. He had returned by 8 June.

5 In the spring of 1714 the Whigs were to propose bringing the Electoral Prince (who was also Duke of Cambridge) to England to help secure the succession should the Queen die suddenly. The move was also partly designed to embarrass the Tory ministers. If they opposed they offended the Elector and laid themselves open to accusations of Jacobitism, while if they supported it they offended the Queen who

I forgot to tell you that Seafeld was very unwilling or rather affraid to make the motion for dissolving and therefore ended his speech without it (it is true he had got a majority of our Lords at Mar's lodging to approve of this nonsense) but some of the English muttering that he had concluded nothing, particularly Anglesey said to himself, then he rose up and read it.

GD45/14/352/20

4 June [1713]

Sir, This day we were considering how to oppose the malt tax bill which is to get a 2nd reading to morrow, and to be Committed. I doubt not but it will pass yet I hope we will give the Court some difficulty for E[arl of] Sunderland came to me and said that he came in [the] name of his friends who had mett to consider the 14th art[icle] of Union<sup>1</sup> and that they would all to a man joyn us if I would move to delay Committing of the bill till munday and that then they would take into considera[tio]n the state of the na[tio]n in relation to the 14 and other art[icles] of union which may relate to this tax. But he said on munday when I opened the debate I must oppose the bill not only with regard to Scotland but to England and not offer to amend it but to throw it out. I said I would agree to any motion that might retard the ruin of my Country But that amending it would throw it out, for the commons will not pass a Money bill that we amend.<sup>2</sup> He said that was true but the other way was better. I said I should talk to my Scots friends of it. I apprehend that the Court will oppose this and get it committed in spite of all we can do. If my country men please I will attempt this, and move it how [I] will. I will joyn in any measure to throw it out.

The Court is affraid of the ferment Scotland may be in on this occasion. I hope that no body will show their zeal but in a duty full manner, But the sooner that all ranks address the Queen for a dissolu[tio]n of the union as the only remedy it will be the better. Adieu.[P.S.] Mr Fletcher went for Holland on tuesday last.

GD45/14/352/21

[No salutation and no date] I laugh heartily at the silly brewars who consulted Sir D[avid] Dal[rymple] against this tax. If they had been wise they would have

was opposed to the move. See Szechi, *Jacobitism and Tory Politics*, 135.

1 Granted Scotland explicit exemption from the malt tax for the duration of the war against France (*LJ*, xviii, 256).

2 The constitutional convention was that the Lords could reject a money bill but they could not amend one (see above, 132).



drank their money. We intend to try if we can quite throw it out without amending it. The Court insinuates it shall never be exacted, but I think that is not in their power.

GD45/14/352/22

6 June [1713] Saturday

Sir, Because I have not writ to Lord Ed[inbu]r[gh] this long time, I allow you to tell him any thing I writ to you, the like I say as to David Drummond<sup>1</sup> or any other you think fit.

Yesterday the message from the noble whiggs was renewed to me when I entered the house. I said I should either open the debate or E[arl of] Ilay should. When I proposed it to Yla he said he would do it with all his heart but that it would look Whiggish from him, that it would do far better from one that was a known torie. So that it fell to my share and as he promised he seconded me vigorously. My conclusion was to put off the order of the day (for a 2d reading the Malt tax bill) and to appoynt Munday next for taking into considera[tio]n the state of the nation with regard to the 14 or other Articles of Union which had rela[tio]n to the malt tax. After 3 hours struggle wherein Argyle, Mar and Seafeld also spoke for delay of reading, it carried against us. We were 56, the Court 57. We had 18 proxies, they had 19. Presently Argyle who sat by me observed that we had lost it by Lord Duplin's<sup>2</sup> being with the Court for his vote would have made us Equall, and we being for the negative (not a 2d reading) we had carried it. Poor E[arl of] Home<sup>3</sup> (meaning no ill) had got his bottle overnight and came not to the house till after our vote, and that he was sent for. Also we wanted D[uke of] Grafton,<sup>4</sup> E[arl of] Darby,<sup>5</sup> E[arl of]

1 Treasurer of the Bank of Scotland and a noted supporter of the episcopal cause. I owe this identification to Dr Tristram Clarke.

2 George Hay (d.1758), heir of the 7th earl of Kinnoull, styled Viscount Dupplin, he had married one of Oxford's daughters in 1709 and had been created Baron Hay of Pedwardine in the British peerage in 1711. He was unaffected by the Lords' ruling on the Hamilton peerage as he was not a Scottish peer at the time of his creation. He succeeded as 8th earl of Kinnoull in 1719 and continued to sit by virtue of his British peerage. This loophole in the 1711 Lords' ruling was used later only sparingly.

3 Alexander Home (d.1720), 7th earl of Home, representative peer 1710-13, was one of the poorest Scottish peers, and as he had only recently been appointed by the ministry General of the Scottish Mint (worth £130 a year) his absence may have been diplomatic. He was to be given a royal bounty of £150 in Dec. 1713: Holmes & Jones, 'Parliamentary crisis of 1713', 75, n. 84.

4 Charles Fitzroy (1683-1757), 2nd duke of Grafton.

5 James Stanley (1664-1736), 10th earl of Derby.

Wharton (who also had a proxie).<sup>1</sup> Also the poor old Bishop [of] London,<sup>2</sup> D[uke of] Leeds<sup>3</sup> and others were wanting on the Court side.<sup>4</sup>

The bill getting a 2d reading, it was hard pressed to be committed, up on which I got a message from the whiggs for I was sitting among tories<sup>5</sup> to insist against the bill itself (it is true Argyle and Yla were near me and very keen). I maintained that the war was not ended with Spain, that by the law of nations and good reason nothing ended it but Exchange of ratifica[tio]ns and publica[tio]n of the peace.<sup>6</sup> This was nobly made good by severalls [sic] but by nobody so well as by Nottingham so that in my opinion we had by much the advantage of the debeat and at least we wearied them so that it ended in a consent to committ it presently, but not to proceed in the Committee til Munday and then we are to have a battel royal. It would be a pleasure to you to hear all the Arguments on one side and the other but that would be so long that I must leave it till meeting. There are expresses on all hands to the country for proxies.<sup>7</sup> Some Tories who had declared they were for dissolving the union, and against this tax on us, failed us in both. There are 2 or 3 who were with us t'other day who I fear will be deserters, tho I judge we will be defeated yet I lose no courage and I am sure the Court has half of the fear. Tho I was not to wait on D[uke of] Montrose<sup>8</sup> yet this morning he was to see me and is very keen on this matter of the tax. I know not if he be so as to the diss[olution] of the Union.

GD45/14/352/24

9 June [1713]

Sir, Yesterday in a Committee of the whole house (the fullest that ever I saw, for we were 120) I was desired by my Country men to open the Debeat, by objecting to that part of the first paragraph (and which I said would affect every paragraph of the bill) viz. 6 pence on every bushel of malt made in Scotland.

1 He may have had two proxies: Holmes & Jones, 'Parliamentary crisis of 1713', 74, n. 82.

2 Henry Compton (d.1713), bishop of London since 1676.

3 Peregrine Osborne (1659-1729), 2nd duke of Leeds, a Tory.

4 Oxford had also bought the crucial vote of the independent Whig earl of Warrington: Holmes & Jones, 'Parliamentary crisis of 1713', 60, 75, n. 85.

5 This is a rare piece of evidence of lords sitting in party groups, a practice which was against the rules of the House. See C. Jones, 'Seating problems in the House of Lords in the early eighteenth century: the evidence of the manuscript minutes', *Bulletin of the Institute of Historical Research*, li (1978), 143.

6 See above, 113.

7 This failed to raise more than a few. See the next letter where Balmerino reports the proxies as 19 to 19.

8 James Graham (1682-1742), 1st duke of Montrose, representative peer 1707-10, 1715-34, member of the Whig *Squadron*.

This I was of opinion should not stand part of this bill for several reasons too long to be here men[tio]ned. The prin[cipa]ll was that by 14 art[icle] of union we were not to be charged with it during this war, that it was clear by the law of na[tio]ns that war was understood to Continue till Exchange of ratifica[tio]ns and publica[tio]n of the peace which was not yet with Spain.

Lord North made a long answer to every thing I had advanced (but he took it ill that Seafield, Yla nor I made no reply. He is a very honest man but it was strange stuff). At lenth the Treasurer and Bolinbroke fell to it, but they were closly taken up by Nottingham and Lord Coupar who expressly said it was impossible to lay this tax on us without a breach of faith and honour. Seafield, Yla, Mar and Argyle spoke very well. When the Court found themselves straitned the Treasurer said it would indeed be very hard upon us But that it was like the exac[tio]n of it would not be strict. Sunderland said that must be by a Dispencing power. The Tr[easurer] said he had never been for a dispenccing power nor any of his relations (meaning by [this] Sunderlands father).<sup>1</sup> Sunderland said he was only bound to answer for himself. Yet all on the Court side insisted to insinuate that it would not be exacted, But Lord North maintained expressly that the Queen could dispence with it for (said he) the laws of Scotland remain to them by the union and the other day I was reading (he said) Drummonds history of that gallant K[ing] Ja[m]es 1st of Scotland<sup>2</sup> and there I find that that King discharged two taxes, why not then the Queen. I was rising to have made him a civil answer But Argyle pulled me down and said he deserved none (his Lordship did not observe that these taxes were not appropriate as this is). After many good and many ridiculouse speeches after 5 a clock it was put to the votes if the words should stand part of this bill. We were 56, they 64. We did not call for proxies knowing them to be equal—19 to 19. D[uke of] Kent,<sup>3</sup> Lord Cartwright<sup>4</sup> and Lord Herbert who had all along been with us, deserted to the enemy els we had only lost it by two.

1 Robert Spencer (1641-1702), 2nd earl of Sunderland, was James II's chief minister. James's dispensing with certain laws was a major cause of his downfall.

2 William Drummond (1585-1649) of Hawthornden, author of *The History of Scotland from the Year 1423 Until the Year 1542 Containing the Lives and Reigns of James the I, the II, the III, the IV, the V...* (1655). The taxes in question were to pay for the marriage of James I's daughter to the Dauphin Louis of France (*ibid.*, 25, 33).

3 Henry Grey (1671-1740), duke of Kent, last Court Whig to support the ministry.

4 John (1690-1763), 2nd Baron Carteret.

I desired two days time to insert our protestation in the books—granted. I have drawn one, and this day gave it to Nottingham to lick it. We will agree on it tomorrow.<sup>1</sup>

D[uke of] Leeds who made long speeches full of nonsense and Complements to us, when all was over told Seafield and me that we must be pleased and for that purpose that an act of parl[iamen]t must be made to rectify that affair of our peerage. Seafield said that would do well. I said the best way was to dissolve the union and then our Lords might be made English peers.<sup>2</sup> I do not believe the court deseins it, nor if they did would they be able to do it.

In all our debate the Chancellor and learned Lord Trevor opened not their mouths, knowing well they had nothing to say. The Treasurer and Bolingbroke were forced to say a litle but it had been as well done to leave it to North, Leeds and Peterburrow.

I must not forget Kilsyth's speech (who never spoke before). I sat 'twixt Argyle and him so I think I can give it verbatim—My Lords I do approve this motion because it is most reasonable, and it would free us of a great burden, and yet it is with regrate I do it becaus the laying on this Tax will tend to the dissolution of the Union. All the fine speeches that I heard did not please me so well as the honesty and good sence of this.

Nather on friday nor yesterday did Loudoun open his mouth (that I remember) yet he was very cordial in the thing, but he said the subject was exhausted.

You will get no more letter from me till something of moment occurre.

GD45/14/352/23<sup>3</sup>

11 June [1713]

Sir, I have not leasure to send you a double of our protesta[tio]n, I was ordered to draw it and Nottingham, Sunderland and Halifax altered a few words in it. So it is inserted in our Books for while Ormistons cause was debating James went with a clerk to another room and dytted<sup>4</sup> it. To morrow we and our

1 See above, 115, and below, 161-2.

2 With the dissolving of the Union, British peerages would cease to be created, and further creations would have been in the revived English peerage, which did not come under the ban imposed by the Lords' vote of 20 Dec. 1711 over the Hamilton peerage.

3 The Scottish Record Office placed this letter in the wrong position in the sequence, probably as a result of misreading the date of the 11th as 7 June. The case of Adam Cockburn, Lord Ormiston of the Court of Session, v. John Hamilton of Bangour referred to was debated on the 11th (*LJ*, xix, 572-3). For the case see HMC, *Lords MSS*, x, 30-2.

4 'Dited' = wrote out or dictated; or possibly 'dichted' = put in order.

whig Lords will sign it.<sup>1</sup> I send you copy as I offered it. You shall next post get the amendments which are very small.

Bangour cause after long debate was put off till to morrow.

We were forced to make our protest no higher to get the English to sign it.

GD45/14/352/25

16 June [1713]

Sir, I have not time to send the litle amendments to our protesta[tio]n. The Treasurer has spoke to some of our Commoners about a clause in a money bill to empour the Queen to ferm the malt tax,<sup>2</sup> and one who pretends to know his mind says to me that if it be fermed at 12 or 18 [t]hous[an]d lib. the Queen will discharge [it], and pay in the money himself, but this I much doubt. I delayed to long to writ. Adieu.

God forbid the mob be so mad as you fear in your last.

GD45/14/352/26

23d June [1713]

Sir, I had so litle to say to you that I wrot none for some posts. I am sorrie from my heart that I am to tell you that this day about 2 a clock poor Blantire dyed of a fever. He was much a servant to Two noble brothers<sup>3</sup> But they nor any mortal could not influence him to favour presbyterie nor the Union both which he sincerely detested; as to this last the Brothers seem at present to be heartly against it as he was ay.

Add to the end of our first reason of dissent (to the malt tax) words which Lord Halifax dictated—and by construction of law and usage of parliament this bill is to be reckoned as a grant to the crown and charge upon the people from the first day of this session at which time even the peace with france was not made.<sup>4</sup> The truth is he made this good in Two very fine speeches against the Treasurer.

Letters from 20 hands would let you know that the bill concerning the 9th art[icle] of Commerce with france was thrown out by 9 votes.<sup>5</sup> The Court was inclined to let it fall, but of a sudden they sent orders to push it and then they

1 This was the protest against the third reading of the Malt Tax Bill on 8 June. Nineteen peers signed the protest, of whom fourteen were Scottish representative peers (the missing were Atholl, who was in Scotland, and Annandale), plus Argyll, while the Whig lords were Lonsdale, Scarbrough, Somerset and Sunderland.

2 See above, 116.

3 Argyll and Ilay.

4 Protest of 8 June: see *LJ*, xix, 567.

5 In the Commons: see above, 116.

lost it by 9. This was strange Conduct since it is certain Sir Roger<sup>1</sup> Could have carried it by 100. It is not doubted but it will carry next Session if the Court please. This is on supposi[tio]n that the elec[tio]n go well for them.<sup>2</sup> Indeed the whiggs are very uppish.

I wrot you no account of the drolle mismanagement of Bangours cause by Yla and Seafield who both pretended to be clear for Bangour.<sup>3</sup> I will not trouble you nor my self with it now.

This day the house was very full hearing Counsel for and against the affrican Companys bill to make their trade exclusive to all others or not. The lawyers were heard out, and tomorrow we are to be on it.<sup>4</sup>

When I was slipping out of the house the Treasurer came to me and said, I was just looking for you, pray be at my lodgings in St James's on thursday at 11 a clock about This Business. So he went away I telling him I should wait on him. I asked at others what bussiness he meant. They told me it was the malt tax. I hear our Lords and I believe our Commons are to be there for they are much embarrassed with this malt tax. I hope nobody will do any undutyfull thing but I hope no body will pay it. What hinders all the justices of peace to represent humbly the impossibility of paying it, and to know hir majesties pleasure about it Concluding that a dissolu[tio]n of the union is the only remedy to preserve hir faithfull and dutyfull subjects from ruin.

The Treasurer has got particular accounts from Scotland that our Trade is greatly thriving, that we have 900 ships more then we had at the union (he has the names of ships and masters), that where our drawbacks and premiums are now 30 or 36 th[ousand] l st[erling].<sup>5</sup> They did not before the union amount to 2 or 3 th[ousand] l st[erling]. With other arg[umen]ts for the union, this will not do his turn. The Whiggs are in a brave disposition for a dissolution. Adieu.

Since my letter ends with speaking of the Union I must tell you the different part I took in that from my Countrymen. Seafield and all that spoke (except honest Kilsyth) said they had been for the Union but that it had been so

1 Probably a cant name.

2 The general election was held in Oct. 1713.

3 See above, 161, note 3.

4 For details see HMC, *Lords MSS*, x, 162-90, esp. 173; *LJ*, xix, 583-5.

5 This probably refers to the accounts (of ships, premiums and drawbacks paid in Scotland before and after the Union, etc.) drawn up for Oxford by John Crookshanks, the Comptroller-General of Scottish Customs, who had immured himself late May in lodgings at the 'Two golden Balls in Villars street' to complete the work. His letters and reports are in BL, Add. MS. 70047 (formerly Loan 29/218). See also Riley, *English Ministers and Scotland*, 190-1.



managed—in the case of the council, of heritable jurisdic[tio]ns,<sup>1</sup> of the Treason bill, of the peers, and now of the Intollerable taxes—that they desired a dissolu[tio]n. This was far enough from them But I foresaw what would probably be said and which at lenth the Treasurer said, that here were grivances and hardships which might require being redressed, But why a dissolution. This I thought fit to anticipate and therefore I maintained that now during 6 years we had enjoyed many valuable immunities and exemptions and yet in that time we found our selves ruined so that tho they should for ever exeem[pt] us from malt taxes and grant us such other immunities as hitherto we had enjoyed (which yet we could not reasonably expect) this migh[t] retard but it could not prevent our ruin; and therefore no redress but a dissolu[tio]n could save us, for our ruin was the natural and genuine effect of the union. These last words were taken to task by the Treasurer who confessed we had been hardly used and he hoped we should be redressed But he could not understand why these things should be called a natural consequence of the union. I made him a reply, but he had the goodness not to insist further on it tho I hear he says that he had in his pocket 3 or 4 things which would have cleared my mistakes—I believe the 900 ships etc.

However I was on this subject with E[arl of] Stair,<sup>2</sup> and yesterday with Sir Da[vid] Dal[rymple] who do not agree with me. I bid them consider the 6 and 15 art[icles] of union<sup>3</sup> which in a private conversa[tio]n the chancellor urged against me why we must pay the malt tax—that Equality of taxes was necessary for Equality of trade. I said they need not break the union to ruin us, the observa[tio]n of it in laying on the malt and salt taxes would do the turn. If we say it is not equal, they say that nather land tax, nor malt tax, nor any other is equal in England strictly speaking; and that the considera[tio]n of our circumstances is a discretionary point to be left to their judgement. Which is very true and since they have so much discretion and kindness for us we will be very happy. E[arl of] Stair said it was only Equality on export and import that was necessary. I said the 6 art[icle] seemed to say so but the 15 art[icle] mentioned excises which was not on Exp[or]t and Imp[or]t immediately. I tell you this

1 Heritable grants of jurisdiction bestowed on certain Scottish nobles and others, which were safeguarded in article 20 of the Union Treaty, but which were abolished by Act 20 Geo. II, c. 43 in 1747. The Act for Rendering the Union of the Two Kingdoms more Intire and Complete (6 Anne c. 40) of 1708, which abolished the Scottish Privy Council, appointed JPs in Scotland with increased powers. A conflict of jurisdiction with the heritable grants resulted, and this may be what Balmerino is referring to. See Riley, *English Ministers and Scotland*, 90, 92-5.

2 John Dalrymple (1673-1747), 2nd earl of Stair, representative peer 1707-8, 1715-34, 1744-47.

3 Article 6 established the equality of customs and duties on trade throughout Great Britain; article 15 settled the Equivalent, for which see above, 125 (*LJ*, xviii, 254-7).

that you may see how unwilling some folk are to confess—after all the work goes bonnyly on.

GD45/14/352/27

1 August [1713]

Sir, I have not wrot to you of a great while haveing nothing to say. This is a reason why I should still be silent but I will rather tell you Coffee house news than none at all. They say that there is no good understanding 'twixt Mar and Argyle. If so a litle time will let us see the Event. Eglinton is this evening takeing leave of the Queen. He goes off on munday and is very keen for a high torie elec[tio]n to enable the Queen to reduce fac[tio]n at home (these are the words of the Queens speech)<sup>1</sup> he says he longs to talk with you on this subject. I go off on friday or saturday next. I would have gone off when the Parl[iamen]t rose<sup>2</sup> but I was bid stay, indeed I know not for what. It is said all our elec[tio]ns will be over before Michaelmas. My service to Lord Ed[inbu]r[gh]. Dear Sir Adieu.

GD45/14/390/7

18 Dec[embe]r [1721]

Sir, I long to know what answer D[uke of] Hamilton<sup>3</sup> has given Kincardin.<sup>4</sup> No doubt it will be fit he writ to D[uke of] Argyll, But if he cannot assure him of a considerable number of votes (sufficient to exclude the squadrone), he needs say nothing, and therefore every torie must declare whither he will vote or not; if they will not, we need not trouble our selves, But let the Court make a Whig list. I do not believe D[uke of] Arg[y]le will go in to the Court measures except he find that our party signifies nothing. No time must be lost for the court will press this hard. Adieu.

GD45/14/390/8

Thursday<sup>5</sup>

Sir, I have not made the least insinua[tio]n to any mortal of what passed amongst us at last meeting. My son tells me that E[arl of] Ilay advises me not to refuse to be elected if it be offered me. I tell you I heartyly repent that I suffered my self to be chosen the last time, and I am resolved not to fall into

1 The Queen's speech of 9 Apr. opening the session (*LJ*, xix, 512).

2 On 16 July.

3 James Hamilton (1703-43), 5th duke of Hamilton.

4 Thomas Bruce (1663-1740), 7th earl of Kincardine, a Jacobite.

5 The dates of these last three letters are probably early 1722, before the general election on 21 Apr.

that folly again; But I cannot guess why he gives this advice; is he sure I would be on his side; that is more than I know; He did not find me so the last time. Pray tell me what you think moves him to this.

I truly imagine that his brother and he are packing up with the squadrone,<sup>1</sup> and so none of them will have much need of us. Adieu.

GD45/14/390/9

Friday

Sir, As for me I will not be chosen indeed I could not make the journey without danger.

I reckon wee will get 8 or 6 at least. Eglinton, Aberdeen,<sup>2</sup> Northesk,<sup>3</sup> Kincardin must be our first 4 and Atholl must come in also; the rest must be thought of.

As for contributing etc. I do not like it, it would be impracticable; it could not be a secret, it would not be very honourable. E[arl of] K[incardine?] says if they get places or pensions they must go in with the Court; this is a mistake except it be as to taxes (and the lords never offer to alter what the commons send up).<sup>4</sup> This is the Courts great concern and those who have no pension do agree to it as well as those who have. E[arl of] Oxford never asked any condition, nor was it ill taken that wee opposed the malt tax since it was the interest of our Country nor that we moved for dissolving the union tho the court opposed us in both.

He would be looked on as a vile man (even by the Court) who would promise implicate obedience to, he knows not what. You will find Eglinton and Aberdeen well provided for, and I hope they will stand for the interest of their country as well as those who have no pension.

Since I have told you I am resolved not to be chosen, my pleading for places and pensions will not be mistaken. Now let me add, that I think wee should agree with Argyll as soon as wee have an Unified party; and besides many other places the commission of police has 8 commissioners, the least pension is 800 L st[erling] and some are more; why should the Squad[ron]e keep these. On

1 See above, 117.

2 William Gordon (1679-1745), 2nd earl of Aberdeen, representative peer 1721-7. A Tory elected at a by-election on 1 June 1721 against the wishes of the ministry on a platform of opposition to the revival of the Scottish clauses of the defeated Peerage Bill of 1719 which would have replaced the sixteen representative peers by twenty-five hereditary ones.

3 David Carnegie (d.1729), 4th earl of Northesk, Tory representative peer 1708-15.

4 See above, 132, 157.

the other hand the Squad[ron]e can offer us nothing, Except on condition that wee keep them in (both in the gov[ernmen]t and in all valuable places).

These are my thoughts But I am no dictator. I submit them to E[arl of] K[incardine?] and you, and do not allow you to talk of them with any other Except with him and James.

Burn this when you have read it to E[arl of] K[incardine?].

Earl of Coupar has nobly opposed the peerage bill and the S[outh] Sea project, and I dare say he is the more esteemed both by the nation and the court.<sup>1</sup>

All will go right if this parl[iamen]t be dissolved, but I have yet some doubt of this.<sup>2</sup>

GD45/14/390/30

Wedensday morning

Sir, You know our friend at London writ to me that if we stood upon that notion to have 16 or none at all he needed to come down. I writ to him that that proceeded from the fright that some had that we would be betrayed in a matter of the last consequence to us But that now we resolved to satisfy our selves with taking every man engaged not to consent to etc. and not to accept of a patent on that footing.

In answer to that yesternight late I had this answer—If our peers keep firm to the Resolu[tio]n you writ of as to those who they elect it will effectually secure what they are affraid of, and put ane end to all these projects about it, and if it be vigorously pushed I see not how any peer of whatever side can refuse going into the measure. But this should be taken care of in time before the courtiers come down. Adieu.

1 Lord Cowper was leading a new opposition in the Lords consisting of Tories and dissident Whigs: see C. Jones, 'The new opposition in the House of Lords, 1720-1723', *Historical Journal*, xxxvi (1993), 309-29.

2 Parliament was dissolved on 7 Mar. 1722 (*LJ*, xxi, 718).

## APPENDIX

GD45/14/390/20

Att Holyrood house Feb[ruary] 27 1722

I do declare upon my Honour that at the elections to the ensuing Parliament I will not vote for any to represent the Scots Peers excepting Such as shall give a Signed Declaration on Honour that they will to the outmost of their power oppose in Parliament by voting and otherwise any attempt which shall be made to take away the right of elections as it Stands at present to the Scots Peers Secured by the article of Union.

*Present**By letter or proxy*

Athol	Eglington
Tweddail	Glasgow
Annandail	Galloway
Wigtoun	March
Strathmore	Aboyne
Weems	Selkirk
Ruglen	Cassils
Kincardin	Ross
Kintore	Dalhousie
Roseberry	Gray
Blantyre	Arbuthnot
Balmerino	
Elphingston	
Elibank	
Salton	
Rollo	

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## STRIKE BULLETINS *from the* GENERAL STRIKE IN SCOTLAND, 1926

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edited by Ian MacDougall

### INTRODUCTION

Of the 1926 General Strike bulletins published by local strike committees in Scotland, the nine sets below are the only issues known to survive. Other bulletins appear to have been published at Airdrie and Coatbridge, Cambuslang, Dumfries, Elgin, Falkirk, Kirkintilloch, Shotts and Stoneyburn; but if they were, no copies have survived.<sup>1</sup> There were also one or two bulletins published during the strike by Scottish committees of national unions or groups of unions, such as the railwaymen's bulletin issued by the Central Strike Committee in Glasgow, and of which only one undated number appears to survive.<sup>2</sup> The *Scottish Worker*, published in printed form (unlike the local strike bulletins, which were duplicated) by the Scottish Trades Union Congress from only 10 to 15 May inclusive, was a Scots national, not local, strike paper. So were the duplicated Daily Bulletins issued to strike committees and trades councils by the STUC from 5 to 8 May inclusive. The British TUC's printed strike newspaper *British Worker* never circulated in Scotland during the nine days, 4-12 May, that the General Strike lasted.<sup>3</sup>

The general lack of practical preparation by trade unions in Scotland (as elsewhere in the United Kingdom) for the outbreak of a massive industrial dispute in May 1926 helps explain why most of the local strike bulletins did not begin to be published until a day or two after the strike began on 4 May. The Edinburgh bulletin is the only one of the nine surviving sets below that

- 1 J. McLean, 'The 1926 General Strike in Lanarkshire', *Our History* (1976), 11, 14; *Dumfries and Galloway Courier & Herald*, 12 May 1926; *Elgin Courant & Courier*, 21 May 1926; E. Burns, *The General Strike, May 1926: Trades Councils in Action* (London, 1926; repr. 1975), 121; *Kirkintilloch Herald*, 12 May 1926; *Workers' Weekly*, 21 May 1926.
- 2 It is preserved in the A.G. Dunbar Coll., Scottish Record Office [SRO], GD344/6/70.
- 3 STUC *Annual Report*, 1927, 36.



is known to have been issued on that first day of the strike. The Methil and Dunfermline bulletins appeared only from the second day, Aberdeen and Paisley from the third day, and Partick from the fifth day. The date of first issue of the Perth, Greenock and Ladybank bulletins is not known. The Perth bulletin was being issued at latest by 8 May.<sup>1</sup> Internal evidence indicates that the Greenock bulletin (of which only the undated issue No. 1 survives) was first published after Saturday, 8 May and probably on Monday, 10 May. It is unlikely that the Ladybank bulletin (which was issued by the local railwaymen's joint strike committee as there was no strike council at Ladybank) began to be issued as late as its sole surviving copy of 11 May. First dates of publication of those other Scots local bulletins apparently issued but of which no copies survive, are also unknown.

This lack of preparation by the unions and local trades councils<sup>2</sup> reflected the policy of the General Council of the TUC, the national union leaderships and the General Council of the STUC.<sup>3</sup> The General Council of the TUC called a special conference of trade union national executives in London on 29 April-1 May inclusive to consider the onset of crisis in the coal industry following the breakdown of negotiations between miners and coalowners. That conference decided almost unanimously (the seamen's union alone being opposed) to call a general strike in support of the miners (locked out by the coalowners from 1 May, even as the conference was meeting), and to entrust management of the strike to the General Council. Only then were local strike

1 See reference to a Perth bulletin in the Dunfermline bulletin of that date below.

2 Trades councils were bodies composed of elected delegates from affiliated local trade union branches and a few other labour groups, such as branches of the Independent Labour Party, Unemployed Workers, and Fabian Society.

3 That policy was to take no action, including preparations for a possible crisis, that might be seen by the government as provocative. The unions' inaction in the months before May 1926 contrasted with the preparations made by the government. After its apparent defeat on Red Friday, 31 Aug. 1925, when by the threat of an embargo by the unions on the movement of coal it had been forced to agree to concede until 1 May 1926 a subsidy to maintain miners' wages at their existing levels, the government was determined not to be caught unprepared once more when the subsidy came to an end. One aspect of its preparations—its appointment in autumn 1925 of the Samuel Royal Commission to enquire into the problems of the coal industry (than which no industry had already been more often officially enquired into since the end of the Great War in 1918)—was used as a reason or a pretext by the moderate or right-wing TUC leadership for doing nothing to prepare for a resumption of struggle. Instead they hoped for a compromise by which a big industrial struggle would be avoided and the miners' wages not drastically reduced. Within a month of the publication on 11 Mar. 1926 of the Samuel Commission Report, the TUC Special Industrial Committee (which included leaders such as J.H. Thomas of the Railwaymen and Arthur Pugh, chairman of the General Council, and which handled most of the negotiations and made most of the crucial decisions concerning the General Strike) was already reconciled to the imposition of wage reductions on the miners. G.A. Phillips, *The General Strike* (London, 1976), 112; M. Morris, *The General Strike* (Hammondsworth, 1976), 166.

committees hurriedly formed (in most cases by the trades councils) in Scotland as elsewhere in Britain, and practical preparations began to be made.

These preparations by the strike committees included arrangements to begin publishing local strike bulletins. This meant finding a typewriter and typist(s), obtaining a supply of duplicating stencils and paper, and organising a system of distribution for the copies. Little or no information survives about such arrangements made for most of the bulletins below (and still less for those whose copies have not survived). The kind of activity that appears to have resulted in the exceptionally, and probably uniquely, prompt issue of the Edinburgh bulletin on the first day of the strike may well have been or become typical of the experience of other strike committees. The Edinburgh committee did enjoy a clear advantage over smaller centres in being able to call on the help of the Scottish Labour College office in the city, and the staff of various trade union offices there, as well as members of the Railway Clerks' Associations, and the staff and organisation of the local weekly paper *Labour Standard*, whose publication during the strike was stopped by the calling out by the TUC of all printers. In Edinburgh the cost of paper, stencils, etc., was met from a special fund raised through an appeal by the strike committee: within the first day of the strike, it had brought in £200.

In two days a Clerical Department with staff and plant capable of dealing with 15,000 letters, Bulletins, etc., per day was in working order. In the same space of time a courier and transport service capable of delivery at Newcastle, Manchester, Carlisle, Glasgow and Aberdeen was set up. The Scottish Labour College staff and plant were placed at the disposal of the [strike] Committee and a Clerical Department was created by Mr J.P.M. Millar [general secretary of the College]. This Department was responsible for the printing [i.e. duplicating] of the Bulletin...<sup>1</sup>

That the first four issues of the Methil bulletin were not typed but handwritten illustrates some of the practical problems strike committees faced in those opening days of May.

These local strike bulletins were similar, though not uniform, in size, layout, number of pages, and frequency. They were duplicated on foolscap paper (13 inches by 8). An exception was the first number of the Edinburgh bulletin, which was on quarto (10 inches by 8). Most bulletins were a single sheet duplicated on both sides; the first issue of the Edinburgh bulletin was typed on one side only. Issue of a single sheet typed on both sides avoided the hazards of attempting to distribute bulletins with pages stapled or otherwise gathered; it also meant quicker and cheaper production. It seems likely that the Edinburgh strike committee was not alone in benefiting from the services of

1 *Labour Standard*, 22 May 1926.

experienced clerical or office workers. Strike committees unable to call on such help must have had greater problems in typing and duplicating the fragile stencils. Though expert hands could achieve a surprisingly high standard of type and even graphics (as the Paisley bulletin illustrates), the difficulty of attempting layouts or designs other than quite basic ones on the stencils meant that the appearance of the various bulletins tended to follow the same simple style of text in single line spacing with main, cross- or side-headings. The Paisley bulletin was unique among these surviving Scottish issues in including from its second number onwards a generally impressive daily cartoon that also projected a distinctive element of humour, even wit.<sup>1</sup>

The bulletins were almost always issued once a day, either in the morning or afternoon. The Edinburgh bulletin on 7 May asked that trade unionists' reports for inclusion be delivered each day to its office in Hillside Crescent not later than 10 a.m. The Dunfermline bulletin was published in two editions, morning and afternoon, until Saturday, 8 May, after which it was issued once daily. The first issue of the Aberdeen bulletin on 6 May described itself as an evening edition; all its other surviving issues were said to be morning editions, except the second on 12 May (the day the General Strike was called off suddenly and unexpectedly by the General Council of the TUC), which was aptly headed 'Special late edition'. Of the nine sets of copies of surviving local strike bulletins below, at least seven were published also on Sunday, 9 May. It is not known if the other two (Greenock and Ladybank), only one issue of each of which survives, were published that day. The Airdrie and Coatbridge bulletin was said to have appeared 'roughly every second day'.<sup>2</sup>

Several of the bulletins were put out on sale. From its first issue on 6 May the Aberdeen bulletin was sold at 1d per copy, the Edinburgh and Paisley bulletins for the same price but only from 8 and 9 May respectively. The Partick bulletin cost a halfpenny per copy from its first issue on 8 May. The Dunfermline, Greenock, Ladybank, Methil and Perth bulletins appear to have been issued free of charge.

The number of copies produced varied, as did the extent of their circulation. Evidence of numbers survives for Edinburgh, where by 11 May 12,000 copies a day were produced; Aberdeen (5,000 copies daily); Paisley (2,000 copies daily); and Dunfermline (100 copies daily).<sup>3</sup> The number of copies of the ten issues of the Edinburgh bulletin totalled 65,000.<sup>4</sup>

1 The cartoon was by Gee Whiz, *nom de plume* of John Gallacher, brother of William Gallacher, later Communist MP for West Fife, 1935-50.

2 McLean, 'General Strike in Lanarkshire', 11.

3 See Edinburgh Bulletin, 12 May 1926; Burns, *Trades Councils*, 99, 123, 158.

4 *Labour Standard*, 22 May 1926.

The Edinburgh strike committee (and possibly also that in Aberdeen) sought permission from the General Council of the STUC to print their strike bulletin, partly because of difficulties with duplicating, and partly because it was felt that a printed bulletin would be a more effective response to the non-union and anti-strike *Scotsman* and *Evening Dispatch*, both of which continued to appear during the strike. On 11 May a deputation from the Edinburgh committee to the General Council of the STUC in Glasgow had the application to print refused, on the ground that it was contrary to the strike instructions of the British TUC General Council. The STUC offered instead to allow the Edinburgh strike committee to reprint the STUC's own strike paper, the *Scottish Worker*, provided that there was an Edinburgh printing shop under trade union or Co-operative control. But this proviso could not be met, and with the calling off of the general strike next day nothing more was done.<sup>1</sup>

The extent of distribution of the bulletins is in most cases unknown. The Edinburgh Bulletin, which in its first issue said it would circulate to all union branch and strike committee rooms, seems to have circulated not only in the city itself but throughout the Lothians.<sup>2</sup>

The main purpose of these local strike bulletins was, as the first issue of the Paisley bulletin put it, 'to keep the workers who are affected by the present dispute informed as to the local situation and in touch with the work and arrangements of the local strike committee'. Another, more incidental, purpose was to inform any members of the general public into whose hands a copy of the bulletins passed of the aims of the General Strike and the activities of the strikers. A third purpose, at least for some bulletins (such as Partick and Edinburgh), was to counter claims made about the strike or the strikers in newspapers local or national that, despite the TUC's calling out the printing trades along with other trade unionists in its so-called 'first line' from the first day of the strike, continued to appear. 'The news contained in the *Emergency Press* contains only a modicum of truth, and that spread by the Wireless is mainly "stunt" Government news', declared the Partick strike bulletin in its first issue. 'The purpose of these two methods is to break the morale of the strikers. We call upon you to stand firm and accept only the news given through official Trade Union sources. The news you will receive through these bulletins is brought direct from the British and Scottish T.U.C. and is, therefore, absolutely reliable'. Even had a sizeable proportion of the press not been prevented from appearing by the printers' strike it is certain that strike

1 Minutes of the General Council, STUC, 11 May 1926, afternoon session.

2 *Annual Report of Edinburgh Trades and Labour Council for year ending 31 March 1926, and Supplementary Report on the General Strike* (Edinburgh, 1926), 21-6.

bulletins would have been published, as the opening statement of the Paisley bulletin asserted in its first issue.

Not all the news in these, or other, local strike bulletins came 'direct from the British and Scottish T.U.C.' Each of these bodies did indeed send, by courier or telephone, information about national or local events or developments. Many entries in the bulletins illustrate this. But in each bulletin some of the content was provided by its local strike committee or editorial staff themselves, or by other local trade unions or strikers. The proportion of purely local news was also balanced in varying degrees by national news and news from other areas near or far. There is inevitably some repetition of news items among the several bulletins. As with any other newsheet, content was determined by the amount and the time of arrival of news or information received, which items should receive priority, and the very limited amount of space available in each issue.

The nine sets of bulletins below taken together present a wide range of topics reported or discussed during the nine days the General Strike lasted—and in some cases for two or three days after it was called off in controversial circumstances by the General Council of the Trades Union Congress. These topics include the response to the call to strike (including that of the 'second line' composed of engineering and shipbuilding workers, on what proved to be its last day); the running of trams, buses and trains by voluntary workers (blacklegs or scabs, in the view of the strikers); supply of electricity; exhortations to strikers not to congregate in the streets or become involved in any violent or other unlawful action; the wages and working conditions of the miners on whose behalf the General Strike had been called; the system of permits for transporting foodstuffs; instructions from the TUC, STUC, national executive committees of unions, strike committees, etc.; the activities of the police; railway accidents evidently caused by the employment of unskilled volunteers; movements or other activities of the armed forces; picketing; radio (wireless) broadcasts and the BBC's position in the strike; workers' defence corps (especially significant at Methil); the role of Co-operative societies during the strike; strike concerts and sporting events; prices and profiteering; attempts by the churches or other groups or persons to secure a resumption of negotiations on the crisis of the coalmining industry; women's activities; the feeding of schoolchildren; the legality of the strike; and the origins of the strike, including the *Daily Mail* incident, a comment on which by the Paisley bulletin was:

Let heat, light, food and fuel fail,  
But spare, O! Spare the "Daily Mail".



Several of the bulletins continued to be published for a day or two after the General Strike was called off on the afternoon of Wednesday, 12 May. No copies of the Partick bulletin survive after that of 12 May but it may have continued for a day or two afterwards. The Edinburgh, Methil and Paisley bulletins appeared on 13 May—and Paisley on 14 May, too, though by then it had become a specifically railway strike bulletin. The Dunfermline bulletin seems to have continued until 15 May, although its last surviving copy is for the 14th. The Aberdeen bulletin continued until the 13th but it afterwards developed into, or at least became the basis for, an evening paper, *Evening Citizen*, published by Aberdeen Trades Council.<sup>1</sup>

These local strike bulletins, single sheet, so rapidly improvised, crudely produced, and short-lived as they were, succeeded in reporting and commenting on a wide range of events and issues, local and national, concerning the General Strike. They provide a view of the events in Scotland during those nine days in May 1926 that is distinct from that presented by pro-government or anti-strike sources such as the national and local press.

Copies of the nine sets of local strike bulletins below are preserved in Edinburgh District Library, Edinburgh and Scottish Rooms (in the case of the Edinburgh, Aberdeen, Paisley, and Partick bulletins); the Mitchell Library, Glasgow (Greenock bulletin); Kirkcaldy District Library (Methil, Perth and Ladybank bulletins); and in the Scottish Record Office, Edinburgh (the Dunfermline bulletins, HH56/33). Apart from the Edinburgh bulletins, those available in Edinburgh District Library are copies on microfilm made some thirty years ago from originals deposited in the Library of the International Institute of Social History in Amsterdam by Raymond Postgate, co-author with Ellen Wilkinson and J.F. Horrabin of *A Workers' History of the Great Strike* (London, 1927).

In editing the bulletins for this volume an attempt has been made to preserve their original layout or presentation, although that could not be done in its entirety. Occasional slips in spelling or typing have been corrected. Capitalisation (unless otherwise stated) is as in the originals.

I.MacD.

1 Burns, *Trades Councils*, 99.



## ABBREVIATIONS USED IN THE BULLETINS

AEU	Amalgamated Engineering Union
ASLE&F	Associated Society of Locomotive Engineers and Firemen
BTUC	British Trades Union Congress
CWS	Co-operative Wholesale Society
DORA	Defence of the Realm Act, 1914
EC	Executive Committee
EPA	Emergency Powers Act, 1920
ETU	Electrical Trades Union
GMC	General Motor Company
ILP	Independent Labour Party
LMS	London, Midland and Scottish Railway
LNER	London and North-Eastern Railway
Loco.	Associated Society of Locomotive Engineers and Firemen
NUR	National Union of Railwaymen
OMS	Organisation for the Maintenance of Supplies
PA	<i>Perthshire Advertiser</i>
RCA	Railway Clerks Association
SCWS	Scottish Co-operative Wholesale Society
SJ	Society of Jesus
SMT	Scottish Motor Traction Company
STA	Scottish Typographical Association
STUC	Scottish Trades Union Congress
T&GWU	Transport and General Workers' Union
TU	Trade Union
TUC	Trades Union Congress
USSR	Union of Soviet Socialist Republics

*EDINBURGH & DISTRICT STRIKE COMMITTEE*  
OFFICIAL STRIKE BULLETIN

No. 1

4/5/26.

The response to the General Council's appeal has been magnificent. The Scottish Horse & Motormen, although not affiliated to the British Trades Union Congress, have decided to throw in their lot with the Trade Union Movement as a whole.<sup>1</sup> The Railwaymen have come out solidly. The response from the Tramwaymen and Busmen is excellent, the few buses and cars running being in many cases manned by University students.<sup>2</sup> As a result of the Corporation refusing the request of the Strike Committee that the cars run by blacklegs be stopped, labour (E.T.U., A.E.U., and Corporation Workers) has been withdrawn from Power Stations. The 'News' has ceased publication as a result of the magnificent solidarity of the Printing Trades. The Building Trades are solid in their support and many other groups of workers have taken strike action. The Miners, of course, are standing by to a man.

No attention should be paid to rumours. The Official Bulletin, which will be issued at least daily, will keep you advised. The Bulletin will be circulated to all Branch and Strike Committee rooms.

STAND TOGETHER! DISCIPLINE AND SOLIDARITY WILL BRING SUCCESS.

Issued from 5, Hillside Crescent, Edinburgh.<sup>3</sup>

*EDINBURGH AND DISTRICT STRIKE COMMITTEE*  
OFFICIAL STRIKE BULLETIN

No. 2

5/5/26.

The Central Strike Committee in this number wish to congratulate the Trades Unionists of the District on the response which has been made to the call on behalf of the Miners. The result has surprised the Committee and the chief difficulty which has confronted those responsible is not to get men out but to keep within the limits of the General Council's instructions. We regret

1 The Scottish Horse & Motormen's Association, which was affiliated to the STUC, was the subject of strong criticism after the strike in the local labour paper, *Labour Standard*. 'The organisation of the Horse and Motormen as devised by the Glasgow headquarters of that union, was absolutely inadequate to meet the situation here in Edinburgh. There was no local committee, no local authority, and consequently no local initiative; and the position was further complicated by an almost total absence of instructions from Headquarters. The present position is a positive menace to the movement.' *Labour Standard*, 22 May 1926.

2 Cars in these strike bulletins mean trams.

3 No. 5 Hillside Crescent was the office of the Mid and East Lothian Miners' Association, which was used as General Strike Committee headquarters.

that it has not yet been possible to secure the discontinuance of capitalist organs, but efforts are still being made in this direction.<sup>1</sup>

The Committee desire to impress upon the men and women of the movement the necessity to keep calm and to provide no opportunity for the exercise of the iniquitous powers of the Emergency Act.<sup>2</sup>

It is also urged that every citizen abstain from using any blackleg service despite personal inconvenience, and that no effort be made to carry undue stocks of essential commodities. This is unsocial and generally injurious to workers' interests. The Central Committee have been in almost continuous session since Sunday. Various difficulties have been negotiated and a machine is rapidly being built which will prove that the workers are capable of controlling their own affairs. The Capitalist Press is howling about 4 million people dictating to 42 millions. Why not? If those 4 million are carrying the whole nation on their back, why should they not dictate the terms upon which they will continue. Relative values are now becoming apparent. Would the abstention of 4 million stockbrokers, Insurance Brokers, Mining Shareholders or any such gentry have kept a single train out of Waverley or a car in the depot? No—The workers only do the useful things. For them only the best is good enough.

### TRADE REPORTS

*Edinburgh & Leith*—Today the N.U.R. Report that their position is stronger than ever. Foremen at St Margaret's are now out.<sup>3</sup> The local officials declare that their organisation is black-leg proof. A Railway Strike Committee has been appointed from the four Railway Unions and utmost unity prevails.

*Printing Trades*—The complete stoppage in this industry is a tribute to the power of the local officials. Every shop is closed and even the 'Labour Standard' is denied production.<sup>4</sup> The organisation here is excellent and no doubt will stand the test.

*Transport Workers*—Due to the strike breaking offices of University professors and students a skeleton service of Trams and Buses has been running. An effort was made to induce the Corporation to withdraw the service, but without avail. Consequently a section of the Power House workers were

1 The reference is to the *Scotsman* and *Evening Dispatch*, both non-union offices.

2 The Emergency Powers Act, 1920, had been passed at the time of an earlier mining strike and gave the government power, on the declaration of a state of emergency, to introduce temporary but legally binding regulations to preserve the peace and maintain essential supplies. Of the 409 people in Scotland sentenced to imprisonment for strike offences during the General Strike of 1926, 140 were sentenced under the Emergency Powers Act. *Parliamentary Debates*, House of Commons, 2 and 10 Jun. 1926.

3 St Margaret's locomotive depot.

4 The *Labour Standard* (1925-30) was a weekly paper published by the Independent Labour Party in Edinburgh.

withdrawn, and the limited power now being distributed makes it impossible to light the streets and run the cars at the same time.

*The Horse & Motormen's Union* are rapidly getting a grip on Road Traffic and soon the system of permits will place the control of the movements of foodstuffs in the hands of the Strike Committee. It is imperative that initiative in this matter should be in our hands. The trade is well organised and is responding well to the call.<sup>1</sup>

*Engineering Group*—The A.E.U. have withdrawn Labour from all transport work, including the S.M.T. and Leith Engineering firms engaged on Sea Transport. All motor repair and a large number of General Engineering firms who handle prohibited goods have been closed.<sup>2</sup>

*Patternmakers* have not yet reported and Boilermakers are considering their attitude.

*Mid & East Lothian Miners*—We are informed that there is not a blackleg in the area of the Association, and that perfect order is being maintained all over the Coalfield. The utmost unanimity prevails, and the Miners and their families are preparing for one of those periods of Starvation which seem to be their periodic fate.

They are deeply grateful to the Trades generally for the support given and hope the result will justify the effort put forth. Cook's slogan—'Not a second on and not a cent off' is the policy of the Miner.<sup>3</sup>

- 1 The system of permits issued by strike committees for the transport of foodstuffs produced not only conflict with the authorities but also disagreement among the strikers. On 1 May, after the decision to call a general strike had been taken by the special conference of national trade union executives, the TUC General Council had written to the prime minister offering to co-operate with the government in maintaining essential services in the event of a stoppage. The Cabinet decided next day to ignore or decline this offer. The General Council's instructions to unions were to form local subcommittees that would be responsible for the release of foodstuffs and the provision of transport for sanitary and health services. The railway unions and the Transport & General Workers' Union had divergent views on the movement of foodstuffs and on permits. The railwaymen's view was that there should be no movement of transport of any kind and no issue of permits. The Transport & General Workers' Union was willing to allow its members to work on transporting food. The TUC General Council on 4 May then left local strike committees to decide their own line on this issue. By 7 May the Central Transport Committee set up by the unions two days earlier was seeking to restrict the issue of permits in the localities and that day ordered strike committees to rescind all permits, on the ground that the existence of the government's emergency supply system made it impossible to continue the permits without conniving at strike-breaking. The only exception made was to allow Co-operative societies to supply bread and milk to their customers. Phillips, *General Strike*, 117-18, 132, 136, 138, 142.
- 2 Engineers and shipbuilders (as well as cement and chemical workers) were in the 'second line' of unions, and were not called out on strike till Wednesday, 12 May—apart from those employed in industries (such as transport) where other workers were in the 'first line' called out on 4 May.
- 3 A.J. Cook (1883-1931), general secretary, 1924-31, Miners' Federation of Great Britain. The slogan was usually: 'Not a penny off the pay, not a second on the day.'

## DISTRICT REPORTS.

*Bathgate*—The position here is so solid that it is proposed to withdraw pickets from Oil Works, Mines, etc. On the Railways the Supervisors have withdrawn their labour, and the only guard working yesterday has handed in his gun. Road transport is at a stand-still and Printers are solid.

The Moulders are restive and may refuse to accept their headquarters' instructions.<sup>1</sup>

*Bo'ness*—All the Miners are out and on the railway one clerk and 3 supervisors reported for duty.

*Hawick*—The quiet Border towns might quite well have hoped to escape but the microbe has penetrated even there, and we are informed that Painters, Printers and Tenters are all out. The latter are in the Textile group, and could easily have remained at work. Good luck to them.<sup>2</sup>

*Dunfermline*—The report received from Dunfermline shows that Fife is true to its reputation as a fighting centre. All the Miners are out and every other trade affected by the Trade Union Congress instruction has rallied absolutely to the Miners. Transport is stopped and the position is very bright.

*Falkirk*—The position in Falkirk is very satisfactory. The request of the T.U.C. has been widely honoured, and a Central Strike Committee is taking charge of affairs.

*Glasgow*—Glowing reports which would fill this paper have been received from Glasgow. Control of food stuffs is in the hands of a Committee of representatives of Transport Unions, and a rigorous system of permits has been established.

*Stop Press*—Railway Companies are likely to issue notices that unless staffs return immediately, places will be filled. This is only bluff. *The Central Strike*

1 The confusion that arose from the lack of preparation and from the complexities of multi-unionism affected the moulders. The National Union of Foundry Workers (into which the Amalgamated Iron Moulders of Scotland had merged in 1920) on 2 May called on all its members to strike from 4 May. But on 3 May the Union received a circular from the TUC General Council: 'The engineering trade section who are engaged on maintenance where other workers are stopped, must refuse to commence work on 4 May, also all engineering workers are hereby instructed to refuse to manufacture or instal any plant for producing or supplying any fuel as a substitute for coal; other forms of engineering and shipbuilding trades are not at present to be called out.' Because of the demarcation problem this presented to the NUFW, it cancelled on 4 May its strike instructions to its members, and this decision was approved later that day by the TUC General Council. The NUFW members were thus left in confusion. Some refused not to strike, others were prevented from going to work on 4 May by the lack of transport. The Union's members were instructed on 10 May by the TUC General Council to join the strike from Wednesday, 12 May, as part of the 'second line'. About 40 per cent of the NUFW's membership had stopped work on 4 May and remained on strike until the end of the dispute. H.J. Fyrth & H. Collins, *The Foundry Workers* (Manchester, 1959), 172-4.

2 Textile workers were among those in neither the 'first line' nor 'second line' called out by the TUC General council during the general strike.

*Committee order that no street meetings or processions should take place without their direct authority.*

This bulletin will be issued daily from 5 Hillside Cres., Edinburgh and sub-offices throughout the area. Price will be 1d.

*Stand together; everything goes splendidly.*

## EDINBURGH & DISTRICT STRIKE COMMITTEE OFFICIAL STRIKE BULLETIN

No. 3

6/5/26.

We are winning. This is no bombast. It is sober [word illegible]. The proof is to be found in the new powers that the Government is asking; in the brutal batoning and trampling of peaceful citizens which took place in Edinburgh yesterday afternoon and evening;<sup>1</sup> in the hysterical promises of immunity from victimisation promised to printers if they will only consent to blackleg. It thus becomes evident that without the printer the Capitalist and the Government are helpless, and the wisdom of the complete ban upon printing by the T.U.C. is proved.

EDINBURGH is losing its respectability. Of all the towns in Scotland involved in this dispute only 'AULD REEKIE' has yet experienced the luxury baton charges by the police with the usual result—cases at Infirmary and citizens in jail. The Writer was an eyewitness of the indiscretions of the police and the wonder that only four people found their way to the Infirmary and only five people were arrested. The spectacle of citizens being chased off the pavements by [blank = men] on horseback, of mounted men sitting on horseback at public-house doors, of the few people who looked on in amazement at such a spectacle being dragooned and threatened by [blank = a man] in uniform and stripes with his five henchmen swinging their batons provocatively at a time when there was no crowd is one that citizens won't forget readily. They were the essence of politeness. Some boys coming down Leith Street as though coming from a night at the theatre or pictures were told to 'Clear out if they did not want their heads cracked'; at the Tron, another individual was told to 'Get his skates on', and an effort was made to hit him, but luckily it missed. A deputation from the Strike Committee is visiting the Magistrates at the moment, and it is to be hoped that some improvement in the conduct of the police will result.

<sup>1</sup> Police baton charges were made the previous afternoon at the east end of Princes Street, partly arising from attempts by strikers or their supporters to stop the running of trams, and partly from attempts by police to break up processions of strikers. There were further baton charges in the evening in Princes Street and around the High Street. See, e.g., *Scotsman*, 6 May 1926.



The news from the T.U.C. indicates that the country is aghast at the duplicity shown in the course of the Mining Negotiations by Humbug Baldwin. As the understanding of it reaches decent people the demand for a re-opening of the negotiations gains in strength. A big church gathering has demanded that no opportunity should be missed to secure re-opening of the conversations.

Meantime, true to his prayer for peace in our time, Baldwin is asking his Tory majority in the House for further powers to suppress the workers. He is getting desperate. The middle classes have *not* rallied to the O.M.S. as was expected. To induce them to come in, the Government announced yesterday that damages sustained by motors would be paid.<sup>1</sup>

#### CENTRAL STRIKE COMMITTEE

WORKERS—DON'T CONGREGATE IN THE STREETS; DON'T ORGANISE PROCESSIONS OR MEETINGS WITHOUT THE PERMISSION OF THE CENTRAL STRIKE COMMITTEE. KEEP STEADY. WE ARE WINNING.

#### TRADE REPORTS

*Engineering*—The position has become one of almost complete close-down. The Moulders in Miller's Foundry have ceased work.

*Transport*—There is no change in the position. Railwaymen are moving nothing. The 'permit' system for foodstuffs is being developed successfully.

ISSUED BY THE CENTRAL STRIKE COMMITTEE, 5 HILLSIDE CRES., EDINBURGH

#### BE LAWFUL AND PEACEFUL

The right to strike was legally constituted by Parliament in 1875 and 1906. Any attempt at victimisation of men who have left their work is therefore illegal and an infringement of the workers' rights created by Parliament.

The criminal law is embodied in the Conspiracy and Protection of Property Act 1875 which makes it quite clear that a strike only becomes criminal when accompanied by acts which themselves are criminal, e.g., riot, breach of the peace, sedition, which of course we resolutely oppose and discourage. While, however, the general strike is quite legal and constitutional, the conduct of the Mine-Owners is illegal, and in our opinion is calculated or likely to cause mutiny, sedition or disaffection among the people. Indeed, in Green's Encyclopaedia of Scots Law, (edited by John Chisholm, M.A., LL.B., K.C., Sheriff

1 In Edinburgh itself the number of registered OMS volunteers by the last day of the strike totalled 758. Report, 28 May 1926, by Captain A.R. Dunlop, general secretary of OMS in Scotland. (In SRO, HH56/18). Other volunteers were, however, recruited by the government's own emergency organisation and 2,000 by the Students' Emergency Council at Edinburgh University. *The Student*, vol. xxii, no. 10 (2 June 1926), 242-3.

of Roxburgh) the present law is stated thus:- 'Burnett is of opinion that a combination among the masters or employers to depress the price of labour, or even to keep it at the current rate is an indictable offence.' Will the Government enforce the law against the Mine-Owners?

The Trade Disputes Act of 1906 makes it clear that no legal action will be entertained by the Court against men who have gone on strike in furtherance of a trade dispute, as has happened in the present general strike. The law is therefore clear and fully supports the action of the workers whose conduct is legal and constitutional.

We are against sedition!

We are against rioting!

We are against illegal conduct of any kind!

We stand for discipline and peaceful conduct, and justice for the miners and their wives and children in their clean fight against a wicked attempt to reduce their standard of living which is already low enough.

Please let the public know the truth.

#### *DISTRICT REPORTS.*

*BATHGATE*—The news in yesterday's Bulletin was received with great interest here and the Edinburgh comrades are to be congratulated on their enterprise. The local arrangements are not so complete as in Edinburgh, but by Wednesday the chain will be complete. A Conference is to be held on Friday to establish an Area Committee. An effort was made to establish a blackleg 'bus service, but it was soon stopped. Some members of Shale Miners' Executive walked 10 miles to a meeting rather than use it.

There have been no untoward scenes and everybody is watchful.

*GLASGOW* reports all quiet and the grip upon essential services tightening. There have been no unpleasant incidents. Good order prevails along with a grim determination to beat the bosses and the Government.

*THE SCOTTISH TRADES CONGRESS GENERAL COUNCIL* report that the stoppage is complete. Reports from every District show that the call has been obeyed with surprising unanimity. The Council extends congratulations to all workers on their solidarity and are assured that success will be our portion.

## EDINBURGH AND DISTRICT STRIKE COMMITTEE OFFICIAL STRIKE BULLETIN

No. 4.

7/5/26.

News to hand this morning indicates that the policy of repression is being adopted all over Scotland, Glasgow, Aberdeen and Edinburgh figuring in the lists with casualties.<sup>1</sup>

These reports indicate the necessity of the Strike Committee's instructions to the workers not to congregate in the streets. In their own interests the workers should follow these instructions implicitly.

A deputation of the Strike Committee visited the Lord Provost yesterday to protest against the provocative attitude of the police. Each member of the Strike Committee testified as to acts they had been personal witnesses of. Protest was also made against the use of irresponsible students as strike-breakers. The action of the University in recruiting these men was declared to be an indication of class bias.

The representations are to be considered immediately by the Magistrates' Committee.

Various trade groups have asked us to correct misleading statements, such as one that a sergeant and three policemen are in Hospital, which are appearing in the blackleg press. We wish to say that we can't undertake to do so, the best method is to boycott that press.

The Strike Committee have unanimously decided to recommend that all public-houses be closed until the dispute is over.

*SPECIAL*—Trade Union Secretaries or delegates are asked to have reports for inclusion in *Bulletin* delivered to 5, Hillside Crescent, not later than 10 a.m.

### TRADE REPORTS

Railwaymen report that 2 firemen are running a service to North Berwick; otherwise the situation is unchanged. Dunbar is reported to be closed down and Longniddry is out to a man. The spirit is splendid, and all the grades are standing together magnificently.

Tramwaymen report all standing fast and in good heart. An effort was made by the Edinburgh Tramways to secure the use of the inspectors of the

1 In Edinburgh, street disturbances reached their height on 6 May. Huge crowds gathered at the High Street and in the Bridges and Canongate and were baton-charged by the police, who arrested about 20 people. In Glasgow that same day there were baton charges by police at Ruby Street and another tram depot at Dennistoun over students working on trams. Early that morning 350 miners from Cambuslang had marched in support of pickets to Ruby Street tram depot, where student volunteers were accommodated. After a conflict between the miners and police twelve men were arrested. In Aberdeen there were similar conflicts that day between strikers and police over the running by student volunteers of buses and trams, and there were several casualties and arrests. D.M. Hatvany, 'The General Strike in Aberdeen', *Scottish Labour History Society Journal*, no. 10 (June 1976), 10, 17; Morris, *General Strike*, 405-6; *Scotsman and Emergency Press*, 7 May 1926.

Musselburgh Tramways as Conductors, offering double wages (£ [sum illegible] per week) for their services. The Inspectors refused to accept, and as a result, their employers have stopped their wages, and they have joined the men on strike.

*Horse & Motormen* are doing splendidly. A new system of permits has been introduced, and a much more effective method of scrutiny established. A Food Committee is in charge of the issue of these permits.

'*Busmen* employed by the S.M.T. report all solid. Outlying garages are closed down also. It is said that the Manager intimated to the men on hearing their decision that he would not attempt to employ black-leg labour.

*Building Trades*—Slaters report all out, and the Masons have withdrawn their men from the Electricity Dept., refusing to prepare ways for blackleg 'juice'.

Building & Monumental works will be completely stopped tonight.

Plumbers are all out, and the Bricklayers are standing fast. The Labourers' Union report that 265 of their men are out.<sup>1</sup>

*Engineers* report the position still tending toward complete dislocation. The Patternmakers have now lined up and the Moulders are rapidly coming along. All the subsidiary Trades are being affected by stoppages in the main group so that a close down of the productive Engineering Industry is only a matter of days.

Bruce Peebles' Works—all trades are reported closing down to-night.

*Typographical Society* wish to warn their members and others against misleading reports in black-leg press. There was no private meeting, and no mention at any time has been made as to the amount of strike pay. Litho. men are all out and a number have given service voluntarily to the Strike Committee in the preparation of public notices.

*Printing Trades Report* that the position is slightly improved. One shop has been successfully picketed. The Paper Workers, Rulers and Bookbinders have answered well. The Machinemen are solid, but feel the position re 'Scotsman' and 'Dispatch' keenly.

*Painters* are coming out and are indignant at being kept working so long. Some of the Foundrymen are out, and the local officials are doing their utmost to induce the Executive to cancel the instructions to remain at work.<sup>2</sup>

1 All workers engaged in building, except those 'employed definitely' on housing and hospital work, together with all workers engaged in the supply of equipment to the building industry, had been called out on strike in the 'first line' on 4 May. See TUC General Council instructions to trade unions, 30 Apr. 1926, in W. Milne-Bailey, *Trade Union Documents* (London, 1929), 342-4.

2 The Scottish Painters' Society executive committee decided on 3 May to call out from 6 May their members in the building industry, including those engaged on housing schemes. The STUC General Council told the Society that its instructions should be amended, to conform with the TUC General Council's instructions, to exclude those engaged on housing schemes from strike action—and that was

## DISTRICT REPORTS

*Tranent* reports everything closed down, except the Co-operative Stores. The Miners' Union have taken the initiative in the formation of an Area Committee for East Lothian, which is to meet in Tranent, and will organise the campaign over the County. Representatives are being sent to it from Prestons to Dunbar. Longniddry and Dunbar Railwaymen, all the Miners' Union Branches, Farmworkers and Transport workers are represented, and a close scrutiny is to be made of all passing vehicles.

*Musselburgh*—The local Strike Committee report that with the exception of one Net Mill, there is a complete stoppage in the town. The Wire Mills are completely closed down, only safety men being left. The same remark applies to the Paper Mills, and the Building Trades. The Transport men are well organised. Two trains came into the town on Wednesday, but a hostile reception has prevented the experiment being repeated.

*'The British Worker'*—'The British Worker', published by the British Trade Union Congress is said to have been sold so far north as York.

*Special Constables*—The continuous appeal being made for Special Constables indicates that the Government is not getting the support it expected.

*Permits for School Conveyances*—The Central Strike Committee has refused to grant any permits to buses for conveyance of School teachers to the schools. The Dalkeith permit has been withdrawn. Education Authorities should provide for the feeding of school children whether the teachers are at school or not.

The action of the Edinburgh Strike Committee in authorising the maintenance men to remain at the service of the Infirmary stands in striking contrast to the contemptible attitude of the Medical students who are blacklegging.

THE CENTRAL STRIKE COMMITTEE HAVE NOW A MOST COMPLETE SYSTEM OF FOOD PERMITS COVERING EAST AND WEST LOTHIAN, AND LINKED UP WITH THE ORGANISATION OF THE S.T.U.C.

5, Hillside Cres., Edinburgh.

done. On 8 May the Society's executive noted that their Edinburgh members had decided that 'all men on subsidy housing must be withdrawn'. About 5,000 of the 6,500 members of the Society in Scotland are said to have taken part in the strike. Minutes of the STUC General Council, 5 and 6 May 1926; *Scottish Painters' Journal*, Jun. 1926, 29-31, and Aug. 1926, 1.



EDINBURGH AND DISTRICT STRIKE COMMITTEE  
OFFICIAL STRIKE BULLETIN

No. 5

8/5/26.

PRICE 1d.

## IS SIR JOHN SIMON SIMPLE?

Sir John Simon is a distinguished lawyer, but he is also a politician. In his speech in the House of Commons on Thursday, he stated that a Strike was legal, but a general strike was illegal. What does he mean? Is he a fool or a knave? If a single, small strike is legal, as Sir John admits, obviously a general strike is equally legal and constitutional; for a general strike is simply a collection or combination of several small strikes. Any worker with ordinary common sense will thus see that the present strike is legal and constitutional. Sir John Simon may be clever, but he is mistaken if he thinks that the strikers are Simple Simons!<sup>1</sup>

Does the Education Authority know that a lady teacher in Castlehill School is telling the children that the student blacklegs are the 'saviours of our nation' in this crisis. If so, what do they propose to do about it?

The Miners were offered as a final concession terms which meant wages as low as 6/- a day in some cases. To help in compelling the miners to accept this pittance, an organisation known as the O.M.S. has been created. No one knows what it is doing or what it has done, but we are informed that those who volunteer for clerical service are paid at the handsome rate of £1.1/- per day. The Wallahs of George and Princes Streets will fare proportionately well. Perhaps some M.P. will find out after the dispute is over how much the O.M.S. has cost, and the average daily wage per person employed.

Everybody knows that Tramway Workers have cushy jobs and good wages, and holidays on the Riviera every year, but if they had the 23/- per day which is said to be paid to the student blacklegs, we would likely hear of them attempting to scale Mount Everest (or the Calton) on their vacation.

Mr T. Drummond Shiels wires from the House of Commons as follows:- 'Have tried hard, but cannot get North without black-leg help. My greetings to our gallant men and their women folks. All goes strong and well here.'<sup>2</sup>

1 Sir John Simon (1873-1954), MP, 1906-18, 1922-40, solicitor general, 1910-13, attorney general, 1913-15, home secretary, 1915-16, 1935-7, foreign secretary, 1931-5, chancellor of the exchequer, 1937-40, lord chancellor, 1940-5, created Viscount Simon, 1940. See 193-4 below for a rebuttal of Sir John Simon's view by Craigie Aitchison, KC (1882-1942), lord advocate, 1929-31, Labour MP for Kilmarnock, later Lord Aitchison.

2 Thomas Drummond Shiels (1881-1953), photographer, physician, Labour MP for East Edinburgh, 1924-31, junior minister, 1919-31, knighted, 1939.



## TRADE REPORTS

*Penicuik* reports that the three mills in the town are closed down.<sup>1</sup> No work of any kind is being done. The workers are in excellent spirit, and are determined to stand firm. All other work in the town is suspended. The Headquarters of our Strike Committee is West Street Halls, Penicuik.

*Leith Branch of the British Legion* have repudiated the circular of the National Executive, advocating neutrality with a bias towards the Government side of the Dispute. The Local Executive Committee recommend all Ex-Service men to be loyal to the call of their Unions and to support the General Council of the Trades Union Congress in its efforts to preserve law and order.

*Dalkeith* reports everything O.K. and the men are standing shoulder to shoulder.

*Printing Trades.* Overtures, almost threats, have been made to the staff of the 'News'. Developments have shown that in the moulding of public opinion printers hold the key position. The men are not intimidated. The legal position is quite clear, and the workers are standing firm. Typefounders came out last night.

St Margaret's Locomotive Strike Committee—Friday, 7th May 1926. The following telegram was received from Mr C.T. Cramp:-

'Position strong as ever. Absolutely no weakening. British Gazette report to the contrary all humbug. International Transport Workers Federation giving all assistance. Accept information only from headquarters. CRAMP.'<sup>2</sup>

*Litho Artists* report that enthusiasm is great. Poster work is being done for the Strike Committee.

*Bathgate Committee* have established a system of Patrol Pickets to deal with road traffic, particularly on the main roads running between Edinburgh and Glasgow. The Local Permit System is working most effectively.

*Edinburgh Magistrates* have decided to recommend the closing of Licensed premises this afternoon.

*Railway Clerks Association* report a fine response by their men all over the areas of East and West Lothian.

*Falkirk* has come up to the general standard. Transport work has ceased, and a number of foundries are closing down. The general method of organisation has been adopted and is functioning in excellent fashion.

1 The Penicuik mills were paper mills.

2 C.T. Cramp (1876-1933), Industrial General Secretary, National Union of Railwaymen, 1920-31, and General Secretary, 1931-3. J.H. Thomas (1874-1949), General Secretary of the NUR, 1918-20, then Political General Secretary, 1920-31, was 'supreme head of the Union'. P.S. Bagwell, *The Railwaymen: The History of the National Union of Railwaymen* (London, 1963), 415.

The S.T.U.C. took the opportunity of asking Mr Walter Citrine, acting Secretary of British Trades Union Congress, over the 'phone how things were going. His reply was 'SPLENDID'. That is enough for all of us. Our job is to see that the policy laid down by the B.T.U.C. is carried out loyally. In that, we have been loyally and enthusiastically supported by every Strike Committee in Scotland. We want to keep strictly to that policy. We can trust the people who are responsible for policy; *our job is to make it effective.*<sup>1</sup> Scotland has made a magnificent start. Methodical work on the Strike Committees, discipline in the ranks, and orderly conduct in the public places must be our aim, and confidence and courage our spirit.

The new Food Permit System of the Strike Committee is working admirably. There has been a constant stream of applicants at the offices and many business firms have been on the door step. All kinds of businesses are represented. The Committee can insist however upon certain conditions which many firms find irksome. Permits are only issued to those men who are members of Transport Unions and no departure is made from this rule. The Committee believe that in a few days practical control of road traffic will be in their hand and that the O.M.S., like Othello, will find their occupation gone.

A tribute must be paid to the splendid solidarity of the *dockers* at Leith and for the magnificent assistance they are giving in the actual conduct of the strike as messengers, pickets, etc.

The Committee warn readers against any persons representing themselves as representatives of Committee in the rural areas and advocating direct action. *Beware of these men!*

Lloyd George says 'the miners are right to fight.' Sir John Simon says 'the strike is illegal.' Thus do the Liberals keep a foot in each camp.

ISSUED FROM 5, HILLSIDE CRESCENT, EDINBURGH.

## EDINBURGH AND DISTRICT STRIKE COMMITTEE OFFICIAL STRIKE BULLETIN

No. 6.

9/5/26.

Price 1d.

Our Mass Demonstration in support of a living wage for the workers continues. At the end of the first week we find ourselves firmly entrenched with a solid mass of public opinion behind us. Rapidly it has become a question not of Nation versus Strikers, but of *Nation versus Government* and let there be no doubt about it the Strikers with the Nation behind them will win. Difficult as

<sup>1</sup> This trust proved somewhat misplaced, as the manner and consequences of the calling off of the strike on 12 May showed.

it is to stand idly by whilst fellow workers in the professions act the part of scabs, we believe that our people are keeping their heads well. Continue thus, and we shall continue to win the support even of those who, through ignorance of our aims, are against us.

It will have been noticed that yesterday the Premier was able to broadcast another of his misleading messages to the Nation, whilst our side was given no chance to speak.<sup>1</sup> But we can speak through the millions of men and women who actively support us. Let those who are ignorant of it know that this strike is not our seeking, that it is but the stern reply of the workers of this country to an endeavour on the part of the employing class to force, first Miners, then all other workers to a level of subsistence below that of many animals. And best of all let it be known that we are firm in our determination to keep even that little of comfort which we now possess.

*WORKERS EMERGENCY NEWSPAPER.* Copies of the 'Scottish Worker' will be on sale in Edinburgh tomorrow, price 1d. Our local bulletin tomorrow will contain a special article by Mr Craigie Aitchison, K.C., replying authoritatively to Sir John Simon, K.C. This is your opportunity to counter the pernicious statement of the 'Scotsman' and 'Evening Dispatch'.

*LIES ABOUT MINERS' WAGES.* The blackleg local press yesterday tried to convey that the miner was really well off. At a comfortable managerial desk slanders are issued against the man who works in the bowels of the earth. *The Facts* are that the average weekly wage of the miner all over Britain was £2:8:6 and in the Forest of Dean the actual wage was less than £2. Does the Editor who forgets short time etc., in compiling figures, only accept £2 per week? Not he! But the miner must be crushed, and no doubt he calls himself a christian.

### REPORTS

*GLASGOW.* All taxi-men in Glasgow have been called out.

*UPHALL.* Macfarlane Lang are said to be delivering blackleg goods in Uphall. Bakers out next week.

*PORTOBELLO.* Bottle Works are believed to have entirely closed down. Close on 300 men are out.

1 While broadcasts were made on the BBC during the general strike by Stanley Baldwin, prime minister, and Sir William Joynson-Hicks, home secretary, and supporters of the government's position, such as Viscount Grey, no TUC or other labour leaders broadcast. Under John Reith as director-general, the BBC sought to follow a neutral and impartial line but its news bulletins had to be approved first by J.C.C. Davidson, the government's deputy chief civil commissioner during the strike. In the Cabinet Winston Churchill and Lord Birkenhead pressed for requisitioning of the BBC by the government. 'To the government, therefore, on balance the BBC appeared a distinctly friendly neutral. To the strikers, however, it could scarcely avoid appearing biased.' Phillips, *General Strike*, 183-4, 187.

**MOULDERS, CASTLE MILLS.** On learning that the A.E.U. had withdrawn their members from Castle Mills, moulders were advised to cease work at noon Saturday.

**BAILLIE, Contractor, PENCAITLAND** has been carrying through a number of housing schemes in East Lothian. He has been in the habit of employing mixed labour. On Friday last, a picket went round and withdrew all Union members on the jobs. Baillie has now paid off all the men in his employment and tomorrow only Union members will be re-employed.

**GLASGOW AND WEST** of Scotland strikers are absolutely solid. The strike extends daily. The University Labour Club have prevented the Students from blacklegging. Only 150 students are doing so out of 5000. All blackleg tram cars ceased running last night. On Monday first the first issue of a Scottish Strike Newspaper will be published under the Editorship of Joe Duncan, S.T.U.C., P.J. Dollan, Chairman, Scottish I.L.P., and Gilbert McAllister, Secretary, Glasgow University Labour Club.<sup>1</sup>

**MAGNIFICENT FOREIGN SUPPORT.** Reports from Berlin and other places state that the Continental Trade Unions are giving the fullest, active support to the British Workers. The German miners say that they are only waiting until the British leaders ask them to come out, when they will immediately do so. The Japanese Trade Union movement have cabled an exhortation to British Trade Unionists urging them to 'fight to the last'. The leading Labour bodies in Japan are considering the question of giving active support to the British workers. French miners, railwaymen, dockers, and seamen ready to act. IRELAND ready to act, and asks instructions.

### TRADE REPORTS

**Railwaymen:** Report St. Margaret's and Sub-depots are satisfactory. Men all standing solid. In Musselburgh every Union man out; 3 Non-Unionists lying idle in station! N.U.R. No.2 and A.S.L.E.& F. No.2 working in conjunction and all solid.

**Blacksmiths** report following Shops affected: (1) *Ship Repair Ramage & Ferguson, Henry Robb, Menzies & Co, Cran & Somerville, M.P. Galloway, G. Brown, D. Hepburn, R. Shinan, Davlin, T. Brown.*

(2) *Engineering:* Morrison's, Primrose & Davis, Bertram, Bruce Peebles, Greig's, Mather's, Rubber Mill, Miller, S.M.T. and Office of Works.

<sup>1</sup> Joseph F. Duncan (1879-1964), general secretary, Scottish Farm Servants' Union, 1915-45, president STUC, 1925-6. Patrick J. Dollan (1885-1963), miner, journalist, Glasgow Independent Labour and Labour Party leader. Gilbert McAllister (1906-64), journalist, Labour MP for Rutherglen, 1945-51. William Elger, general secretary, STUC, told the Edinburgh Strike Committee that 'their next News Bulletin must contain a statement that this reference was entirely unauthorised and completely erroneous'. Dollan and McAllister seem not to have worked on the *Scottish Worker*. STUC General Council minutes, 10 May 1926, morning session.

## DISTRICT REPORTS

*West Lothian.* District Strike Committee in full working order and organisation complete for dealing effectively with Food Supplies, Permits and Picketing. Following Resolution passed and sent to T.U.C.:— 'That this Conference of representatives of all Trade Unions in West Lothian congratulates both the T.U.C. on the magnificent stand they have taken, and the workers everywhere for the splendid response to the call of the General Council and urges the General Council to continue the General Strike until the full claims of the Miners have been conceded.' Provost Doonan is Chairman and Walter Nellies, Secretary of the Strike Committee.<sup>1</sup>

*Falkirk.* Strike Bulletin says Workers practically solid and everything proceeding smoothly and efficiently. Enthusiasm is high and the motto is 'All firm together until victory is achieved.'

*Musselburgh.* *Transport & General Workers* report all their men in Brunton's Wire Works are standing solid.

*THE DOPE PRESS CONTINUES ITS WORK.* This is a report of the disturbances in Bridgeton, Glasgow, appearing in 'The Scotsman' yesterday:— 'During the melee missiles were thrown at the police officers, these including pots and pans, iron bars, pick heads and hammers *but fortunately none of the officers was injured.*'!

We'll win all the quicker if the Dope Press keeps on lying in that way.

*GOVERNMENT CONDEMNED BY MIDDLE CLASS BODIES.* The T.U.C. General Council reported on Thursday that Caernarvon County Council appealed to Government to re-open negotiations on the following basis:—

(1) General Strike to be called off.

(2) Mineowners' lock-out notices to be withdrawn.

(3) Miners' Wages to remain as at 30th April and Government to make financial arrangement for period of negotiations.

The Churches in England, through their leaders, have made a similar appeal, signed by the Archbishop of Canterbury. The Newcastle City Council has done likewise, and Sir Patrick J. Ford, M.P. for North Edinburgh, speaking in the House of Commons on Thursday, appealed to the Government to re-open negotiations and make up Miners' wages for six months of the transition period while the coal industry is being reorganised.

They all realise the Government's crime against society. The Government says it can do nothing while the threat of a General Strike stands. But the

1 James Doonan (1868-1932), agent, West Lothian miners from c. 1888, president, National Union of Scottish Mine Workers, 1929-32, provost of Bathgate, 1923-6. Walter Nellies, secretary, National Union of Shale Miners and Oil Workers.



Government continued negotiating with the T.U.C. for a day and a half after the T.U.C. had decided on Saturday May 1st to call a General Strike.<sup>1</sup>

STAND STEADY! You know by this time who it is you are up against. The Government's paper is edited by Winston Churchill and is printed at the 'Morning Post' office which is entirely owned by the Duke of Northumberland. STAND FIRM AND WE'LL WIN!<sup>2</sup>

CO-OP. REDUCE FOOD PRICES: Co-operative Societies around Edinburgh met yesterday afternoon and instructed their Managers to make a general reduction in prices. Bread will be reduced from 9½d to 8½d and other foodstuffs in proportion. The Societies affected are:- Tranent, Prestonpans, Portobello, Musselburgh, Gorebridge.

### EDINBURGH & DISTRICT STRIKE COMMITTEE OFFICIAL STRIKE BULLETIN

No. 7 10/5/26.  
Price 1d.

#### IS THE STRIKE LEGAL?

A REPLY TO SIR JOHN SIMON by MR CRAIGIE AITCHISON, K.C.

It is in my view a great misfortune that a lawyer of the eminence of Sir John Simon should have made in the House of Commons on Thursday night a speech that can only be described as special pleading. Such a speech so far from advancing the cause of peace in the industrial dispute with which the community is confronted, is, on the contrary, calculated to create an entirely wrong impression. The right of combination is a right that has long been recognised by Statute and is now firmly imbedded in the Constitution. The right to use a combination by way of a strike for the purpose of enforcing an industrial demand is a right that has long been embodied, and is now recognised by every lawyer as part of the Common Law of the country. But more than this, the right to strike is also part of the Statute Law of the Realm. For my part, I am quite unable to follow the distinction made by Sir John Simon that, because a strike is on a scale of unusual magnitude, therefore it loses its character as the exercise of a legal right, and thereby becomes unconstitutional. It may be true that strikes upon a large scale affect millions of workers, cause inconvenience

1 On 1 and 2 May the TUC General Council and the government strove to find a formula that, despite the decision by the unions on 1 May to call a general strike, would avert a stoppage. These attempts at compromise, however, broke down on the night of Sunday, 2 May, when the government received news of the refusal of the printers on the *Daily Mail* to print its editorial on the strike. See, e.g., Phillips, *General Strike*, 117-24.

2 The government's strike newspaper was the *British Gazette*, issued from 5 to 12 May inclusive. It did not circulate in Scotland.



and dislocation, and, to some extent, paralysis of the life of the nation. But it would be well for those who protest so loudly against such a course being followed to remember that the economic weapon which employers in this country have used in the last 100 years in the industrial life of the nation has been the weapon of starvation. The truth of the matter is just this, that there can be no industrial peace in this country until the human rights of Labour are recognised and until the community realises its overwhelming duty to all sections of the working people to maintain and to increase their standards of living. With great deference, therefore, to the opinion of Sir John Simon, in my view the present strike is within both the Law and the Constitution.

*ALL REPORTS* from the fighting front are excellent. Yesterday Messrs. Alex. Murray J.P., and Andrew Clarke, Chairman and Secretary respectively of the Mid & East Lothian Miners Association, toured their constituency. At Niddry, Loanhead, Bonnyrigg, Gorebridge, Newtongrange, Dalkeith, Tranent, Prestonpans and Musselburgh they found the same spirit of quiet determination to win this gigantic struggle with the employing class. Strike Committees are being set up where they are not already in operation, their objective being to picket the roads and prevent all but necessary road transport. The printing trade is solid from Berwick to Wick.

*PEACEFUL PICKETING.* From various parts of Stirlingshire and from the Lothians themselves come reports of alleged police interference with peaceful picketing. There is a tendency to retire in order to avoid an argument with the forces of 'Lor' an' order', but the Police have no legal power to intimidate strikers.

*FOOD PERMIT SYSTEM: IMPORTANT.* Under the Food Permit System which has been adopted by the General Strike Committees throughout the country to protect the Transport and other workers now on strike, it is not permissible to move foodstuffs from Docks or Railway Sidings. The rumour has been circulated that the Permit Committee had been granting to Capitalist firms permits to move foodstuffs from such places, and has at the same time refused permits to Co-operative Societies. This statement is totally untrue. No permits whatever have been given to remove foodstuffs from Docks or Railway termini.

### TRADE REPORTS

*A.E.U.:* The following resolution was adopted at a mass meeting of the A.E.U. held on Sunday afternoon and was forwarded by telegram to their Executive Council and National Conference now in session at Manchester:-

'Mass Meeting of Members held here this afternoon, calls on Executive Council (National Conference) to withdraw all members immediately.'

*VEHICLE WORKERS:* All Vehicle Builders in Edinburgh and District are now on strike.

*SCOTTISH HORSE & MOTORMEN:* At a large and enthusiastic meeting in Leith yesterday the men declared their intention to continue on strike till victory is won.

*BERWICK:* An excellent report has been received from the Berwick district. Printers are all out. Railwaymen, including Station-masters, except three men at Tweedmouth, are also out. Railway Women's Guilds are providing coffee for the railwaymen's night pickets.

*PRINTERS* in GALASHIELS, INNERLEITHEN, PEEBLES and SELKIRK have all stopped work. HAWICK is expected to follow suit.

*LARBERT:* At a Demonstration on Friday a youthful driver of a commercial vehicle dashed into the Demonstrators. Two men and one woman were injured. The driver was arrested.

*PERTH:* Picket system working efficiently. Drivers without permits have been successfully held up.

*FALKIRK:* Trams and buses absolutely at a standstill.

*STAGNANT DOCKS:* DISPATCH on Saturday stated 154 lorry loads left Leith Docks. We are in a position to state authoritatively that this is more than double the actual number. It is true to say that as compared with normal times the docks are as busy as a cemetery in a week-day.

*OUR 'IMPROVED' RAILWAY SERVICE:* Readers of the 'Scotsman' and 'Dispatch' should give heed to the following facts which are well authenticated:—At 11.45 p.m. on Friday a train from London-Edinburgh which probably left King's Cross on Wednesday carried away the gates at Forrest Hall crossing. A mail-van which was then at the crossing narrowly escaped. At Wam Dykes the crossing gates were also carried away. On Tuesday last placards were issued and 'news' appeared in the Press stating that Great Northern trains were leaving and arriving in time. It took 37½ hours to travel from London to Edinburgh.

At Newcastle, owing to the mistake of some amateur railwayman, an Electric train ran off the rails. At Heaton Chapel, near Manchester, where there are 8 lines, only one goods train has passed, and we are informed that on the 37½ hours journey from London to Edinburgh only one goods train (a cattle train) was passed.

In London proper there are no buses and bicycles can't be got at any price. Milk-vans are used to convey girls to their business.

*WARNING:* We are informed that unauthorised persons are going round the district declaring themselves to be speakers on behalf of the Central Strike Committee. Beware of Government spies. If the Central Strike Committee do send out speakers they will bear proper credentials.

ISSUED FROM 5 HILLSIDE CRESCENT, EDINBURGH

*EDINBURGH & DISTRICT STRIKE COMMITTEE*  
OFFICIAL STRIKE BULLETIN

No. 8

11/5/26.

THE LAW OF STRIKES

The 'Dispatch' yesterday summarising not so simple Simon's strike pointers said:- 'Every worker who was bound by a contract to give notice before he left work and did not do so, had broken the law'. He may have broken his contract but that of itself is not illegal and can only give rise to an action for damages. Big business breaks contracts every day when it suits its book. If Simon has his way he will be kept busy till he goes to his grave prosecuting the contract breakers. But we forgot—THE VAST MAJORITY OF WORKERS ARE SUBJECT TO DISMISSAL AT A MOMENT'S NOTICE.

*GOVERNMENT MONEY FOR SCAB UNIONISTS—BUT NOT SO FAR FOR MINERS*

Baldwin, the Peace-maker, has offered to indemnify scabs against any loss of T.U. benefits or pensions. 'Return to work', he says, 'and the Government will find money to keep you out of your Union and give you equal benefit'. What a commentary on the impartial Government that professes to be looking for peace! It will spend millions of pounds a day in trying to provide essential services paying scab students 3/- an hour, plus uniform, plus keep for tipping coal at Portobello Power Station (and there are 23 of them employed where before only 5 old men were required) but it refuses even a penny to raise the scandalously low wages of miners. The man who scabs and gets Government benefit will be living on the backs of his fellow-workers!

STRIKE BREVITIES

Parish Councils have received instructions from the Board of Health on relief of destitution—12/- for a wife, and 4/- for each child may be paid. Board also recommends communal feeding. At a Conference held at LOCHGELLY eight Parish Councils arranged for the following scales of relief:- Women £1 per week, children 5/- per week.

BEVAN, TRANSPORT WORKERS GENERAL SECRETARY, writes:- 'It is necessary to remind our people that only the FIRST lines are in operation. Reserves are standing by, and where necessary will be used whenever their entrance into defence of our position becomes necessary.'<sup>1</sup>

MONDAY'S 'DISPATCH' pokes fun at the 'Professor' and the STRIKE COMMITTEE. It is easy for journalists to be funny when they are scabbing

1 'Bevan' was Ernest Bevin (1881-1951), dockers' union official at Bristol, 1904-21, general secretary, Transport & General Workers' Union, 1921-40, minister of labour, 1940-45, foreign secretary, 1945-51.

at a £5.15/- per week minimum, and the 'Dispatch' journalists will likely have extra pay for the risks they run just now.<sup>1</sup>

INTIMIDATION has been rife to-day in offices. Clerical and professional workers have been appealed to personally by their bosses to join up as Specials or on O.M.S. work.

The Authorities are afraid of attempts to attack buses congregating at Ardmillan Terrace and St Andrew Square. We hope strikers will restrain themselves.

#### DISTRICT REPORTS.

DALKEITH & DISTRICT STRIKE COMMITTEE. Report Police interfering with peaceful picketing; matter being taken up by Strike Committee. Meeting at Picture Palace crowded.

PENICUIK all solid: Workers refuse to attend meeting called by owner of Valleyfield Paper Mill.

MUSSELBURGH. N.U.R. has succeeded in bringing out a non-Union man and in driving another out of the District.

#### TRADE REPORTS.

CORPORATION RELIEF WORKS. Four hundred men on Road work now out on strike.

PAINTERS. Position very satisfactory, men determined to fight to successful issue.

THE T.U.C. and the GOVERNMENT: The T.U.C. has had again to repeat its exposure of the Government's falsification of the issue. The Government, with Churchill as editor of the official 'British Gazette', keeps on saying that the Constitution is at stake and every scab capitalist paper becomes Winston's parrot. The T.U.C. repeats in reply that from first to last it is an industrial dispute. That has been clear from the first. Negotiations were proceeding late on Sunday night 2nd. May and the two sides had retired to consider separately a formula that had been devised. The two sides never met again. Why? 'Because the *Daily Mail* had been stopped and a General Strike declared', so said the Government in its ultimatum to the T.U.C. *But the General Strike decision had been made on Saturday afternoon and the Government knew of it.* We can only conclude that the Government broke off negotiations solely because of the *Daily Mail*. But we can go even further. J.H. Thomas, on Friday night 30th. April, denounced the Die-Hards of the Cabinet for having issued a leaflet which was prejudicial to the negotiations and for having printed a poster calling for O.M.S. volunteers. Sinister forces were at work and these

1 The 'Professor' was Frank Smithies, editor of the strike bulletin, who told an *Evening Dispatch* reporter who had called at the strike committee offices that its policy was not to give information to the press. *Evening Dispatch*, 10 May 1926.

forces prevailed. They are still prevailing. They refuse to publish news of peace movements among the middle class. Even Lady Astor complained in the House of Commons on Monday that the 'Times' was more impartial than the official 'British Gazette'.<sup>1</sup> These are the fundamental facts of the case. *KEEP THEM IN MIND.* And above all, *KEEP THEM CONSTANTLY BEFORE YOUR FELLOW-WORKERS.*

*GENERAL COUNCIL NATIONAL TRANSPORT COMMITTEE:* Now instruct that all men engaged in transport should be on strike excepting men employed by Co-operative Societies solely for the delivery of bread and milk direct to their members. Our Union members must act accordingly. Other Unions are instructed likewise. Local transport committees have been informed of this instruction. Hallsworth, Manchester. 3.55, 10/5/26.<sup>2</sup>

*RAILWAY ACCIDENTS:* An instance of the danger which results from the attempt to run even the most restricted railway service at present was shown by the distressing accident to a passenger train at St Margaret's tunnel yesterday afternoon. The train collided with a number of goods wagons just inside the tunnel. Two passengers were killed and a number severely injured—one of whom we understand has since succumbed. The escaping gas from the carriages rendered rescue work difficult. Railway strikers on picket duty offered their assistance, but their offer was declined.

Last night the 'Flying Scotsman', which was carrying 350 passengers from Edinburgh to the South, was involved in a smash near Newcastle, fortunately without loss of life.

Another train smash is reported from Bishop's Stortford, resulting in one death.

This shows that the inefficiency of the men employed by the Railway Companies at the moment is conducive to accidents.

*EFFECTIVE PICKETING:* At Longcroft the road picket is so effective that the football park is full of vehicles of all descriptions, impounded until a permit and a Union driver are produced.<sup>3</sup>

*THE EDINBURGH CENTRAL STRIKE COMMITTEE* has sent a protest to the Secretary for Scotland drawing attention to the savage sentences being imposed upon workers in the present dispute.<sup>4</sup>

1 Nancy, Lady Astor (1879-1964), the first woman MP to take her seat in the Commons, Conservative MP for Plymouth Sutton, 1919-45.

2 Joseph Hallsworth (1884-1974), general secretary, National Union of Distributive and Allied Workers, member of the TUC General Council, 1926-46, member of National Coal Board, 1947-9, knighted, 1947.

3 Longcroft is near Denny, Stirlingshire.

4 The *Labour Standard*, 22 May 1926, commented that: 'A marked feature of the present trouble has been the monstrous sentences imposed on all those who have fallen into the hands of the authorities, whether



*RAILWAY POSITION IN EDINBURGH:* In Edinburgh Goods Sheds, Yards, Stations and Locomotive Depots *NOT ONE STRIKER HAS BROKEN AWAY*, despite arrangements made by the Companies over the week-end.

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*EDINBURGH & DISTRICT STRIKE COMMITTEE*  
*OFFICIAL STRIKE BULLETIN*

No. 9.

12/5/26.

PRICE 1d.

*THE WILL TO WIN:*

The British Working Class can congratulate itself. It has got well over the first hurdle and has started the second week of its magnificent struggle as solid as it was in the first. The scab-produced Press told us to expect break-aways on Monday, and now eats its own words. 'There has been no break-away from the ranks of the strikers', says the 'Scotsman' in its first leading article on Tuesday. Our own reports from all over the country confirm this, and the second week now sees us not only solid but with the second line of defence, shipyard workers and others, being called out to back up the first line. *Stand firm! Victory is Near!*

Let us not forget that we are out defending the Miners, and that the Miners' case is unassailable. They are asked to make sacrifices. Have they not been forced to make too many sacrifices already? In five years, as George Baker, Labour M.P. for Abertillery, has said, they suffered reductions in wages amounting to £375,000,000; and in 1921 they were forced to lose 30/- per week. And the Mine-owners who are asking the Miners to make further sacrifices have, in twelve years, made profits of £232,000,000.

Many people who, a week ago, supported the Government, are now thinking a second time. We have already reported some of them: a City Council in England and a County Council in Wales and the leaders of the English Churches. It is no longer a question of the Constitution, no longer a question of whether the General Strike is legal or illegal. It is now a question of the Cabinet's crime in breaking off negotiations over the petty incident of the 'Daily Mail'. *AND THE LATEST PEOPLE TO SEE THAT, ARE*

the charge was serious or otherwise.' The paper said an example was the case of a Loanhead man, aged 58, who had 'never been in the hands of the police in his life'. As a picket, he held up his hand as a farmer was passing, but his signal was ignored. An information was lodged, and he was arrested and sentenced to 30 days' imprisonment and a £10 fine.



*FIFTY CONSERVATIVE M.P.s WHO HAVE SIGNED A MEMORIAL TO THE PRIME MINISTER URGING THE RESUMPTION OF NEGOTIATIONS* on the lines of (1) Withdrawal of lock-out and Strike Notices, (2) Financial assistance to assure Miners' Wages during negotiations.

That is how the wind blows. But we must pull together to the end. As yesterday's message from the T.U.C. Executive said: *'IN QUIETNESS, IN CONFIDENCE IS OUR STRENGTH. WE ARE INVINCIBLE. BE OF GOOD CHEER!'*

*IS A RESUMPTION OF NEGOTIATIONS IN SIGHT?* An official communication in today's 'British Gazette' (the official Government organ) states: 'While there are many individual cases of strikers in the various trades and services returning to work the general strike remains unabated throughout the whole country'. The Government is therefore well aware of the gravity of the situation which its breaking-off of negotiations has brought about.

*THE ACCURACY OF THE 'DOPE' PRESS.* Yesterday the 'Scotsman' appeared with the glaring headlines:- 'Normal Conditions in Edinburgh. Electricians Return'. The actual facts are that four electricians with whom the E.T.U. have had trouble all along, returned to repair tramway motors. They are housed and fed in Shrubhill Depot!

#### TRADE REPORTS

*BLACKSMITHS.* All, except those on hospital work, were withdrawn on Monday night. *VEHICLE WORKERS.* All vehicle builders in Edinburgh and district are now on Strike. *FOUNDRY WORKERS.* Following telegram received from Headquarters today: 'Unless otherwise ordered our members must not start work Wednesday, 12th May, except in H.M. Dockyards and Admiralty and Government Engineering Establishments. Signed Tilling.' This order will affect all moulders in Edinburgh area as there are no Government establishments employing Moulders since the closing down of Rosyth Dockyard.

*SCOTTISH HORSE & MOTORMEN.* Members of this Union engaged in handling food-stuffs, etc. have been called out.

The BULLETIN yesterday had a circulation of 12,000 copies.

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#### STRIKE BREVITIES

At COATBRIDGE the Police raided the Strike Committee's premises and took away all documents and Bulletins. The Strike Committee, however, are again in action.

The whole of the first issue of 'The Scottish Worker' was cleared out in forty minutes.

GLASGOW Tramways are losing about £5000 a day owing to the Strike.

In the HOUSE OF COMMONS on Monday, Churchill said:- The Government newspaper was meant to 'Sustain the Nation in the difficult period we were passing through'. We imagine the Nation needs more than paper sustenance, especially of the kind given out by the 'British Gazette'. It is perhaps as well that the transport of food is being arranged by workers' Strike Committees.

The DUTCH FEDERATION OF TRADE UNIONS has sent £5000 as a first instalment towards a fund to help *British Strikers*.

At LEWES the Police and the Strikers have organised a Public Billiard Match.

On Monday the Government was attacked by Labour M.P.s and Lloyd George for not printing in its paper the Peace terms suggested by the Archbishop of Canterbury on behalf of the leaders of all English Churches.

An important London daily paper has had to cease publication because a number of Non-Union men withdrew their labour.

PERTH STRIKE COMMITTEE have had a very successful Mass Meeting and Concert in the City Hall. They are also organising a meeting of Strikers' wives to put the position clearly before them.

THE QUEENSFERRY STRIKE COMMITTEE has set up its Headquarters in the Masonic Hall, South Queensferry, where it is in session from 9 a.m. to 7 p.m.

#### CHISWICK U.D.C. BYE-ELECTION RESULT.

Labour.....	1041
Conservative....	301
Liberal.....	<u>100</u>

640 ... LABOUR MAJORITY  
OVER ALL OPPONENTS

#### ANOTHER 100,000 AND NOT THE LAST IF NEED BE

The decision of the Engineering and Shipbuilding Unions to call out their employed members last night meant an accession of 100,000 men to the ranks of the Strikers in Scotland alone. Thus all the exaggerated reports in newspapers and on the Wireless of break-aways can be more than discounted even if we take them at their face value.

ANOTHER 'WHOPPER' DENIED. The Corporation Fire Brigade (members of the National Union of Corporation Workers) desire us to deny the statement appearing in the 'Dispatch' of the 10th inst., that they went to the Railway accident at St Margaret's Tunnel to act as a break-down gang. They went solely to render assistance to the injured and confined their energies to that purpose alone. If we had to print all the denials of statements in scab

papers which we receive, we should require an hourly edition of the Bulletin to keep pace with the output of the lie factory.

*COMMUNAL FEEDING OF SCHOOL CHILDREN IN MIDLOTHIAN TO BEGIN IMMEDIATELY.* Mr Alex. Murray, Member of the Midlothian Education Authority, reports that the Authority had agreed to commence feeding school children forthwith. The arrangements are being set on foot and it has been further agreed that feeding shall proceed concurrently with the completion and lodging of forms.

—*SEEK THE TRUTH AND ENSURE IT—*

A statement having appeared in the 'Evening Dispatch' to the effect that Father Cullen, S.J., Dalkeith, instructed his congregation from the pulpit to return to work as the strike was illegal, his congregation wish it to be known that no such statement was ever made.

### *EDINBURGH & DISTRICT STRIKE COMMITTEE* *OFFICIAL STRIKE BULLETIN*

No. 10.

13/5/26.

Price 1d.

#### *MESSAGE FROM DRUMMOND SHIELS, M.P.*

I have just arrived in Edinburgh after making great efforts to get back to my people and have been three days on the road from London. I am proud of the fine response that Edinburgh made to the call of the T.U.C. There will be other opportunities of dealing with the misrepresentations of the purpose and character of the general strike, and in the meantime, rejoice in the spirit of comradeship and self-sacrifice shown so magnificently by the brotherhood of Labour. Everywhere we found it, and while I cannot say without further information what is the extent of our success, we have a victory that nothing else can affect in the proof that henceforth we fight together in the struggle for the abolition of poverty and industrial slavery. I am grateful to all those who have laboured and sacrificed to make Edinburgh what it has now admittedly become, one of the leading centres of the political and industrial movement towards a new social order.

#### *OFFICIAL INTIMATION*

The following telegram was received last evening by The Central Strike Committee:- 'TO RESUME NEGOTIATIONS GENERAL COUNCIL BRITISH CONGRESS HAVE TERMINATED GENERAL STRIKE TO-DAY. TRADE UNIONISTS BEFORE ACTING MUST WAIT INSTRUCTIONS FROM OUR OWN EXECUTIVE COUNCIL.'

CIRCULATE INFORMATION IN YOUR AREA. ELGER, SCOTTISH CONGRESS'.<sup>1</sup>

### RELEASE OF PRISONERS

The Central Strike Committee strongly urges Branches and Meetings of all kinds to pass the following resolution:- 'This Branch or Meeting of the ..... demands the unconditional release of all persons imprisoned as a result of incidents due to the General Strike situation'. This resolution should be forwarded to The Prime Minister, House of Commons, London; The Secretary for Scotland, House of Commons, London; to local M.P.s, and to the Magistrates.<sup>2</sup>

### THE LAST DAY OF THE STRIKE

The end came suddenly. There had been rumours that Sir Herbert Samuel, who was Chairman of the latest Coal Commission, had come in as a go-between, but few of us expected such quick developments from his intervention.<sup>3</sup> Anyway negotiations are to be resumed with the Government and the Mine Owners. They should be negotiations conducted in an atmosphere vastly different from the atmosphere which prevailed at the end of April. The Miners and the T.U.C. can face the other side with a greater confidence, a greater determination. They were thrown out ten days ago by Tory Negotiators who mistook the 'Daily Mail' incident for a matter of first class national importance. But now the Miners and the T.U.C. can go forward with the knowledge that the whole Working Class has stood solid and adamant on the side of the Miners. The Capitalist Press seeks to represent the T.U.C.'s action as unconditional surrender. However much that may appear to be true on the surface, as a means of saving the Government's face, the essential fact remains that the T.U.C. backed by unbroken ranks negotiated for over an hour yesterday with the Prime Minister before the General Strike was called off, and that negotiations will begin again on a basis more favourable to the Miners than when the break occurred.<sup>4</sup>

1 William Elger (1891-1946), general secretary, STUC, 1922-46.

2 By 11 June, 409 people had been sentenced for general strike offences in Scotland to imprisonment without the option of a fine. The STUC General Council at the end of the strike asked local strike committees to send details of all who had been arrested and convicted for offences charged during the strike. The Secretary for Scotland declined to receive a deputation on the subject from the General Council. *STUC Report of the General Council, 1927*, 10; *Hansard*, 20 Jun. 1926, col. 2473.

3 Sir Herbert Samuel (1870-1963), Liberal MP, several times a minister, 1909-32, High Commissioner for Palestine, 1920-5. It was his memorandum, finalised on 11 May, which (though he made clear that the government had not accepted it) the TUC General Council seized on as a basis for calling off the general strike.

4 The last comment reflects the confusion and misunderstanding among many strikers and other trade unionists caused by the sudden, and not clearly explained (by the TUC General Council) reasons for and consequences of, calling off of the strike. In fact, the views of the Miners' Federation (which had rejected the Samuel Memorandum) and those of the TUC General Council diverged, and the miners

*RESOLUTION.* This Strike Committee decides to remain in operation for purposes of securing that resumption of work in the area shall be undertaken on pre-strike conditions. The Strike Committee cannot countenance the abandonment of trade or industrial Agreements operating in the district and calls upon every Union to give the strongest backing to the Committee in its attitude.<sup>1</sup>

*THANKS TO ALL HELPERS.*

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Methil & District Trades & Labour Council

5.5.26.

Bulletin.

Issued Daily.

District Reports:

Delegates returned from Perth 3 p.m. today. Report situation good. Only 4 Tram Cars running, which are being worked by Inspectors. 9 Members of the R.C.A. out on strike and 5 working. Action being taken.

At *Ladybank* 3 Supervisors and 4 workmen working, a reduction of 6 since yesterday. 160 troops at *Annemuir*.

*Leven*: Advertiser summarily dismissed all employees and are withholding 1 day's pay which was legitimately worked for before receiving T.U.C. Instructions.

*Kirkcaldy*: Position very strong. Everybody working for the cause. Buildings Trades coming out. *Kirkcaldy* Trades Council in communication with Trades Union Congress twice daily.

*Glenraig*: Position strong. No truth in rumour that the Colliery fires have been withdrawn at *Glenraig Colly*.<sup>2</sup>

*Bowhill*: Solid. No Backsliders.

*Burntisland*: Dockers Miners Traffic solid. 3 Loco men working. 1 L.N.E. man working. Everything going well.

*Thornton*: Position as affecting Thornton very good. Scabs of yesterday now out. Everybody standing firm. Pro. N.U.R. Bulletin.

remained locked out for a further six months and returned to work in November at reduced wages and longer hours.

1 Widespread attempts by employers to impose less favourable conditions of labour after the unconditional surrender by the TUC General Council on 12 May, and its failure to ensure that strikers returned to work on the conditions on which they had come out, led to many workers remaining or going out on strike. 'Twenty four hours after the General Council had declared the strike terminated, the number of strikers had increased by 100,000 and their good temper was turning to violence'. J. Symons, *The General Strike* (London, 1957), 215.

2 Withdrawing the fires from the steam pumping machinery resulted in flooding of collieries.



The Methil Trades & Labour Council call upon all workers in this District to Enrol in the Defence Corps as workers set up by this organisation. Victory will not be won sitting at the fireside but only by organised efforts of all workers. As the position becomes more acute more and more help will be needed. So Roll up now in your thousands to the Co-op Hall at any time between 10 am till 9 pm.<sup>1</sup>

Telegram sent to Methil N.U.R., 5th May 1926:

'All reports show position solid as a rock. Believe no rumours by wireless or otherwise. Any authentic news will be sent you from this office. Cramp.'

Wm Elger, Secretary, Scottish Council Trade Union Congress. Phone communication at 4.45 p.m: Position good, everything quiet, no disturbance reported in any Area. Report covering Scotland from Inverness to the Borders very good. Very few reports of scabbing. No reports from England or Wales up to above time. 10 am report that everybody was standing sound and everybody working for the cause.

M.L. Lamb, Secretary,  
Trades & Labour Council.

### Methil & District Trades & Labour Council TODAY'S LATEST NEWS

Methil

11 a.m.,

6th May 1926.

*ANSTRUTHER & EAST COAST*: Position solid. Everybody helping the cause.

*ABERHILL BRICKWORK*: Blackleg to stop work today at 1 p.m.

*METHILHILL*: Reports that operations to dig up the bing there have begun. Decided that it must be stopped at once.<sup>2</sup>

*THORNTON*: Position unchanged. Everybody solid, but it is reported that cyclists are going round the out-lying districts warning Transport Drivers not to pass through *Thornton*, with the result that a large draft of policemen are now lying in the wood at the North End of the village. Everything quiet up till now.

### LATEST WIRE FROM LONDON

Position unchanged. No wavering anywhere. Pickets should wear prominent badges, all other members should keep off the street. Cramp.

1 Workers' Defence Corps to protect pickets were part of the programme of the more left-wing or militant sections. The Defence Corps formed at Methil became the strongest and probably best organised in Britain when it was increased from 150 to 750 on 10 May after 'a brutal assault' that day by police on a road picket at Muiredge. J. Skelley (ed.), *The General Strike, 1926* (London, 1976), 150.

2 It seems likely that the bing or spoil heap was being dug to obtain coal for sale. Generally there was no objection by strikers to bings being searched for coal to burn on the searcher's own fire. See also below, 207 and 257.



## LATEST WIRELESS

500 members of R.C.A. now on strike at Cardiff.

PERTH: Pullar's Dye Works now closed. Dewar's whisky firm now shut up.<sup>1</sup>

LEVEN: A. GOURLAY, Printer, who prints letter heads on our paper, has now refused to print the Trades & Labour Council's letter heads.

ANSTRUTHER: Latest report. All Messrs Gardener's Buses now stopped running.

LIVERPOOL: Sailors came out on strike last night, with the sanction of the Liverpool Office of their Union. Ballot still in progress. Adriatic Ship, Crew tried to hold up ship in New York. 40 firemen put aboard by policemen. 14 men put in jail.

METHIL & DISTRICT TRADES Council Deputation interviewed Buckhaven Town Council today. The Burgh Surveyor was appointed *Convener* and *Controller of Coal*, with three of a Committee. The Town Clerk was appointed *Controller of Food*, with a committee, also a Representative from each District to co-operate with Public Health Committee. *In future all applications shall be made directly at the Child Welfare* instead of Council Chambers. Applications now made will be dealt with tomorrow, *Friday, 7th MAY between 2 and 4 p.m.*

DENBEATH BRICKWORK: Man working there now stopped.

PERTH: Position solid. Everything quiet.

ABERDEEN: Everything at a standstill. No trams or buses. A beer lorry left the brewery, but had to return, as it was picketed at the Bridge of Dee by 200 workers, and between 20 & 30 policemen. Everything went on peacefully afterwards.

LOCHGELLY: Trades Council have come to a decision to prevent all outcrop seams from being worked.

Markinch & Lochgelly Schools start feeding children on Monday first.

## Methil &amp; District Trades &amp; Labour Council

## Bulletin

8th May 1926

Perth: Situation absolutely solid. N.U.R. 1,580, A.S.L.E. & F. 167, R.C.A. 81 now on Strike. 2 Firemen and 1 Motor Car Proprietor took Trains out of Perth. Joiners & Painters ceased work on Friday, 7th May.

1 Workers at these two places were not called out on strike. 'The entire absence of all railway transport necessitated Messrs J. Pullar & Sons Ltd closing down their works ..... The general stagnation in the city has now been completed by the enforced idleness of the workers of John Dewar & Son.' *Pentshire Advertiser*, 8 May 1926.

A Concert will be held in Picture Palace, Methil, on Sunday night at 6 p.m. in aid of Soup Kitchen's Fund, etc. Roll up and Support it.

Ladybank 10 a.m. Everything going well. Also a Report from Thornton—Solid as a Rock.

Every Organisation in this District Requested to join the Trades & Labour Council Strike Committee.

A Report from Leuchars & St Andrews: Position Good.

The Dance held in Co-op Hall in aid of Soup Kitchens was a great Success.

London, Saturday, 8th May: Stoppage 100 per Cent Efficient. Be Sure and maintain our position. You cannot improve it. Cramp.

East Wemyss: Position in that Area is very solid and Everybody is working harmoniously.

Leven: Situation there good. A Train was observed to pass there today. But our old scab of yesterday was absent. We expect he was away seeing the doctor or has got the Breeze up.

*Wanted—Good Speakers.* As our Speakers are having rather a hard time we will welcome anyone who is able to state the case either from the Miners', Railwaymen's or Transport side of the question. Now Men Rally Round and Help the Cause.<sup>1</sup>

#### Permits

There has been a rumour going about that there was a charge made on Transport Permits. There is absolutely no Truth in it.

Reported that some people are collecting and selling coal. The parties concerned should [stop] this practice as it will only lead to trouble.

Organisations not involved in this Struggle are Earnestly Requested to send Donations to help to carry through this great Struggle.

The Public Representatives to assist Child Welfare Committee (Buckhaven—Mr A. Taylor, 124 Randolph St) Mr J.B. Watson, Denbeath and [?]

Latest By Wireless 4 p.m. today. Sheffield Tram held up there today by a picket of between 5 & 6 thousands. Police were brought out. But picket refused to Budge.

London today: The Life Guards & Horse Guards are parading with Rifles now at Whitehall. Everything is now at a standstill Except the Transport of Food. Clerks & others who have been cycling to their work Have now stopped it.

A Good Sign that there are very few trains running in England is shown by the Serious delay caused to the Railwayman's Strike Pay.

<sup>1</sup> The 'hard time' for speakers meant they were being overworked, not oppressed by hecklers or other opposition.

M  
METHIL TRADES AND LABOUR COUNCIL

SUNDAY, MAY (9) 1914

LATEST BULLETIN

GRIEFF. Reported by speaker sent from Methil that Grieff is standing solid behind miners.

Reported that the Fife Free press (Livingstone & Strachan) on Thursday offered a substantial increase if their workers would start work.

LADYBANK. Position still being maintained, everybody quiet.

WINDYGATES Meeting in Tullis hall, everybody interested to turnout, everything going well.

METHIL Very quiet, every branch fully occupied. Speakers out in many districts. Mass meeting at Denbeath Bridge at 3p.m.

Speakers from outlying districts will be there.

Sunday concert at the Picture Palace, Methil at 6.30 and Free Gardeners Hall, Buckhaven at 6.30. 5 part picture will be shown. Full orchestra in attendance. Local singers etc. have kindly consented to give their services. Price of admission 6d & 4d.

LEVEN Everything going A.I. very quiet all over. everything standing to their post. Good report in general.

ANSTRUTHER Gardiner has had buses running but has agreed to take all his buses of the road from to-day.

ST. ANDREWS Report that G.L.C. is running again from St. Andrews to Cupar via Ceres after having stopped for two days. But he is intending to stop to-night also.

LEVEN Reported that members of the Painters Ass. have not complied with the instructions of the T.U.C.

ROSIE Meeting at Rosie addresses by Comrades O'Neil and M'Arthur who both got a good hearing. After meeting they decided to join up with Methil Trades & Labour Council. Joint Committee formed. Representative appointed today.

METHIL TRADE UNIONISTS are strongly warned that they must not take up any other class of employment other than their own, during the lockout therefore they are not eligible to take up work.

DYSART All pickets carrying on good work. Everybody at their post. Committee work in full swing by keeping direct contact with the Kirkcaldy Trades Council. Reported that coal had arrived at Kirkcaldy Harbour has left again with scab crew back to Leith where they came from.

KIRKCALDY Workers standing out solid. Everything pretty quiet today. No services of cars or buses running. Position very satisfactory.

MARINCH all solid to a man where affected.

GALLATOWN Miners and Tramwaymen working harmoniously.

THORNTON Reported quiet to-day. No transport in being. Committee in contact with all districts. Speakers visiting other districts.

Don't forget the concerts in Methil, Denbeath and Buckhaven. Committees of entertainments make large programmes out every day. DON'T FORGET TO TURN OUT AND GIVE YOUR SUPPORT

There will be a Mass Meeting held at Denbeath tonight at 6 p.m. Roll up [in] Your Thousands.

# METHIL TRADES AND LABOUR COUNCIL

SUNDAY, MAY 9, 1926

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**LEVEN:** Everything going A.1. Very Quiet all over. Everything standing to their post. Good report in general.

**ANSTRUTHER:** Gardiner has had buses running but has agreed to take all his buses off the road from to-day.

**ST ANDREWS:** Report that G.M.C. is running again from St Andrews to Cupar via Ceres after having stopped for two days. But he is intending to stop to-night also.

**LEVEN:** Reported that members of the Painters Ass. have not complied with the instructions of the T.U.C.

**ROSIE:** Meeting at Rosie addressed by Comrades O'Neil and M'Arthur who both got a good hearing. After meeting they decided to join up with Methil Trades & Labour Council. Joint Committee formed. Representative appointed today.<sup>1</sup>

**METHIL TRADE UNIONISTS** are strongly warned that they must not take up any other class of employment other than their own during the lockout. Therefore they are not eligible to take up work.

1 In 1923-7 there were two rival miners' unions in Fife, the Fife, Kinross and Clackmannan Miners' Association (the 'Old' or county or 'Adamson's' union), whose general secretary was William Adamson (1863-1936), MP for West Fife, 1910-31, secretary for Scotland, 1924 and 1919-31, and the more militant Fife, Kinross and Clackmannan Mineworkers' Reform Union. Rosie was a colliery at East Wemyss. John O'Neil (or O'Neill) and John McArthur (1899-1982) were leading members of the Reform Union.

**DYSART:** All pickets carrying on good work. Everybody at their post. Committee work in full swing by keeping direct contact with the Kirkcaldy Trades Council. Reported that coal had arrived at Kirkcaldy Harbour, has left again, with scab crew back to Leith where they came from.

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**DON'T FORGET TO TURN OUT AND GIVE YOUR SUPPORT.**

#### Methil and District Trades and Labour Council

Daily Bulletin No. 7

Tuesday, May 11th

**EAST WEMYSS:** Report stopping of car carrying scab newspapers.

**LADYBANK:** A train arrived here from Perth, manned by men of the Royal Air Force. The driver ran round his train and proceeded up the Kinross branch. This is a scheme to gull the public that a large train service is running.

**GLASGOW:** A few Tram cars running, manned by Students, and Fascisti. No passengers as workers refuse to travel with scab crews.<sup>1</sup>

**INTERNATIONAL CLASS WAR PRISONERS AID:** A local Committee of the International Class War Prisoners Aid was formed last night. The objects of the I.C.W.P.A. are to provide legal and financial assistance for the class war prisoners persecuted by capitalism in all lands and to render financial and material assistance to the dependents of such prisoners. Further, to agitate and organise campaigns to secure the release of all workers held in prison by the capitalist Governments. Join now. Subscription 1/- per annum.

Local Secretary, Wm. Cairney, 95 West High St, Methil.<sup>2</sup>

**PERMITS:** We again emphasise THAT NO CHARGE is made for permits.

1 The British Fascists (BFs) had offered to provide a volunteer corps of strike-breakers under their own officers but this had been rejected by the government. Individual Fascists were welcomed, however, into the ranks of the volunteers and as special constables. It was partly for this reason that formation of Workers' Defence Corps was urged by the more militant sections of the labour movement. Morris, *General Strike*, 76.

2 International Class War Prisoners' Aid was founded in 1922, the British section in 1924. It was supported by left-wing elements in the Labour Party and Independent Labour Party, as well as by the Communist Party.



**N.U.R. WIRE:** Everything going well in spite of all attempts to mislead. Ignore any instructions other than from this office. Remain solid. All our members will resolutely refuse to be associated with any acts of wreckage or destruction. **CRAMP.**

**PERTH:** Printers **SOLID 100% OUT.** While the P.A. and Perthshire Constitutional is appearing in print, we believe those papers are being printed by non-union labour outwith the City. **WORKERS,** the remedy is in your own hands. Don't buy those **SCAB** papers. **BOYCOTT** them because the Perth printers are loyal. **BUY YOUR OWN PAPER 'THE SCOTTISH WORKER'** which is published by the Scottish T.U.C. and being distributed by the Strike Committee. Don't get alarmed when you see a train going to and from Dundee. In normal times over 140 per day run on this line alone.

**PICKETS:** Police at Leven interfering with Peaceful Pickets. We again emphasise that **PEACEFUL PICKETING IS LEGAL.** We therefore urge all pickets to carry out instructions issued to them. In some areas, especially here, it has been very noticeable that the police are using provocative action to stir up trouble, for the purpose of defeating the workers. Stand solid and carry out instructions.

**WINDYGATES:** All solid. Arrangements made for communal feeding.

**DEPUTATION** met provost Mackay to-day, to lodge protest against the unwarranted and brutal attack of the Police on the Peaceful Picket at Muiredge yesterday. Also protesting against the extra police being drafted into the burgh as being unnecessary due to the peaceful attitude of the workers in this district.<sup>1</sup>

#### **DON'TS FOR STRIKERS**

Don't encourage inflammatory propagandists: they may be in the enemy's service.

Don't countenance rioting or illegal action of any kind.

Don't obstruct the police in the exercise of their lawful duties.

Don't listen to unwarranted rumours, which may be spread to dishearten you.

Don't express your views in unnecessarily provocative language.

This strike will be won hands down if you keep cool heads, stout hearts, stolid discipline and exemplary conduct.<sup>2</sup>

<sup>1</sup> See above, 205, note 1.

<sup>2</sup> These exhortations to strikers were published the previous day in the first issue of the STUC strike newspaper *Scottish Worker*, and there were similar daily exhortations in the *British Worker* from its first issue on 5 May by the TUC General Council.



### METHIL TRADES AND LABOUR COUNCIL

Daily Bulletin No. 8

Wednesday May 12th.

LONDON: General Council of T.U.C. report 'Yesterday great mass meetings were held in all parts of the country and nowhere has the position weakened. In London for instance, out of the 40,000 Passenger Workers not one has returned to work.' Messages are being received from workers' organisations from all over the world, pledging support to the British workers.

#### WARNING

Women and children are hereby warned that they are not to gather round Pickets who are on duty. By keeping away they will greatly help the Pickets in the execution of their duty.

PERMITS: In evidence used against our Comrades at the Court yesterday it was stated that the Pickets were charging 5/- from those who did not have permits. We again emphasise '*That no charge is made for permits.*'

WIRE from R.C.A. Headquarters 10-15 a.m.: Despite repeated efforts to create breach our position splendidly maintained. Ignore all communications from Companies and stand firm. Full reinstatement will be definite condition of settlement. Walkden.

In Scotland 8,000 Rail Clerks are on strike. In Great Britain 60,000 have answered the call.

Wm. Duff, newsagent, Denbeath, has cancelled all papers during this crisis. We urge all workers to boycott all SCAB newspapers and newsagents who are selling SCAB papers at present.

RESOLUTION PASSED BY METHIL TRADES AND LABOUR COUNCIL LAST NIGHT TO BE SENT TO TRADES UNION CONGRESS:

'That all men imprisoned for picketing per T.U.C. instructions be released before work is resumed.'

Great demands all over the country for copies of the 'Scottish Worker'. The Scottish T.U.C. doing their utmost to cope with the great demand. Please hand your copy round when read.

PERTH: Position very good. Reports from all Perthshire districts. Position everywhere absolutely solid.

NOTICE: We urge all workers to refrain from using Smith's Buses after this lock-out.

N.U.R. WIRE: Everyone standing firm. All keep together. Believe no rumours. Await further instructions. CRAMP.

The number of trains running bears no relation to the actual position. They are only *SHOW TRAINS* and few people would trust themselves to the tender mercies of most of the men driving locomotives now.

*EAST WEMYSS*: Position O.K. General position all over Fifeshire unchanged. Strong pickets out tonight.

*MORE POLICE INTIMIDATION*: Picket arrested and detained for ½ hour in Police Station, Leven, and advised by Police to refrain from picketing. We again emphasise that '*PEACEFUL PICKETING IS STILL LEGAL.*'

The Government are now trying to scare the workers back to work with the latest wireless scare, 'The General Strike is called off'. This is another form of intimidation which we have to cope with.

The Concerts and Dances now being held in the various halls in aid of Strike Funds, etc., require your whole-hearted support.

### *METHIL TRADES AND LABOUR COUNCIL*

Daily Bulletin No. 9

Thursday, May 13th.

*LOCAL RAILWAYMEN*: Asked by Railway Coy. to sign form as New Entrants to Railway Service, which under the Wages Board Award of Feb. means from 2/- to 8/- per week reduction on all grades. Railwaymen's meeting this morning decide to stand firm and advise members NOT TO SIGN FORM. Miners and other workers pledge full support to railwaymen at mass meeting this morning.<sup>1</sup>

*TRAMWAYMEN*: Deputation to Mr Dawson, Gen. Manager of Wemyss Tramways report to mass meeting that skeleton service will be run and employees employed in RELAYS. Guarantee given of NO VICTIMISATION.

*DOCKERS*: At meeting this morning Dockers unanimously passed following resolution: 'That we refuse to handle any coal moved by blackleg labour.' Joint deputation of Dockers and Tramwaymen visit Glasgow office of Transport and Gen. Workers' Union.

*CONCERT*: In Co-op Hall, Methil, tonight at 7 pm. First class company of local artists, vocal and instrumental. ALL proceeds go to STRIKE FUND. Roll up and enlist yourselves. Admission 3d.

*PERTH*: Received this forenoon: 'Our strike still on, and we desire that the speakers proceed to Perth today to address meeting of women this afternoon.'

*LADYBANK*: Railwaymen of all grades sitting tight. Refuse to work on terms offered.

12.30: 'No man to report for duty. No man to start work. No man to sign a form. Meeting at 2 pm with Railway Unions and Coys.' CRAMP.

*THORNTON*: Railwaymen of all grades standing firm. Not a man at work.

1 See above, 204, note 1.

*DUNFERMLINE: Railwaymen standing 100% solid.*

*THE RED FLAG*

The worker's flag is deepest red,  
It shrouded oft our martyred dead;  
And ere their limbs grew stiff and cold  
Their life-blood dyed its every fold.

*Chorus:*

Then raise the scarlet standard high;  
Beneath its folds we'll live and die,  
Though cowards flinch and traitors sneer,  
We'll keep the red flag flying here.

Look 'round, the Frenchman loves its blaze,  
The sturdy German chants its praise;  
In Moscow's streets its hymns are sung,  
Chicago swells its surging song.

With heads uncovered, swear we all,  
To bear it onward till we fall;  
Come dungeons' dark, or gallows grim,  
This song shall be our parting hymn.

*DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN*

Thursday, 6th May 1926

*UNITY*

Everywhere comes news of the unity of the workers in the struggle. Clackmannan miners have formed a strike committee. Alec Smith, Vice Chairman of the Miners Association, is Chairman of the joint strike committee in Methilhill.

*EDINBURGH TRAMWAYS*

The skeleton service of the Edinburgh Tramways has been withdrawn on the threat of the Electrical Trades Union to knock off power if all scabs were not withdrawn. This has also taken place in Hull. The 'Edinburgh News' has ceased publication as a result of the magnificent response of the Printing Trade Workers.

*COWDENBEATH*

Cowdenbeath is solid and determined. The Trades Council is in constant session. The Council is arranging everything to make the struggle victorious.

*DUNFERMLINE*

Everything solid. Scab buses in Dunfermline having attention of Trades Council. A cycling corps has been formed to keep in touch with the districts. All sections of the workers are responding splendidly. All arrangements are in the hands of the Trades Council.

*WELLWOOD*

The Wellwood Committee is making preparations to feed the school children.

*ALLOA*

The Alloa district is well organised. The Trades Council is in permanent session. Mass meetings are held every night in the Station Square.

*INVERKEITHING*

All goes well here. The Printers are out and the quarries are closed. The workers are solid.

*BURNTISLAND*

The position is well in hand. The railways are at a standstill. All the clerks were to come out last night.

*KINGSEAT*

All solid. Buses stopped between Lassodie and Dunfermline.

*KELTY*

Transport at a standstill. Preparation in hand for feeding the children.

*STEELEND*

Things very helpful. Mass Meeting today. Joint Committee will be formed.

*TOWNHILL*

Joint Committee formed. Everything well in hand. Dunfermline Trades Council taking control.

*EAST WEMYSS*

Council of Action set up.<sup>1</sup> Has full control. Sub-committees have been formed to gather and distribute information. Cycling corps formed as well as food committees.

*SCOTLAND*

The whole of Scotland is solid. The General Council has full control of the position. Links of communication have been established from Inverness to Carlisle.

Signed on behalf of the Council, James Lord.

<sup>1</sup> A Council of Action, modelled on the organisations with that title first formed in 1920 when it appeared Britain might be dragged into the Russo-Polish War, was a local organisation representing all local labour organisations and therefore wider in membership than a trades council, to which normally not even all local trade union branches were affiliated. The council of action denoted a more left-wing, militant organisation than most trades councils were.

# DUNFERMLINE TRADES AND LABOUR COUNCIL OFFICIAL STRIKE BULLETIN

Thursday, 6th May 1926. 4 p.m.

## LOCHGELLY

Both Unions collaborating.<sup>1</sup>

## LONDON

Taximen out.

## VALLEYFIELD & DISTRICT

Arrangements in hand to set up communal kitchens. Area has been divided into districts with a convener in each. Feeding of school children to begin on Monday first. 3 meals per day, 7 days per week.

## FALKIRK

Courier here with official bulletin. All solid.

## SCOTTISH TRADE UNION CONGRESS

An official of the S.T.U.C. called here today. A perfect system of communication has been established between Carlisle on south and Inverness and Aberdeen in the north. All official news comes along this line. Official bulletins will be posted daily giving this information.

Congress representative reports that everywhere he has gone stoppage is complete. Workers' organisation is functioning better than all expectations, and enthusiasm among the workers is greater than ever.

## METHIL

East Fife Motor Cycle Club has placed 150 motor cycles at service of Trades Council. 250 push cyclists have followed suit.

## KINROSS

Solid. Also report that Perth and towns further north are in constant session and position satisfactory.

## NEWS

Information has been received that the Wireless has broadcasted that a paper called 'The British Worker' is to be printed and circulated by British T.U.C. No such news has been received by Trades Council and Workers are asked to disregard wireless reports of this kind. Official news this (Thursday) morning from Trade Union Headquarters is that *no printed newspapers* are to get official sanction. Bulletins will be typed and posted. Don't support blackleg papers. Distribution of 'Scotsman' and 'Dispatch' by motor car throughout Fife is to be stopped. *Workers do not buy scab papers.*

Signed on behalf of the Council. James Lord.

1 I.e. the rival county and Reform miners' unions. See 209, note 1, above.

DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN

Friday, 7th May 1926. 11.30 a.m.

*THE GENERAL POSITION*

News to hand shows the workers everywhere are solid. Scotland is united to a man.

*LOCHORE*

Men absolutely solid. Unity between both Unions. Arrangements in hand for feeding the people.

*GLENCRAIG*

Everything solid. Position well in hand.

*LOCHGELLY*

Trades Council making all arrangements. Motor and Cycling Corps formed. Preparations ready to feed the people. Everything ready to feed the School Children on Monday first.

*BOWHILL*

All workers out. Joint Strike Committee formed. All Unions represented. Committee set up for feeding arrangements.

*KELTY*

Mass meeting addressed by Messrs Adamson and Cook. Unity cemented further. Organising a Cycling Corps. Finance Committee formed to control all local finance for feeding purposes.

*KINROSS*

Joint Committee formed between miners and railway men. Working in perfect harmony. Council in direct touch with Ladybank and Perth. Reports from these places show that all the workers are solid. One train ran through on Thursday but it had no passengers.

*LESLIE*

Miners, railwaymen and paper mill workers all solid. All arrangements made for feeding school children. Only food stuffs allowed to be conveyed. Special permits issued for this.

*VALLEYFIELD*

Institute has barred all scab papers.<sup>1</sup> All districts should follow suit.

*DUNFERMLINE*

Mass meeting in the Park this afternoon at 3.30 p.m. All workers asked to attend.

FOR THE STRIKE COMMITTEE. James Lord, Secretary.

1 I.e. the miners' institute.



DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN

No. 5. 5.30 p.m., Friday, 7th May 1926.

*THE BRITISH WORKER*

The General Council of the T.U.C. has issued an official bulletin called the 'British Worker'. Copies of this are being circulated in the different areas. We expect some in this district shortly.

*PERMITS*

The Transport Section of the General Strike Committee is issuing permits for the transport of food supplies. All others with motor vehicles must apply to the Committee for their permits, but the Committee will use its discretion as to whether permits are justified in certain cases.

*PICKETING*

Peaceful picketing is going on. This is producing very effective results. All scab 'buses have been withdrawn in the Dunfermline area.

*SCAB ORGANISATIONS*

The Government is making frantic appeals to the people to join in scab organisations like the O.M.S. Any motor vehicles driven by such persons will be interviewed by our pickets. The workers' reply to these scab organisations must be an *Organisation of Loyalty to the Working Class*.

*FOOD PRICES*

All strike committees are advised to keep a careful watch on the prices of goods. Whenever a shopkeeper raises prices the strike committees should take immediate steps to remedy matters. There is no justification whatever for raising prices. We must put down profiteering.

*BLAIRHALL*

Joint Strike Committee formed, and is in good working order. The Committee is in touch with the Dunfermline Trades Council. Communal feeding is to commence next week.

*BURNTISLAND*

Workers standing firm. Picketing of motor lorries very effective. The Burntisland and Granton Ferry Boat arrived yesterday. It was manned by a number of students, but it carried no passengers.

*UNITY*

Unity is the thing that matters. There must be no disunity anywhere. Those who advocate disunity are betraying the workers, and must be vigorously dealt with. Personalities do not count now. Unity alone matters.

Signed on behalf of the Council. JAMES LORD.

# DUNFERMLINE TRADES AND LABOUR COUNCIL OFFICIAL STRIKE BULLETIN

No.6, 11.30 a.m., Saturday, 8th May 1926.

## THE PRESS

All papers now published are produced by scab labour. These papers contain no reliable information and the workers are only wasting their pennies by buying them. Stand by the Printers' Union.

## PRICES

A report from Inverkeithing shows that the price of sugar has been raised. The Strike Committee have the power to stop this. Send a deputation at once to interview any shopkeeper who raises prices.

## PARISH COUNCILS

Eight Parish Councils met at Lochgelly on Friday and arranged for the following scales of relief:

Women—£1 per week

Children—5/- per week.

See that your Parish Council does likewise.

## EMPLOYERS' THREATS

Certain employers have tried to intimidate the workers by threatening to sack them if they do not return to work. Pay no attention to these threats. The General Council have decided that there will be no resumption of work except on conditions which prevailed before the stoppage.

## PERTH

Perth position strong. Number of strikers daily increasing. Official Strike Bulletin issued. Couriers in touch with outlying villages as well as Aberdeen and the north.

## LADYBANK

Position at Ladybank and Cupar very satisfactory. Fine spirit amongst the men.

## KELTY

The United front is accomplishing wonders in Kelty. All News papers stopped.

## BLAIRHALL

Arrangements to feed the children on Monday first. Men all in fine spirits.

## STIRLINGSHIRE

Encouraging reports from Stirling. Fight going on Splendidly.

## BOWHILL

Picketing on all roads. Permission refused to all motor cyclists carrying passengers who would ordinarily travel by train or bus.

## DUNFERMLINE

Strike Committee going strong. Cycling corps increasing in numbers.

### WEMYSS

Motor bus from Kirkcaldy to Wemyss was stopped by men who removed the front wheels and informed the driver he would get them back when the strike was over.

### SOUTH QUEENSFERRY

It has been reported to the Committee that the motor yawl which conveyed the scab 'Scotsman' and 'Dispatch' across the Forth has been put out of action by having the sea plug removed.

### SIDE CARS & PILLION RIDING

Passengers in side-cars and pillion passengers who would ordinarily travel by bus or train are being held up by pickets all over the districts. Dunfermline is also moving in this direction.

### LEVEN

Report from Leven that a peaceful picket was attacked by Police. The report states that a picket was endeavouring to persuade the driver of a train passing through when the police attacked the crowd with batons. Everything is now quiet.

James Lord, Secretary.

## DUNFERMLINE TRADES AND LABOUR COUNCIL OFFICIAL STRIKE BULLETIN

No.7, 11.30 a.m., Sunday, 9th May 1926.

### MOTOR VEHICLES

The tactics of the forgery Government are apparently being copied by certain owners of motor lorries.<sup>1</sup> Some of these are trying to get through the pickets by displaying what they call a 'T.U.C. Card' in the front of their vehicles. *These cards are a forgery* and pickets should be on the lookout for them. The only official permits are those issued by the Strike Committees.

### PRICES

We again call attention to the raising of prices. Some shopkeepers seem determined to profiteer out of the present crisis. If this is persisted in, we shall draw up a list of such profiteers for the Bulletin and ask the workers to boycott them.

### WIRELESS

The Government is still using the wireless for anti-Trade Union propaganda. 'Jix' continues to call for scabs, but the response is not what the Government would desire. The Workers will remain loyal to their class.<sup>2</sup>

1 The reference to 'forgery Government' is to the Zinoviev or Red Letter forgery case in 1924.

2 'Jix'—Sir William Joynson Hicks (1865-1932), home secretary, 1924-9.

### *THE INTERNATIONAL SITUATION*

The solidarity of the workers in Britain is being welcomed by the workers of the world. The General Council reports that greetings and expressions of sympathy have been received from the Trade Unions of Canada, America, Germany, France, Ireland, Continental Miners, and the International Federation of Employees.

#### *NEWCASTLE*

The Newcastle City Council has unanimously passed a resolution calling on the Government to resume negotiations. Other Councils are taking similar action. Public opinion is rallying round the workers. Stand fast.

#### *THE SCOTTISH WORKER*

The Scottish T.U.C. is issuing a special paper called 'THE SCOTTISH WORKER'. It will appear here tomorrow. Copies will be sent to all the districts as soon as they arrive.

#### *GLASGOW*

A 'phone message from Glasgow states all is quiet. The workers are solid. Rumours of people refusing to do duty are absolutely untrue.

#### *COWDENBEATH*

All solid. 38 unions co-operating on the Trade Council and all working harmoniously. The council is in touch with Kirkcaldy, Kinross, Dunfermline and Keltie. Reports from these places very encouraging.

#### *PERTH & FORFAR*

Reports from here state the workers are out 100%. Few clerk scabs working in Thornton. Strike Committee dealing with them.

#### *LEVEN*

After the incident reported yesterday, all is quiet. One scab train passed through. Relay messages from Leuchars and Dundee show all is going well.

#### *BUSES*

One or two scab buses ran in Dunfermline yesterday. People who ride in these buses are worse than the owners, and are assisting the enemies of the workers. Stand loyal to those on strike.

#### *MEETINGS*

Meeting called for today in the Park quite unofficial. Strike Committee organising meeting in Park on Wednesday at 3 pm when all official and authentic information will be conveyed to workers.

#### *GENERAL SITUATION*

Everywhere the position was strengthened over the weekend. Number of strikers daily increasing. If this spirit of loyalty continues we are bound to win.

#### *FOOD COMMITTEE*

Special meeting of Trades & Labour Council Food Committee will be held in Lesser Co-operative Hall tonight at 7.30 pm. Urgent business.

James Lord, Secretary.

DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN

No. 8, 11.30 a.m., Monday, 10th May 1926.

*GENERAL COUNCIL INSTRUCTIONS*

The General Council have authorised local Strike Committees to meet employers immediately and offer to supply light and power for such purposes as house, street and shop lighting, social services, power for food bakeries, laundries and domestic purposes. Strike Committees should endeavour to stop the supply of power for transport or industrial purposes.

*PICKETING*

Reports from the districts indicate that the Police are threatening to make picketing illegal. Pay no attention to such threats. Peaceful picketing is perfectly legal.

*GENERAL POSITION*

The week-end found the workers as determined as ever. Everywhere the Strike Committees have been strengthened, and the men are showing a wonderful spirit.

*DUNFERMLINE*

Things going well. Transport Permit Committee in full working order. A patrol of Motor Scouts has been organised. These scouts will carry in a prominent position a small White Flag with the letters D.S.S.—Dunfermline Strike Scout.

*WELLWOOD*

A slight disturbance occurred at Wellwood on Sunday morning. The pickets were on duty. A convoy of a dozen police was drafted into the village. Batons were drawn, but no charge was made. Police were seen in the village last night. A deputation of the Strike Committee interviewed the Chief of Police who gave his assurance that police would not be ambushed in the village. The pickets are to continue. All is quiet now.

*COWDENBEATH*

Rumours of disturbances false. All quiet. Everything at a standstill. Mass meetings held throughout the district. Arrangements for feeding well in hand.

*EDINBURGH*

A deputation of the Strike Committee visited the Lord Provost to protest against the provocative actions of the Police. They also protested against the use of irresponsible students as strike breakers. An effort was made by the Edinburgh Tramways to get the inspectors to blackleg by offering them double wages. The inspectors refused and joined the men on strike.

*SPECIAL CONSTABLES*

The Government is still appealing for special constables. To induce men to join they are being offered from 5/- to 10/- per day plus food and accommodation and yet this same Government tells the miners that there is no money in the country to give them a living wage. The Government can find money for everybody but the workers.

*Mr J.H. THOMAS*

stated yesterday the response of the workers has been magnificent.

*SCOTTISH WORKER*

Copies expected here today. A limited number will be sent to each district. Price 1d. A copy should be placed in all the local reading rooms.

*THE SCAB PRESS*

Some of these papers continue to come through but in greatly reduced form. Pickets should look out for these. Workers should not buy these papers.

James Lord, Secretary.

DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN

No.9, 11.30 a.m., Tuesday, 11th May 1926.

*THE SCOTTISH WORKER*

All the districts welcomed the appearance of this paper yesterday. It gives the lie to all the Government misrepresentations over the wireless. The workers can rest assured that the paper will convey all authentic information about the progress of the strike.

*THE GENERAL COUNCIL*

The General Council is conducting the Strike with admirable efficiency. Mr Cramp of the N.U.R. states that the Railwaymen are solid. Mr Swales of the A.E.U. states that we have many big battalions to place in the field yet.<sup>1</sup> Our chief resources are hardly touched yet, and the General Council can be relied on to use their resources in the best way to ensure the success of the strike.

*DISTURBANCES*

Reports indicate that the Government is getting panic stricken. Aeroplanes hover around different places in order to intimidate the workers. If the workers keep cool their panic measures will have no effect.

*COWDENBEATH*

Rumours of disturbances in the Burgh have been effectively hailed by a proclamation signed by the Provost and four Bailies. The proclamation states

1 — Alonso Swales (1870-1952), Engineering Union leader, president of TUC, 1924-5, member of TUC General Council, 1919-34.



that there has been no disturbance and that 'the behaviour of all classes of citizens has been and continues to be of the most exemplary character'.

### *ALLOA*

Convoy of Younger's beer lorries left the town yesterday with military and aeroplane escort. Beer, beer, glorious Beer!

### *RAILWAY ACCIDENTS*

Three serious railway accidents occurred yesterday. This should warn passengers of the danger of riding in scab trains. It also shows who is running the country. What will Mr Churchill say to this?

We have received from Cowdenbeath the following masterpiece: Cycle Corps arrangements excellent. Only safety allowed to work.<sup>1</sup> Wards arranging for feeding. Disturbances alleged, but untrue. Everything going splendidly. News bulletin greatly appreciated. Builders acting loyally to TUC. Excellent observance of Law. All solid. No shirkers. 'The Scottish Worker' in great demand. Hearty congratulations to TUC on printing the paper.

### *DUNFERMLINE*

Mass meeting in Public Park tonight at 6 pm. All workers asked to attend.

James Lord, Secretary.

## DUNFERMLINE TRADES AND LABOUR COUNCIL OFFICIAL STRIKE BULLETIN

No.10, 11.30 a.m., Wednesday, 12th May 1926.

### *DUNFERMLINE*

Position good. Men firm. Scabs here and there tend to get more audacious. Rats have the same habit.

### *TRANSPORT*

Few scab buses run by owners and one unorganised driver.

### *RAILWAYS*

Workers solid. One or two trains manned by students and one notorious Dunfermline scab.

### *RCA*

Out 100%. None returned to work.

### *PRINTERS*

Solid. No wavering in the ranks.

### *METHIL*

Motor lorry from Alloa loaded with beer stopped by pickets. Driver refused to pull up when asked peacefully. Four barrels were removed. Methil solid. Police getting panicky. Three men arrested on Monday evening.

1 I.e. only safety men allowed to work in the pits.

*HILL-OF-BEATH*

Baton charge reported at Hill of Beath. Police drew their batons but found no one near enough to hit.

*VALLEYFIELD*

Strike Committee reports that some shopkeepers are raising prices. Some of these have been approached but without effect. The Committee has now blacklisted them.

*TOWNHILL*

Everything going smoothly. Transport being successfully dealt with. All workers in good spirits.

*OAKLEY*

Feeding of school children commenced on Monday. Welfare feeding commences today. Men all in good spirits (not Younger's Beer).

*BEER AGAIN*

The Brewers, the Police and the Authorities seem to be determined to dope the workers with beer. Yesterday a convoy of ten lorries passed toward Lochgelly. Some of them were turned back. In a time like this beer should be last article to be transported. And yet police and military escorts are placed at the disposal of the booze merchants.

*PARISH RELIEF*

Parish Councils are empowered by law to relieve destitution. All workers should take advantage of the facilities provided. It is neither wrong nor unrespectable to get Parish Relief. A Circular from the Scottish Board of Health recommends Parish Councils to make grants towards communal meals. Local Strike Committees should see that this is done.

*POLICE CHARGE*

A later report from Valleyfield states: 'At 10.45 pm a convoy of motor lorries arrived loaded with beer barrels. Inside each barrel was a policeman. A meeting of the men was just dispersing. Without any provocation the police charged the defenceless people with drawn batons. The police charged through the village with their cars, headlights full on blinding the people. The police and hooligans in plus fours<sup>1</sup> cursed and yelled in the most frightful fashion. They called on the unarmed people to come out and fight in the open. A number of people were injured but it is impossible to say how many. The houses of members of the Strike Committee were kept under observation all night.' This is the worst case of aggression we have had in the County. There was absolutely no warrant for this unprovoked attack. The police seem determined to cause disturbances. But whatever the cost, we shall have to defend our people.

James Lord, Secretary.

1 I.e. special constables.

*SCOTTISH T.U.C. HEADQUARTERS<sup>1</sup>*

3.15 pm  
12th May 1926

1. The Strike is off.
2. Terms of Settlement will be submitted to Parliament this afternoon.
3. Workers have not to return to work until instructed by their respective Executives.

James Lord, Secretary.

DUNFERMLINE TRADES AND LABOUR COUNCIL  
OFFICIAL STRIKE BULLETIN

No. 11, 11.30 am, Thursday, 13th May 1926.

*THE GENERAL STRIKE*

The General Strike is called off. That is the official declaration of the T.U.C. Sir Herbert Samuel submitted to the General Council a memorandum on the basis of which negotiations could commence. This memorandum was accepted and the members of the T.U.C. called on the Prime Minister to call off the General Strike.

*THE MINERS*

Mr Cook has stated that the miners were never consulted on this step of the General Council. A Miners' conference is to be held in London tomorrow when the whole position will be discussed. Until the decision of that conference the miners will not return to work.<sup>2</sup>

*THE RAILWAYMEN*

Dunfermline N.U.R. received instructions to report for duty at 7.20 am this morning. This was done, but the men were told that they could not be reinstated except on new conditions. These conditions were refused, and the men are standing as solid as ever. No resumption of work will be made except on conditions which prevailed before the General Strike.

*VICTIMIZATION*

Reports from every trade show that the employers are determined to victimise workers who took an active part in the struggle. The General Council stated at the beginning of the struggle that no settlement would be made that did not guarantee their jobs to all workers. Whether this has been safeguarded remains to be seen, but in any case, the unions themselves must see that there is no

- 1 This item is preserved in the file of these Dunfermline Bulletins, between issues of 11 May and 12 May 1926.
- 2 The miners were consulted by the TUC General Council about the Samuel memorandum but rejected it as involving a reduction in their wages. See also above, 203, notes 3-4.

victimisation. The Government has stated that it has no power to compel employers to take back their workers, but this same Government has power to club the workers into submission, organise scabs and blacklegs and spend the taxpayers' money on measures of intimidation. The Unions must see that there is no victimisation of their members or of those who supported them.

### *PRISONERS*

In the course of the struggle a number of arrests have been made in Fife. These prisoners should be released before work is resumed. In almost every arrest that has come to our notice the victim was innocent. Steps should be taken immediately to release these men. They are political prisoners and must be treated as such.

### *POLICE*

At the beginning of the struggle the conduct of the police all over the country was exemplary, but like certain breeds of vermin they became more daring when they received reinforcements. Especially did they concentrate their spleen on the small isolated villages. It seems to us that the authorities should take immediate steps to educate their people up to the elementary standard of the school children. Their language on occasions has been atrocious, whilst their knowledge of the law leaves much to be desired. One inspector admitted to us that 'many of his men were uneducated'. We can believe that.

### *THE BULLETIN*

It was our intention that this should be the last number of the Bulletin but it appears that things are by no means settled yet. Until a satisfactory settlement is arrived at we will continue.

James Lord, Secretary.

## DUNFERMLINE TRADES AND LABOUR COUNCIL OFFICIAL STRIKE BULLETIN

No.12, 11.30 am, Friday, 14th May 1926.

### *THE LOCK-OUT*

The General Strike is off, but it is not peace. The employers, cunning as ever, have utilised their opportunity to the full. Acting on the assumption that the men were already beaten they have offered to take them on again on worse conditions. They reckoned without their hosts. The men stood firm to the principles of Trade Unionism. The employers have now locked them out. It is no longer a strike, it is a lock-out. In this new crisis the men can be relied on to show the same endurance and loyalty that they showed in the initial stages of the first dispute.

### *ARRESTS*

The Police thinking (can we take it that they do think) that the strike was broken have swooped down and arrested a number of active workers in the

struggle. One arrest is reported from Kirkcaldy, one from Lochgelly, and sixteen from Buckhaven. These men were doing Trade Union Work, and the Trade Union will stand by them.

### *VICTIMISATION*

Yesterday we drew attention to the question of victimisation. Reports indicate that attempts at victimisation have been made on a national scale. This proves that the employers have been acting in concert. The Trade Unions must do likewise. The T.U.C. is taking up the matter and the men will not return to work until the matter is finally settled. An injury to one is an injustice to all, and an insult to the intelligence of the Trade Unionists.

### *THE GENERAL SITUATION*

In spite of the developments of the last few days the men remain as solid as ever. Even the Capitalist Press admits that there is no improvement in the general transport facilities. The Miners and Railwaymen are firm. In the mining districts preparations are going forward to feed the people. Saline Strike Committee has £20 in cash and foodstuffs in abundance.

### *THE SCOTTISH WORKER*

This will be issued as usual today.

### *THE RAILWAYS*

The number of scab trains remains the same. The Railwaymen all over the country are remaining 100% solid. The Railway Companies want the men to accept reductions in wages of from 2/- to 8/- per week all grades. This proves what we have repeatedly asserted—that the employers were determined to reduce the wages of all workers. It is now clearer than ever that it is not only a miners' struggle, but a struggle of the whole Trade Union Movement.

### *THINGS WE WANT TO KNOW*

Who was the brigand in blue uniform who was brandishing a revolver in the streets of Dunfermline. Whether this was meant for the Valleyfield Workers. What quantity of the booze they escorted went to the Police and the O.M.S.? Whether it is the taxpayers or the brewers who will pay for the armed escorts of the beer convoys?

James Lord, Secretary.

British Worker (T.U.C.) Aberdeen Edition. Thursday, 6th May, 1926  
Evening Edition. Price 1d.

### *GENERAL INSTRUCTIONS TO ALL TRADE UNIONISTS*

KEEP CALM, Act only on instructions from your accredited Officials. No disorder to be permitted.

RAILWAYMEN'S Strike Committee report that the position is always improving. Couriers have been dispatched to-day to all Terminal Stations as far as Elgin in the North and Laurencekirk in the South. Some Bluff trains have

been run to-day but the blacklegs are known to the Committee. Steps are being taken to co-ordinate the efforts of all the Transport Unions involved. A meeting takes place at our Headquarters to-night at 9 p.m. *Other Unions please note.*

Aberdeen Central Strike Committee report negotiations with the Tramway Authorities to withdraw the Trams and Buses which are causing irritation and endangering essential services were opened this forenoon. The Special Emergency Committee met at 3 p.m. to deal with the matter and decided that such services as could be adequately protected would be run in spite of the efforts of the Labour members to get the Committee to follow Dundee and withdraw all except such services as could be agreed to between the Strike Committee and the Emergency Committee. Negotiations were immediately re-opened by the E.C. of the Strike Committee and the Authorities and are proceeding.

Wireless Bulletin to-night. As it is understood that reference is to be made to the stoppage of workers at the Electricity Station which might mislead the public we give the following which is the true position. The workers were prepared to carry on for essential services (Hospitals etc) provided that assurance could be given that the current produced was not used for power purposes, i.e. Factories, etc. If doubtful as to the position of any body of workers consult the Central Strike Committee.

All workers who have been called upon to cease work have responded loyally.

Some Unions not presently involved will be affected to-morrow. Since the Central Strike Committee are prepared to make provision for the really essential services and their offer has been so far rejected the responsibility for disorder arising rests with the Local Authorities.

The Trade Union Congress instructions to unions concerned is to do everything in their power to organise the distribution of milk and food supplies to the whole of the population [and] is being loyally obeyed in Aberdeen. Any person in doubt in this matter should apply to the Central Strike Committee. Printed and Published by the Central Strike Committee, 47 Belmont Street, Aberdeen.

BRITISH WORKER (T.U.C.) ABERDEEN EDITION

FRIDAY 7th MAY 1926

MORNING EDITION No.2      PRICE 1d

Whilst the present crisis continues morning and evening editions will be on sale each day except Sunday when only one edition will be issued.

MORE TRADES CALLED OUT. The Scottish Painters' Society received notice to cease work this morning and in accordance with their instructions



all painters with the exception of those engaged on Shipyards, Hospitals, and Housing Schemes have ceased work.

**JOINT RAILWAY STRIKE COMMITTEE.** Deputations sent to ELGIN, TURRIFF, MACDUFF, PETERHEAD, BODDAM, FRASERBURGH, BALLATER, and STONEHAVEN, reported response of members exceeding all sanguine hopes. Only two Railway Clerks working in Elgin, which ridicules the report broadcasted that ELGIN members were working to a man.

**LOCAL DISTURBANCES.** Two regrettable instances occurred this afternoon involving baton charges by the Police in which a number of innocent people received injuries and several persons were arrested. These disturbances are the result of irresponsible [blank line follows] which however well intended is contrary to the instruction of the Central Committee.<sup>1</sup>

**TRAM & BUS SERVICES.** Negotiations are being continued with a view to agreement being arrived at for certain essential services being run. It being understood that no service will be attempted meantime.

**BUILDING TRADES.** A decision of the utmost importance is likely to be arrived at during the week end.

**TRANSPORTATION OF FOODSTUFFS.** Requests for services are being dealt with as they come in by the Central Strike Committee in accordance with the Trade Union Congress decision.

**ABERDEEN PRESS AND JOURNAL.** The reporting staff who are members of the National Union of Journalists have been locked-out.

**GENERAL INSTRUCTION TO ALL TRADE UNIONISTS.** Members are requested to refrain from entering into any demonstration or disturbance. **MAINTAIN UNITY and ORDER**, thus you will safeguard the position for all workers.

PRINTED AND PUBLISHED BY THE CENTRAL STRIKE  
COMMITTEE

47 Belmont Street ABERDEEN

BRITISH WORKER (T.U.C.) ABERDEEN EDITION, TUESDAY,  
11th MAY 1926.

MORNING EDITION No.6 PRICE 1d.

**ENGINEERS CALLED OUT.** The following is a copy of a telegram received by the Local District Secretary of the **AMALGAMATED ENGINEERING UNION**:- General Council T.U.C. have decided to instruct Engineering and Ship-Building Workers (All Unions) to refrain from restarting work on Wednesday 12th inst. This instruction does not apply to H.M. Dockyards,

1 See above, 184, note 1.

Admiralty Establishments, and Government Engineering Establishments. Executive Council request members concerned to give effect to General Council's instruction.

We are indebted to the SCOTTISH WORKER published by the Scottish Trades Union Congress for information as to the effectiveness of the Strike in different parts of the country. We quote the following:- Scotland generally, response magnificent. England, 'The tendency is for men to come out rather than for any to go back'. In the Industrial centres all is at a standstill and every indication points to a grim determination on the part of the men to maintain this position. In Liverpool is a thorough dislocation. Bedford power station men have struck. At Birmingham no trams, trains or omnibuses are running. The London reports are quite satisfactory, both Regent's Park and Victoria Park are closed to the public, and are in occupation by the Military Authorities.<sup>1</sup> Between five and six thousand Taximen have struck work.

PROOF POSITIVE. Since last Tuesday the Government has been unable to produce the HANSARD DEBATES of Parliament.

The L.M.S. declared there were 28 trains left the Central Station Glasgow on Saturday. According to their own time table some 1400 trains arrive and depart each day from the same station. A clear indication that the railwaymen ARE on strike.

POLICE SERGEANT NOT DEAD. The rumour that a Glasgow policeman has been killed by strikers in an east-end row is unfounded. He is making an excellent recovery.

RAIL ACCIDENTS. In the early part of the dispute we published a warning to the general public of the danger they were being exposed to by the employing of inexperienced men. Last night's wireless bulletin informed us of several accidents on the line involving loss of life. TWO BEING KILLED and SIX BEING INJURED.

TOWN COUNCIL. A special meeting of the Aberdeen Town Council is being held to consider further action with reference to their employees who have ceased work and to grant powers to the emergency committee during the present crisis.

Several trams and buses were on service yesterday but no untoward incident occurred.

STRIKE PAY. The N.U.R. cheques for strike pay to Glasgow members were delayed in the post, the S.C.W.S. obliged with a loan.

EXAMPLES TO FOLLOW. Members of the Union of Operative Heating & Domestic Engineers employed on essential services have decided to levy

1 The government used main parks in London for its emergency organisation of food supplies, enrolling volunteers, etc.

themselves 5/- per member per week so long as the dispute lasts. The Head-Office staff of the I.L.P. are levying themselves 10% of their salaries for the same object.

HIS MAJESTY'S THEATRE. HARRY GORDON and his ENTERTAINERS (of the Beach Pavilion) gave a highly appreciated performance last night which will be continued during the week. Twice Nightly at 6-45 and 8-45.

COUNTY CUP TIES. At Advocates Park to-night 7.20 P.M. [word illegible] MUGIEMOSS WEDNESDAY AFTERNOON AT / P.M. TRAMWAYS v. SHOP-ASST. UNION; EVENING at 7.20 P.M., EASTEND v PARKVALE.

PRINTED and PUBLISHED by the GENERAL STRIKE COMMITTEE.

47 BELMONT STREET ABERDEEN.

BRITISH WORKER (T.U.C.) ABERDEEN EDITION. 12th MAY 1926.

MORNING EDITION. No. [7]. PRICE 1d.

GENERAL STRIKE. The British Trades Union Congress reports that the position all over the country after seven days' Stoppage is wonderful. Never before in the history of Industrial Disputes has the response by members and non-members been such as to exceed all expectations.

Another interesting [point] is that in the Industries called out on Tuesday morning last, the total number responding to the call is steadily increasing. In the LARGE CENTRES the position is being felt with telling effect, while in the Provincial Areas, Industry is practically at a standstill. The machinery in operation by the Congress for the conveyance of FOOD-STUFFS is working very satisfactorily. All respective Area and Local Committees have now been [instructed] to give careful scrutiny to all Applications for Permits as several are being abused and required to be withdrawn. The General Council is confident that if the Trade Union Members carry out the instructions that are Officially conveyed to them and maintain order and discipline and Loyalty in all sections of the Movement, its plans will proceed without a hitch and its objectives will be attained.

STRIKE EXTENDS. The members of the Engineering and Ship-Building Trades stopped work last night to the number of 100,000 as per the instructions of the T.U.C. Of these 80,000 are on the Clyde, the remainder being distributed throughout Scotland.

CONSERVATIVE MOVE for Peace. We are informed that at the week-end fifty Conservative Members signed a memorial to Mr Stanley Baldwin urging a resumption of negotiations on the lines of a withdrawal of the

Lock-Out notices issued by the Mine-Owners, the withdrawal of the General Strike Notices, and the granting of Financial assistance so that the Miners' wage may be assured during the period of further negotiations or until a settlement has been reached.

**CO-OPERATIVE BANK.** Mr T. Goodwin (Manager of the C.W.S. BANK) in an interview with the representative of the Co-operative News, says:- We are absolutely comfortable, and there is no need to worry no matter what contingency arises. He gave the following particulars. The Bank has £7,000,000 to call upon at short notice. This cash could be very quickly called upon to meet Trade Union demands. The Bank has nearly £20,000,000 in British and Colonial Stocks, also easily realisable. All legitimate demands on the C.W.S. Bank will be readily and faithfully met.

**GLASGOW TRAMWAYS.** At a meeting of the Glasgow Tramways Committee a few days ago the Labour members refused to allow any business to proceed until the general manager would explain why he declined to pay the wages due to members of the Traffic Staff—Drivers and Conductors. A furious row developed between Labour and Moderate Councillors. Ultimately the meeting was adjourned by three votes. The convenor of the Tramway committee then asked the Town Clerk to call a meeting to consider the action of the manager in with-holding wages, but he was informed by the Town Clerk Depute (Mr David Stenhouse) that the administration of the Tramways was taken over by the O.M.S. under the powers conferred on the Corporation in the Emergency Act. Since then it had been learned that the Manager has decided that the wages will be paid only to men who resign the service and return their uniforms. There are about 4,000 motormen and conductors, 93 Inspectors, 60 Bus Employees and 400 Subway employees. Most of the Inspectors have acted as drivers since the strike began.<sup>1</sup>

**TRAIN TRAGEDIES.** By the seven o'clock wireless last night there came news of three serious train accidents. At Bishop Stortford a passenger train came into a collision and a body was found in the wreckage. The 1.6 p.m. train from Berwick to Edinburgh met with disaster somewhere outside Edinburgh. Three people were killed and several injured. In the case of the Edinburgh to King's Cross train there was a collision near Newcastle. No details are to hand.

**GOVERNMENT HOLD UP.** The British Worker (T.U.C.) has been reduced to four pages, and in explanation they say:- The reason is the Cabinet

1 The general manager James Dalrymple, described as 'a local Mussolini', was at the centre of a lengthy row in the town council about his treatment of striking tramwaymen until his retirement some months after the general strike. Peter Kerrigan, 'Glasgow', *Plebs*, xviii, no. 10 (Oct. 1926), 366; Minutes of Glasgow Tramways Committee, 2 Feb. 1927.

has stopped our supply of paper. At the Docks and in a mill there are supplies belonging to us which the Cabinet refuse to let us have.

HIS MAJESTY'S THEATRE. HARRY GORDON and HIS ENTERTAINERS.

TWICE NIGHTLY 6-45 & 8-45 P.M.

PRINTED AND PUBLISHED BY THE GENERAL STRIKE COMMITTEE, 47 BELMONT STREET ABERDEEN.

BRITISH WORKER (T.U.C.), [ABERDEEN,] WEDNESDAY, 12th MAY, 1926.

SPECIAL LATE EDITION PRICE 1d.

THE TRUTH. 'Everything is orderly, and I am receiving the hearty co-operation of the local LABOUR leaders in maintaining good order', declares the Chief Constable of Norwich.

DONSIDE PAPER MILLS. Attempts were made at Aberdeen yesterday to carry on the Donside Paper Mill with blackleg STUDENT labour. Four foremen who refused to instruct the students were immediately dismissed. As a result, a crowd of women hissed the manager. The police were called up and dispersed the crowd.

LEAD FROM CO-OP: THE BONNYBRIDGE CO-OPERATIVE SOCIETY have reduced the price of all FOODSTUFFS by 15 per cent, in view of the fact that most members are on strike pay.

PRINTERS STAND FAST. Notwithstanding the appeals of the employers to the members of the Scottish Typographical Assoc. it is true to state that there are not more than 25 working in Scotland who were hitherto members of the Association. In the Aberdeen Printing industry as a whole less than a dozen men have resumed work. The printing Unions are acting in conjunction with each other and at meetings to-day expressed their firm intention to stand by the Trade Union Movement to a finish.

MORE MEN OUT TO-DAY. Acting on instructions A.E.U. members ceased work to-day. In Aberdeen 148 engineers, the total strength of the Union, are out, leaving 64 non-unionists at work. BLACKSMITHS were out to the extent of 95% in the forenoon and the remainder were expected later. BOILERMAKERS are all out, while this morning 200 members of the General Workers' Union had signed the strike Roll and more were expected by afternoon.

S.T.U.C. INSTRUCTIONS TO STRIKERS.

The following message has been received from the Scottish Trades Union Congress: In order to resume negotiations the General Council of the British Trades Union Congress has decided to terminate the General Strike. Telegrams are being sent to the General Secretaries of all affiliated Unions.



Members before acting must await the definite instructions of their Executive Councils.

The exact terms of the settlement are being communicated to the House of Commons this afternoon and probably will be Broadcast to-night.

The latest telegram from the S.T.U.C. to the General Strike Committees throughout the country is as follows:- Circulate information in your area—Elger.

Printed and Published by the General Strike Committee, 47, Belmont Street, Aberdeen.

BRITISH WORKER (T.U.C.) ABERDEEN EDITION. THURSDAY  
13th MAY 1926

MORNING EDITION. No. 8.

GENERAL STRIKE. The decision of the General Council of the British Trades Union Congress to terminate the General Strike, which we were able to announce in our early edition yesterday afternoon, has brought relief to all sections of the community. The fact that the terms of settlement are not yet known has led to some doubt arising in the minds of those who have been on strike as to what the actual position is. For instance, we are informed that the Secretary of the Local Joint Railway Strike Committee on approaching the representative of the L.M.S. Railway on the question of the men resuming work was informed that if the men applied individually they would be taken on. This would seem to indicate the adoption of a policy which does not recognise collective bargaining—better known as the 'open shop'. If this is so then the fight is by no means finished. In fact if it is the adopted policy of employers generally, then there is ahead of us a much bigger struggle than the one through which we have just passed.

#### WARNING.

MEMBERS OF THE VARIOUS UNIONS WHO HAVE BEEN INVOLVED IN THE PRESENT STRIKE ARE WARNED NOT TO RESUME WORK NOR RELINQUISH THEIR VIGILANCE UNTIL DEFINITE INSTRUCTIONS ARE RECEIVED FROM THE EXECUTIVES OF THEIR RESPECTIVE UNIONS AND ARRANGEMENTS HAVE BEEN MADE BY THEIR RESPONSIBLE OFFICIALS FOR A RESUMPTION.

The position in Aberdeen was considered by the General Strike Committee at a meeting held last night, who after hearing reports from the representatives present came to the following decision. That each of the Unions should hold a meeting of its members, so that arrangements could be made for their returning to work. A meeting of the Special Emergency Committee of the Town Council has been called for to-day to decide as to the Corporation



employees who were on strike and did not report for duty by 12 noon yesterday, returning to work.

#### A COLONEL'S ADMISSION

Speaking at a meeting of Loyal Citizens numbering several hundreds in Glasgow Colonel Wingate, Chairman of the Glasgow Emergency Commission, said, 'If further protection is not forthcoming there is a great danger of the strike succeeding'. After he had spoken he asked for a show of hands of those willing to volunteer. About 40 people held up their hands. Colonel Daly, head of the Special Constables, and Lieutenant M'Lure, of the Glasgow Central police Station also spoke. Thirteen people enrolled.<sup>1</sup>

Railway Company's Mistake.—A railway Company sent a telegram to a Station Master to pay wages to loyal men. The Telegram was handed to the Station Master at a strike meeting.

For the first time in History, writes the Deptford Trades Council, all workers in the Government Royal Victoria Yard have come out on strike.

A Greenock blackleg train was held up outside the local station for five hours, another engine was tried without success. The passengers were taken to Glasgow by steamer.

Printed and Published by the General Strike Committee, 47 Belmont Street.

#### STRIKE BULLETIN [Paisley]

[Thursday, 6 May 1926]

This publication is not intended to serve the purpose of a newspaper. It would have been produced in the event of a strike supposing the Press service had been maintained. Its object is to keep the workers who are affected by the present dispute informed as to the local situation and in touch with the work and arrangements of the local Strike Committee.

This strike has not been sought by the workers or their leaders. In its general scope and purpose the net result of the miners' acceptance of reduced wages would be an immediate and definite reduction of all other workers' standard of living. No one can defend the wages now offered to the miners. On the other hand everyone agrees that the proposed wage scale is entirely inadequate to human and domestic needs.

<sup>1</sup> Colonel George Wingate was vice-chairman of the Roll of Voluntary Workers established in Glasgow in 1920 'to help the constitutionally appointed Government ... to maintain the vital services in times of national emergency or difficulty'. In the 1926 general strike the RVW merged into the government's own emergency organisation for enrolling volunteers. Letter from Wingate, 23 Jan. 1923, to Bonar Law, MP, in SRO, HH56/1.

On the ground that one London newspaper had been restrained from publishing an article frankly unjust in its treatment of the current problem the Government broke off negotiations which were then proceeding and the onus therefore rests with them.<sup>1</sup> The response on the part of Paisley trade unionists to the call of their leaders has been magnificent. As the response has been immediate, generous and loyal so the Committee desire that in this district the conduct of the strike should be a model of discipline. The response by trade unionists in this district has been a hundred per cent.

*STAND FIRM. MAINTAIN ORDER*

*MESSAGE FROM TRADE UNION CONGRESS.*

'The difficulty has not been to persuade our members to leave their work but rather to keep them at it where the policy of the Council so required.' W. Citrine, Secretary.

*N.U.R.*

'The position is as solid as a rock.' C.T. Cramp.

*TRANSPORT WORKERS.*

'The whole position is highly satisfactory'. Veitch.<sup>2</sup>

*BUILDING TRADE WORKERS.*

A meeting of the above is being formed today for the purpose of forming a strike committee.

*BEARDMORE'S WORKERS.* Are meeting for the same purpose.

*CAPITALIST PRESS SERVICES.*

The bulletin issued jointly by press of Glasgow yesterday was printed by foremen from the various papers, all the other workers being on strike. The same applies from Land's End to John o' Groats. Electricians in Glasgow Herald office, from where the bulletin was published, are now on strike as a consequence of this.<sup>3</sup>

*SCOTTISH TRADE UNION CONGRESS*

This body has wired General Council urging them to call out all engineering and shipbuilding workers. The workers in these industries are anxious to assist their fellow trade unionists who are on strike.

*O.M.S.*

The loyal knight who is at the head of this organisation in Scotland has admitted to officials of the S.C.W.S. that the government organisation set up to cope

1 A reference to the *Daily Mail* incident—see above, 193, note 1.

2 John Veitch, Area secretary, T&GWU.

3 The *Emergency Press* was issued from 5 to 14 May 1926 inclusive as a joint four-page strike newspaper by the three Glasgow daily papers *Herald*, *Bulletin*, and *Record*, and the three evenings *News*, *Citizen* and *Times*.

with the crisis is a phantom one. They are certainly being of assistance to stranded travellers.<sup>1</sup>

### *COST OF THE STRIKE.*

A leading Labour statistician predicts that three weeks of the strike will be more costly to the nation than three years of the mining subsidy would have been.

*FOOT AND MOUTH DISEASE:* Position normal.

*HAND TO MOUTH DISEASE:* Position likely to improve after strike treatment.

### *STRIKE LIMERICK*

When wages to thirty bob fell  
The miner said, 'I'll hae a spell.  
So if ye want coal  
Go down in the hole  
And dig up a ton for yersel.'

Look out for our cartoon by 'Gee Whiz' tomorrow.

Suggestion has been made that a grand sports gala be held next week.

Published by Strike Committee, Cumberland Court, Paisley.

### PAISLEY STRIKE BULLETIN

[7 May 1926]<sup>2</sup>

To-day's quotation re above: 'No sleep till morn when youth and beauty meet', Byron.

The Government press and wireless maintain that good transport service is available. There are three cars running in Paisley, which fact renders the above claim manifestly absurd.

Our picture, however, is a cartoon, not a photograph.

### RAILWAY TRIOLET

There's a train comin' in  
At the station, my boys.  
Tho' there's only the yin  
There's a train coming in.  
O! The noise and the din!  
O! The din and the noise!  
There's a train coming in

1 Sir Arthur Rose (1875-1937), District Commissioner at Glasgow of the government's emergency organisation.

2 At the top of the first page is a cartoon of an open-topped tramcar, with two passengers on the lower and one on the top deck; the conductor standing on the rear platform is calling to the bearded driver—James Dalrymple, General Manager of Glasgow District Tramways, above whose head the destination board says, 'God knows': 'Hey, Uncle, see whit wants a ticket tae Airdrie.'

At the station, my boys.

Seestu.

### TRANSPORT WORKERS.

Strike breakers in this district being converted. Busmen are joining the Transport Union, forty-two new members during past two days. Elderslie depot deserted. No passenger traffic on Greenock streets. Branch reports from Glasgow show that in twelve districts some thirty cars all told represent the total service. Permanent way men, including red-leaders, overhead linesmen and mains department are now all stopped. Good reports from all over the country, as far north as Stornoway.

### PAISLEY BAKERS.

The local branch of Operative Bakers have written to Paisley Strike Committee declaring their sympathy with the strike movement and state that they are holding themselves at twenty-four hours' notice to obey any instruction from the Committee. They declare that their labours will certainly not be used to feed strike-breaking organisations.<sup>1</sup>

### RAILWAY CLERKS.

Magnificent reports from all parts of the country: 1,000 Crewe workers, 500 Cardiff clerks, all Glasgow stations, Aberdeen and district, and John o' Groats all 100%. Border counties stationmasters and agents Branch all out. A Glasgow clerk, due to retire next year on a pension of £350 is presently on strike with us.

### ITEMS OF INTEREST.

Newcastle City Council have petitioned the Government to withdraw lock-out notices and open the mines and then carry on negotiations for a settlement.

B.T.U.C. wires S.T.U.C.: 'Complete solidarity in England.'

A chain transport for despatches has been set in being to link up all the centres in the country, which will carry messages to strikers and perform other essential purposes.

A new form of permit will be issued immediately for the carrying of foodstuffs. It will be a uniform or national permit, that is to say, the holder of such permit can travel from one area or town to another and carry out his mission, provided he adheres strictly to the instructions on permit. No goods of any kind to be handled at railway depots or at docks. No contractors to be allowed to carry passengers of any kind, whether the driver has a foodstuff permit or not.

Throughout Glasgow only four railway motors are working and they are being manned by students and other non-railwaymen.

1 Bakers were among those workers not called out by the TUC General Council during the general strike.

*PUBLIC NOTICE.*

E. Rosslyn Mitchell M.P. and other speakers will certainly address demonstration in Town Hall to-night at 7-30 to-night.<sup>1</sup> Admission by ticket, price 3d.

Published by Strike Committee, Cumberland Court, Paisley.

## PAISLEY STRIKE BULLETIN

[8 May 1926]<sup>2</sup>

## STUDY THIS ARRESTING CONTRAST

The Duke of Northumberland  
draws £84 an hour from mining  
royalties.

The British miner draws 9/-d  
for seven hours, and it is  
proposed to reduce this by 3/-.

Today's quotation.

'Wherever the weak and weary are trodden down by the strong,  
Wherever the voice of honour is drowned in the howling throng;  
Wherever the people perish and the lords of life are dumb,  
And the times of forbearance are over, the time to strike has come.'

American poet.

*SPECIAL NOTICE*

We repeat our former advice to ignore the news spread per printed page and wireless. The purpose of same is to encourage belief that there is wavering amongst the strikers. Let us remain undisturbed in mind, confident in the fact that all Trade Unionists throughout the Country stand solid.

*N.U.R.*

Unity House report position 'Solid as ever'. Absolutely no weakness, reports to contrary all humbug. Transport Workers Federation giving all assistance.

A Glasgow ex-railwayman, who has been on the 'Buroo' for three years was offered a job at Central station, his wages to be £1 per day. He, a young man with a wife and family, refused the bribe and reported to Glasgow Strike Committee.

1 Edward Rosslyn Mitchell (1879-1965), solicitor, active in the Rent Strike, 1915, and other working class movements, Independent Labour Party MP for Paisley, 1924-9.

2 At the top of the first page is the figure of a worker standing with folded arms, with picks at rest and two railway engines to either side. Below this are two much larger figures: on the left, a top-hatted bloated capitalist, with a Union Jack held aloft in his left hand, and under him the caption: Remember the Constitution; on the right is a miner, with pick over his shoulder and wage offer marked 30/- in his outstretched right hand, and under him the counter-caption: Remember Ours.

*Garment Workers*

General position entirely satisfactory. Further instructions when our help is required.<sup>1</sup> We find that the Government is in a grave position regarding the Postal services and therefore you must understand that no news is good news.

*POINT FROM MR ROSSLYN MITCHELL'S SPEECH*

'I am a lawyer. What does the whole tribe of lawyers matter, compared with the man who goes down into the bowels of the earth to win coal for the Community?'

*LEGALITY OF THE STRIKE*

According to the Emergency Press, which of course is being produced entirely by non-union labour, Sir John Simon has expressed the view that the strike is illegal. We commend our readers to Rosslyn Mitchell's remarks quoted above. It will be interesting to see how a *Liberal* lawyer proves that it is illegal for men to refuse to work when the conditions are insupportable.

*ORIGIN OF THE STRIKE.*

NEGOTIATIONS were broken off because the printing workers refused to produce an editorial for Britain's most famous (?) newspaper. Our poet's comment is as follows:

Let heat, light, food and fuel fail,  
But spare, O! Spare the 'Daily Mail'.

*OUR CARTOONIST.*

Who has been the subject of many enquiries and congratulations, does not draw cartoons for a living. In normal times he operates a Planing machine in an Engineering shop.

*SPORTS.*

Rosslyn Mitchell M.P. has offered a trophy for competition among football teams representing the various Trade Unions involved in the strike.

*PAISLEY POSITION.*

Still a hundred per cent on strike. Order splendidly maintained. Keep it up, boys!

*FOOTBALL MATCH:* Thistle Park, 3.30 to-day, Paisley Juniors v. Paisley Strikers.

*Look out for us to-morrow.*

1 Garment workers and tailors were not called out by the TUC General Council during the 1926 General Strike.



## PAISLEY STRIKE BULLETIN

[9 May 1926]<sup>1</sup>*PRICE ONE PENNY.*

Government spokesmen maintain that the present strike is directed against the Constitution. This every intelligent citizen will dismiss as being absurd. One million at least of the workers who are on strike are men who, during the Great War, made every sort of sacrifice on active service. Loyalty to the Constitution is not associated in their minds with starvation wages to the British worker. On the other hand, respect for national tradition impels them to resist to the uttermost any attempt to drive wage rates down to the levels of 'Cooliedom'. Labour leaders have offered to withdraw the strike if lock-out notices are also withdrawn. If the strike were directed at the Constitution such an offer could never be made. We appeal, therefore, to all fair minded people, irrespective of rank or station, to support us in our defence of civilized standards. History is being made to-day by those millions of humble people of Britain, Printers, Railwaymen, Transport Workers, Engineers and Builders, who rather than see the British miner starved and degraded have risked all in one supreme effort to save him.

OUR CARTOONIST hopes to be on the job again to-morrow when something of special interest to railwaymen will appear.

PUBLISHED BY STRIKE COMMITTEE, CUMBERLAND COURT, PAISLEY.

*TRAMWAY SERVICE IN GLASGOW.*

Some University men have taken the places of tramwaymen who are on strike. It would be fitting, perhaps, if the tramwaymen reciprocated and found places in the University.

*PRINTING TRADES*

The surprise packet of the strike has been the Scottish Typographical Association. Hats off to the printer and the printer's Devil. He appears to be a dour yin.

*TRADE UNION MESSAGE, FROM GENERAL COUNCIL*

'The General Council of the Trades Union Congress appeals to the workers to follow the instructions that have been issued by their Union leaders. Violence and disorder must be everywhere avoided, no matter what the incitement. Stand firm and we shall win'.

1 The usual heading of worker with folded arms, leaning picks and two railway engines. Below the heading is standing, to left, a figure representing Jesus Christ, with his arm round the shoulders of a small child and gesturing toward a pithead marked Lock-out, with the sub-caption: CHRIST COMES TO INDUSTRY.

*ENGINEERS*

The big battalions of the Amalgamated Engineering Union in the Clyde area are growing restive and anxious to share the fortunes of the strike. To the Black Squad we would say, 'All in good time'.

*TRANSPORT WORKERS.*

The London Taxi Drivers, *at their own request*, have withdrawn their services, and the Locomotive Enginemen are out to a man.

The Caernarvon County Council appeals to the Government to re-open negotiations on a basis of suspension of lock-out notices, calling off the General Strike, and calling on the Government to provide the necessary financial arrangements during negotiations.

*LATEST REGARDING PRINTING TRADES.*

The big London Dailies were effectively prevented from printing yesterday by non-unionists who joined up.

*STRIKE FUND (LOCAL).*

A fund has been started locally, in case the strike should be of long duration. This fund will be administered by the local Committee. The Treasurer is Mr Thomas Hamilton, I.L.P. Rooms, Cumberland Court. Towards this fund workers in several Engineering shops have already agreed to contribute Three shillings per week.

*A RELIABLE BROADCAST OF NEWS.*

The International Transport Workers are broadcasting tonight at 8.50 from Hilversum, wavelength 1050 metres.

*RESULT OF YESTERDAY'S FOOTBALL.*

In the match with the Paisley Juniors the Strikers were victorious by 3 goals to 2. We trust this result is prophetic in relation to our general success.

*TODAY'S QUOTATION.*

'But while we sing God save the King  
We'll ne'er forget the people'.

## PAISLEY STRIKE BULLETIN

Monday, 10th May, 1926.<sup>1</sup>

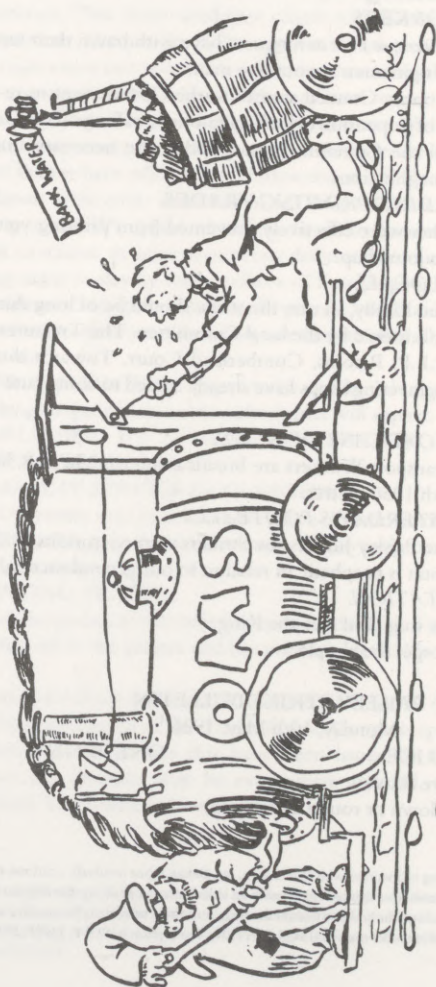
PRICE

ONE PENNY

To-day's quotation re above:-

'For up and down or round and round,

1 The usual daily heading of a worker with folded arms, etc. Below it (see overleaf): a cartoon signed Gee Whiz, of a railway locomotive marked OMS, with an elderly man in peak cap standing on a platform in front shovelling coal into the boiler, while another man runs along behind the locomotive and in front of a two-wheeled basket tender marked BACK WATER. The caption is: PUFF, PUFF, PUFF GOES THE ENGINE.



PUFF, PUFF, PUFF, GOES THE ENGINE .

From *Paisley Strike Bulletin*, May 10th.

Goes all appointed things;  
And losses on the roundabouts  
Means profits on the swings.'

Chalmers.

To-day marks the end of the first week of the strike. The greatest in history. It is extremely difficult to arrive at anything like exact numbers who are involved in the contest. The membership of the Miners Federation of Great Britain is in the neighbourhood of a round million. The National Union of Railwaymen have 400,000 members. From an official of the Transport and General Workers Union we have the information that the number of their members on strike approaches 300,000. Members of the A.E.U. who have been ordered out so far are about 30,000. This number, of course, has no reference to Engineers who have been compelled to stop work by the operation of the general strike. From all sources we estimate that over 2 million workers are definitely on strike, and that altogether, with those whose labour has been dispensed with, owing to transport and other difficulties, the total number of workers affected must be more than 3 millions. In these circumstances, we would advise the public not to attempt to gauge the dimension of the strike by the appearance of the streets in their own neighbourhood. The position outlined above indicates that the general strike constitutes a complete stranglehold upon the industry and commerce of the country. To us it appears remarkable that the Government, which has made so many professions of their desire to revive industry, should thus display to the whole world that the reduction of the wages of the miner is apparently a matter of greater importance than any consideration of national prosperity. We repeat that the dispute is purely an economic one for which the responsibility rests with the Government. Stand fast, victory is in sight.

PUBLISHED BY THE PAISLEY STRIKE COMMITTEE, 20  
CAUSEYSIDE, PAISLEY.

*RAILWAY CLERKS.*

Our latest message is as follows:- 'Excellent reports from all parts. Stronger than ever. Advise members our answer regarding threats re. Superannuation Agreements is, "Continued Solidarity".' Walkden.

*BRAVO CO-OPERATIVE.*

The cheque for Paisley Branch of the National Union of Railwaymen which was despatched from London early last week was subjected to delay in transit to an extent remarkable even in a general strike. It had not arrived on Saturday when the members were due their strike pay. Paisley Provident Co-operative Society promptly came to the rescue and on the request of the responsible official of the Union handed over a cheque for £350. The men were all paid. Trade unionists should be able to appreciate the moral.

*TRANSPORT EXTRAORDINARY.*

Yesterday's wireless indicated that 104 lorries were taken from Victoria and East India Docks via Cheapside to Marble Arch. They were accompanied by 16 armoured cars with appropriate escorts of cavalry and infantry. The Broadcaster stated that all arrangements worked without a hitch. We should naturally expect that they would, but is not this military display rather troublesome and costly? Why not pay the miner a living wage? And economise with the 'Ironmongery'!

*TRANSPORT WORKERS.*

Reports from T. & G.W.U. are extremely heartening and optimistic. Headquarters of the Union state that the general stoppage is a complete success. Regarding Glasgow Tramways, the welders have come out. Their services are essential to the continuance of the car service for any considerable period. Car Fitters were advised to attend Bath Street at 11 o'clock, yesterday morning. The Group Secretary met them at 10.30. So they did not go to Bath Street. They were unanimous for the strike. Mr Dalrymple has written all Depot repair staff that they must report for duty on Monday evening first, otherwise they will be regarded as being out of the service. The tramwaymen a few days ago received a similar letter, but paid no attention. We trust the Repairers will do likewise. It is announced that the Subway will be running on Monday first. We venture to prophesy that it will not be run by the services of Subway workers. Mr Gee, Group Secy., states that all kinds of bribes are being offered and refused.<sup>1</sup> For the purpose of seducing their members all bribes are useless. No Paisley tramwaymen, nor any other tramwaymen so far as we can learn, have gone back to work since the strike began. Let other trade unionists follow their example.

*MINERS' INTERNATIONAL*

European miners' delegates met at Ostend. Messrs. Richardson and Hodges travelled there by aeroplane.<sup>2</sup> It was announced that no ship with coal is being allowed to leave any European port for Britain and further that no ship with a British crew is receiving coal at any European port.

*GRAND FOOTBALL MATCH. RAILWAYMEN VERSUS TRAMWAYMEN, THISTLE PARK, TONIGHT 7.30.*

1 Arthur Gee (1883-1954), Passenger Trade Group Secretary, Transport & General Workers' Union, 1922-47, Glasgow town councillor.

2 W.P. Richardson (1873-1930), general secretary, Durham Miners' Association, treasurer, Miners' Federation of Great Britain, 1921-30. Frank Hodges (1887-1947), general secretary, Miners' Federation of Great Britain, 1918-24, Labour MP, 1923-4.



*THIS MORNING'S NEWS*

Earl Grey and Lord Balfour, two of the elder statesmen, proclaim that the strike is an attempt at revolution, yet T.U.C. report that a cheque which arrived from Russian Trade Unions running into some thousands of pounds was returned with an appreciative letter.<sup>1</sup>

*STRIKE RESERVES*

There are still a million workers who await the instructions of their National Executives. C.T. Cramp hinted yesterday that a portion of these reserves are likely to be called out.

*A.J. COOK*

'This is a fight for bread'. We are not fighting the Constitution. If we can make peace tomorrow we must do it. The terms are a living wage.

## PAISLEY STRIKE BULLETIN

Tuesday, 11th MAY 1926.<sup>2</sup>

PRICE

ONE PENNY

ENGINEERS & SHIPBUILDERS coming out. See announcement on other side.

We appeal to Trade Unionists and the public generally to refrain from purchasing newspapers produced by 'Non-Union' labour or travelling in 'strike-breaking' conveyances.

Three Railway Clerks have returned to duty, out of a total of one hundred in this district. A great improvement in the railway services may be expected to result from this great accession of strength.

*THE ISSUE AT STAKE*

The strike is not a strike against the constitution. The strike will end to-morrow if the miner is allowed to retain his wage rate of last Friday. That represents a miserable pittance. To reduce it is to starve the miner. The miner works hard. No man should work as the miner works—and starve. Let the Government insist on a wage that will feed the miner. Then the strike will end.

We counsel discipline. Hundreds of thousands will be added to the Strike Roll on Wednesday morning, when the Engineering and Shipbuilding trades

1 Not Charles, 5th Earl Grey, but Edward Grey (1862-1933), foreign secretary, 1905-16, created viscount, 1916. A.J. Balfour (1848-1930), MP, 1874-1922, prime minister, 1902-05, foreign secretary, 1916-19, created Earl of Balfour, 1922. A cheque for £26,247 (250,000 roubles) was sent by the Russian Central Council of Trade Unions as a donation to the general strike. The TUC leaders decided that the donation would be 'wilfully misinterpreted and misunderstood' and returned it to the Soviet Union. Phillips, *General Strike*, 146.

2 The usual masthead with workers with folded arms, etc. Below to right is a cartoon by Gee Whiz depicting James Dalrymple, General Manager of Glasgow District Tramways, dressed in mortar board and academic gown, addressing a group of half-a-dozen tramwaymen from the platform of a tram. Caption: 'Professor Dalrymple, Enteritus Tramology, demonstrates that the static is dynamic.'



cease work. The welfare of all, including women and children, demands that absolute order be maintained. See to it, men. No violence. No disorder. Trust each other. Obey your leaders. Think of your numbers. Every moment brings victory nearer.

*T.U.C. SURVEY.*

Says the tendency in England is for men to come out rather than for any to go back.

*THE STRIKE AND THE LAW.*

An attempt is being made through wireless reports and inspired news sheets to convey the impression that strikers are breaking the law. There is no law in any civilised country to compel a man to work when he has decided not to do so. There can be no such law. An endeavour is also being made to create an atmosphere of fear and misgiving on the part of the general public. From all reports received the most law abiding section of the community at the present time are the men who have ceased to work rather than see injustice, which apparently knows no law, being done to those who were unable to defend themselves.

PUBLISHED BY THE STRIKE COMMITTEE, CUMBERLAND COURT, PAISLEY.

*BLACK SQUAD TO COME OUT.*

There was received in Glasgow from the General Council of the B.T.U.C. the intimation of a decision re Engineering and Shipbuilding trades, in the following terms, 'Engineering and Shipbuilding trades shall, unless otherwise ordered, refrain from starting work on Wednesday morning 12th May. This applies to all Unions, but this order does not apply to men engaged in H.M. Dockyards, Admiralty establishments and Government engineering establishments.'

*TRANSPORT AND GENERAL WORKERS.*

Conference between Archbishop of Canterbury and the heads of the Christian churches have proposed that negotiations be re-opened and the status quo of Friday last to be returned to.

Simultaneously and concurrently they proposed:-

1. Cancellation on the part of the T.U.C. of the general strike.
2. Renewal by the Government of its offer of assistance to the Coal industry for a short definite period.
3. Withdrawal on the part of the Mineowners of the new wages scale recently issued.

The B.B.C. have officially and definitely refused to broadcast the message of which the above is an extract.<sup>1</sup>

<sup>1</sup> See above, 190, note 1. On 7 May the BBC had agreed that the Archbishop of Canterbury should

*N.U.R. NEWS.*

The following wire received. 'Position never better. Week-end meetings tremendously enthusiastic.' Cramp.

In relation to Glasgow train services it was stated there are 4,000 to 5,000 journeys to and from Glasgow daily. The L.M.S. were chuckling on Saturday because they had 28 train journeys. O! wireless, has Ananias been re-incarnated? Is truth a diminishing quantity?

*EMERGENCY PRESS PROPAGANDA.*

In yesterday's issue of the above it reported a Broadcast speech by Viscount Grey of Falloden, in which he is presumed to review the general position from the onlooker's viewpoint—objectively. No one can do that, everyone is immersed in the struggle and its effects, and must approach matters subjectively. That is and ought to be the community spirit. Grey deprecates strongly what he terms 'Dictatorship by minority'. We do likewise, but with infinitely more cause, and it is because an intolerable stranglehold was about to be placed upon the vital industry of Coal production, that we have 4,000,000 workers throughout the country making common cause to defeat a minority dictatorship.

*RAILWAY ACCIDENTS.*

Three railway accidents occurred yesterday, the most serious being in the St. Margaret's Tunnel at Piershill, Edinburgh. This accident appears to have been of a terrible nature, carriages were telescoped and escaping gas made rescue work extremely difficult. Three persons were killed and thirteen injured. At Newcastle a train was wrecked, an engine and five coaches left the line and overturned, the coaches took fire. One passenger badly injured, and others suffered from shock. The third was at Cambridge due to a collision, one man killed and one injured. These disasters should lead the public to consider very seriously our appeal over-leaf regarding the use of 'Strikebreaking' conveyances. The skill and judgement necessary to drive a passenger train can only be acquired by years of experience, and cannot be gained in a few days under strike conditions.

*STOP PRESS.*

We learn that a further extension of the strike of very considerable dimensions is likely to take place on Thursday morning. It is probable that every Trade Unionist in the country except those engaged in the distribution of food and light will be called out. Official instructions, however, will be issued in due course.

broadcast the proposals of the churches for a negotiated settlement. But the government indicated that its control over the BBC would be tightened if these proposals were broadcast. The broadcast was not made. Phillips, *General Strike*, 184.

PAISLEY STRIKE BULLETIN  
WEDNESDAY, 12TH MAY 1926<sup>1</sup>

PRICE

ONE PENNY

Trade Unionists in the Engineering and Shipbuilding Industries who ceased work last night do not return to work this morning. This means that in Scotland 100,000 men will be added to the number of those already on strike. The door to peace is open. The masses of the people are unquestionably in sympathy with the strike. Offers of assistance, financial and otherwise, reach us from most unexpected quarters, and from all grades of social life. A majority of something over a million votes in the country gave the present Government a Parliamentary majority out of all proportion to their electoral strength. This has always proved to be an evil in British politics. But no Government, however great may be its Parliamentary majority, can afford to ignore the will of the people, as manifested in the magnitude and popularity of the present strike. If the Government has the slightest regard either for the Constitution or for national well-being they will enter into negotiations on the only possible basis—withdrawal of Lock Out notices, and General Strike, no reduction in wages or increase in hours for the miner, financial assistance to the Mining Industry during the period of negotiations.

The morale of the men on strike has improved with the increase of their numbers. The big units are beginning to tell. The spirit of the strike is admirably expressed in the declaration of yesterday's message of the Scottish Trade Union Congress, 'We claim the right to withhold our labour and to persuade peacefully our fellow workers to be loyal to the worker. That right we shall never give up, whatever the consequences may be to us individually. We have not chosen lightly and we shall not flinch the consequences.'

*CONSERVATIVE MOVE FOR PEACE.*

Scottish Trade Union Congress is informed that during last week-end fifty Conservative M.P.s signed a memorial to Mr Stanley Baldwin, urging a resumption of negotiations on lines similar to those indicated in our brief review above. Let us welcome Wisdom, however late.

*OUR CARTOONIST:* Is patting himself on the back for to-day's drawing. He maintains that no other artist could have reproduced the Olympic games in such a small space.

*PUBLISHED BY THE STRIKE COMMITTEE, CUMBERLAND COURT, PAISLEY.*

<sup>1</sup> The usual masthead. Below it, five men: two playing cricket, one handling a ball, and two others playing football, with a dog running in the middle—a cartoon by Gee Whiz. The caption is: 'It may be for years, it may be for ever.'

PAISLEY STRIKE BULLETIN  
WEDNESDAY, 12TH MAY 1926<sup>1</sup>

PRICE

ONE PENNY<sup>2</sup>

The greatest strike in history is over. It lasted nine days. The story of these nine days gives hope to the idealist and the reformer. The strike was called in opposition to an act of economic oppression. It was responded to by millions who had no immediate interest at stake. The victory that has been won represents the triumph of unselfishness and fraternalism over autocracy and individualist greed. It is an approach to the answer to Burns' query, 'How should ae man better fare And a' men brithers.'

We congratulate the Trade Unionists of Paisley on the magnificent stand they have made. From the railwaymen who bore the first shock and remained a hundred per cent to the end, we expected no less. From the printers who have had a long spell of peace, we have learned that they have kept their armour bright. The Paisley Transport Workers were faced with a big problem and a great temptation. We honour the gallant majority of the Paisley Tramwaymen who in spite of defections in their ranks, have remained steadfast to their principles. The Engineering and Shipbuilding workers threw in their weight at the crucial moment. We know that their hearts were in the fray from the beginning. Building Workers never waited an instant when the call came. Let all sections derive the true lesson from this great struggle, that when they stand together there is no power strong enough to withstand them. LABOR VINCIT OMNIA.

*OFFICIAL MESSAGE OF VICTORY.*

'General Council terminated the strike. Instruct members to resume work at time arranged between employers and Union official.' BEVIN.

*TO ALL BRANCH SECRETARIES OF THE TRANSPORT & GENERAL WORKERS' UNION.*

'We have won through.' VEITCH. AREA SECRETARY.

1 What seems to be a time on this edition may be 4.30 p.m.

2 The usual masthead. Below it, to right, is a cartoon showing a glum-faced Stanley Baldwin holding in his right hand a small flag inscribed TRUCE, and in his left a newssheet titled 'Emergency Mess', the headlines in which announce: '100,000 more men out. Engineers and Shipyard Workers'. And below that the caption: MOVE FOR PEACE. Below that cartoon another, by Gee Whiz, shows a triumphant boxer in a ring holding up his left arm in victory salute. On the waistband of his shorts is inscribed: T.U.C. While Baldwin throws in the sponge from the second's position beyond the ropes, a huge boxer marked 'BIG BIZ' lies knocked out on his back in the ring behind the winner. The text continues to the left of the two cartoons.

*WHAT A BLOW!*

Tramwaymen who desired to return to work yesterday and applied to Elderslie Depot, were told to report to Bath Street. On doing so they were informed that their services were not required. Had they been fitters now, they would have got a bed, and a morning roll.

*D.O.R.A. becomes E.P.A.*

Only more so. The powers granted to the Government under the Emergency Powers Act would rejoice the heart of a Mikado or the Lord High Everything Else. But Japan is not Scotland and comic opera will not revive Industry.

*EAT AT YOUR WORK.*

Sir Harry Lauder must feel happy these days. His favourite maxim 'Sing at your work', is being carried a stage further. Men are eating and drinking at another man's work.<sup>1</sup>

*THE HOLY CITY.*

Paisley in these strenuous times is being termed 'The Holy City'.<sup>2</sup> We accept the compliment. From the strike point of view we are satisfied that its foundations are sure.

*WHO CAUSED IT?*

The following is an extract from the speech of Mr J.H. Thomas, in the House of Commons on Wednesday last: 'WHILE WE WERE DISCUSSING THE QUESTION WITH THE MINERS, I RECEIVED A MESSAGE FROM THE PRIME MINISTER THAT HE WANTED TO SEE ME. ON GOING DOWN, THE PRIME MINISTER HANDED ME A LETTER, AND WITHOUT KNOWING WHAT IT CONTAINED WE SHOOK HANDS. SAID THE PRIME MINISTER, "GOOD-BYE! THIS IS THE END." WHEN I READ THE LETTER UPSTAIRS AND FOUND THAT IT ASKED FOR AN IMMEDIATE REPUDIATION OF THE ACTION WITH REGARD TO THE "DAILY MAIL" WE IMMEDIATELY REPUDIATED THE ACTION AND SENT A DEPUTATION DOWN TO THE PRIME MINISTER TO TELL HIM. WE FOUND THE PLACE IN DARKNESS AND EVERYBODY HAD GONE TO BED AT ONE MINUTE TO TWELVE. I WOULD HAVE GROVELLED FOR PEACE BECAUSE I HATED WAR. UNFORTUNATELY THERE WAS NO CHANCE OF PEACE.' We leave our readers to judge, whether the responsibility for the present situation rests with the Trade Union leaders.<sup>3</sup>

1 Sir Harry Lauder (1870-1950), Scots comic singer.

2 'Holy' in the sense that there had been no disturbances there during the strike.

3 See above, 193, note 1.

*BOILERMAKERS.*

SOME CONFUSION! There appears to have been a certain amount of ambiguity in the wording of the instructions conveyed to the Boilermakers Society. The Boilermakers as Trade Unionists have a strong fighting tradition behind them. We are certain that they will be true to their traditions.<sup>1</sup>

*FRENCH SYMPATHY.*

French Confederation of Labour 500,000 members, wires support to British Trade Unions. 'We are appealing to the French workers to help you. Please send us instructions.'

*ANOTHER PEACE MOVE*

The Cabinet is expected to meet the T.U.C. Executive today.

*PEACE TERMS*

The Miners Executive are unanimous that whatever settlement is arrived at must not reduce the wages or increase the hours of the Mine Workers. Mr Herbert Smith said yesterday, 'We have nowt to give.'

*APPEAL TO ENGINEERS*

Allowing for Technical exceptions defined in the strike call, we would appeal to Engineers to obey implicitly the instructions of their local officials where these imply withdrawal of labour. The measure of public and Trade Union support extended to them in their forth-coming claim will be determined largely by their present attitude.

RAILWAY STRIKE BULLETIN<sup>2</sup>

PRICE ONE PENNY

MAY 14TH 1926

*THE SITUATION*

To the general public, and the railwaymen in particular, much perplexity as to the real facts of the present deadlock, which has resulted in the recalling of a strike, is evident by the many questions that are being asked by all sections of the community. We feel we cannot do better than give the position as viewed by Mr J.H. Thomas, who, in his address to the Prime Minister, spoke as follows:- 'You answered us in the way you knew you would answer us. Our assistance is necessary, your assistance is necessary, and we believe we can help.

1 The Boilermakers were in the 'second line' called out on 12 May by the TUC General Council but did not go on strike because their executive council had decided to hold a ballot of members before taking action. *Scotsman*, 12 May 1926.

2 This is in effect the Paisley Strike Bulletin continued. The masthead on page 1 has two large railway engines facing each other, separated by a guard or shunter holding above his head a flag marked 'DANGER'. On left side of front page is a cartoon, headed: SKELETON SERVICE WITHOUT LIMIT, showing an elderly railway clerk behind the glass of his kiosk, faced by a man in bowler hat and a drooping cigarette, with the caption: 'Ash. I thought all the trouble was over. A sneak. Over! It's only starting, man.' The text continues to the right of the cartoon.



I never liked a war, and we want your help when this dispute is ended. We ask you to help us by asking the employers to make things as easy as possible. One thing we must not have after this, and that is guerrilla warfare.' And when we compare this with the Prime Minister's speech in the House of Commons yesterday when he is reported as having said:- 'I will not countenance any attempt on the part of the employer to use this present occasion for trying in any way to get reduction of wages, from those in force before the strike began, or an increase of hours.' It would seem as if there was nothing to hinder a complete resumption of work; but what is the real position? Men have reported, as instructed by their Trade Union leaders, for duty yesterday. The general resumption of work which was anticipated by all did not result. The companies, apparently with the idea of 'making hay while the sun shone', profited by the strike conditions to put every man through a process of individual interrogation, submitting a plea of illegality on the part of the workers taking strike action. In many cases men were asked by the companies to accept a document recognising this to be the case. This document further held that the resumption of work was not really a resumption of work, but a re-engagement. It naturally follows that if a man re-engages he does not resume where he left off, but binds himself to accept whatever conditions are imposed. We feel that the T.U.C. have dealt honourably in the calling off of the General Strike and we likewise feel that the Government must in turn implement their promises to the T.U.C. that there will be no victimisation.<sup>1</sup> It was because of the attitude of the various Railway Companies that the Rail Strike was declared still in operation, and despite the fact that the Emergency Press of to-day's date states:- 'Rumours have been circulated to the effect that the Railway Companies propose to take this opportunity for reducing the wages of their Drivers, Firemen or other grades, also that the Railway Companies propose that in taking the men back into their service to take them on as new entrants, as a result of which the men would be receiving lower wages as well as losing the benefits of their seniority. Both these rumours are entirely without foundation.' But is it really so?

To give two typical cases in Paisley.

1. A man has been instructed to report for duty as a Junior Lampman (previously senior lampman) at the handsome dole of 16/- per week.
2. A ticket-collector has been instructed to report for duty as a Junior Parcel Porter.

1 The prime minister had given no such assurances to the TUC leaders when they had called off the strike unconditionally on 12 May. But later that day in the Commons and in his radio broadcast in the evening he had called for restraint and reconciliation. Phillips, *General Strike*, 242.

These are only two of the many instances we could quote which absolutely contradicts the statement in the Emergency Press, already referred to. A further paragraph from the same source states:— 'Any man accepted for re-employment will come back on the rate of pay which they were receiving before the strike, and without loss of service.'

It is apparent from what has transpired that there is no necessity for us to say anything further. The facts speak for themselves, and we are certain that all fair-minded people will agree that we have a good and a just case.

#### *THE LEGALITY OF THE STRIKE.*

We make no apology for returning to this aspect of the case and submit the following for consideration of all thoughtful people. It is an extract from the 'Solicitor's Journal'. 'The learned K.C. (Sir John Simon) gives no reasoning or authority for this sweeping declaration, and with due respect we suggest that none exists.'

*OUR CARTOONIST:* Has been dragged from his retirement to take up 'Active Service' again and promises to surpass his previous attempts.

#### *TO-DAY'S QUOTATION.*

'Fain would I dwell on form; fain, fain deny  
What I have spoke!'

#### *LONDON TRAFFIC COMBINE.*

Information has been received from the three leaders of the Railway Unions to the effect that Lord Ashfield has made satisfactory arrangements for full re-instatement of the employees in the above Combine. This lead, we feel, will be followed by a general resumption of work on the terms laid down by the Trade Union leaders very speedily.<sup>1</sup>

PUBLISHED BY STRIKE COMMITTEE, CUMBERLAND COURT, PAISLEY.

### OFFICIAL STRIKE BULLETIN OF THE PARTICK AREA STRIKE COMMITTEE

8th MAY 1926

ISSUED IN CONJUNCTION WITH THE SCOTTISH TRADES UNION CONGRESS

Price 1/2d

Fellow Workers,

The following Official Bulletin is being issued by the above Strike Committee daily for the purpose of disseminating information as to the true position

1 Below this there is a sketch of a bowler hatted man in morning coat perspiring as he hurries along a railway line, with a sign in front of him pointing to 'LONDON 400 MILES', and a caption at the foot of the cartoon that says: 'PER SLEEPER TO LONDON'.

in regard to the present General Strike. The news contained in the Emergency Press contains only a modicum of truth, and that spread by the Wireless is mainly 'stunt' Government news. The purpose of these two methods is to break the morale of the strikers. We call upon you to stand firm and accept only the news given through official Trade Union sources. The news you will receive through these bulletins is brought direct from the British and Scottish T.U.C. and is, therefore, absolutely reliable.

The situation is as follows, generally—

**RAILWAYS**—From all over the country the reports are the same. Everything at a standstill, and while it is true to say that one or two trains are running, manned by 'scab' labour, it is not the case, as is stated in the Emergency Press, that hundreds of trains are running in Scotland and England. In Glasgow all Stations are closed and yesterday the L.M.S. Railway Company were compelled to close the Workshops Offices and Loco. Offices at St. Rollox and the Supervisors and one or two blackleg clerks who had remained on duty were sent home. There is little improvement to report from day to day because the stoppage is so complete that improvement is barely possible.

**DOCKS**—Everything is absolutely solid at the Docks.

**PINKSTON ELECTRICAL POWER STATION**—We have official information from Headquarters that it has been decided to call out all the men at Pinkston as from this morning.<sup>1</sup>

**ALBION MOTOR WORKS**—Everything at a standstill. Apprentices refuse to work with 'scab' labour. Management decided to retain apprentices.

**ENGLAND**—We have now information from England. Couriers arrived today by motor. They report that London and the whole of England is absolutely solid. They state that in their passage through the larger Cities they observe that not a single Car or Bus was running and they saw the smoke of only 1 train. This is their experience of the Strike in their journey from London to Glasgow.

**PARTICK TRAMWAY DEPOT**—Strikers solid. There are only 11 in out of 466 men normally employed at the Depot. The Tramway Management are working on the spectacular by running out a number of Cars at a time and thereby giving the impression that the service is greater than it actually is. Practically all these Cars are manned by 'scab' labour.

The Buses running are practically all manned by 'scab' labour or owners. We appeal to all Workers still employed to abstain from using the 'scab' service placed at their disposal. This would be the most effective reply to the Bus Owners and Tramway Management.

<sup>1</sup> Pinkston power station supplied electric power to the Glasgow trams. It did not in fact prove possible to close the station during the general strike. Morris, *General Strike*, 396.

It has been brought to our notice that traffic Policemen on duty at corners adjacent to Schools have been removed, with the result that several accidents, some of a serious nature, to school children have occurred. Should the Police Authorities fail to remedy this the Strike Committee will take the matter in hand.

**PROFITEERING IN FOOD STUFFS:**—Despite the Government's contention that there was no need to raise prices there has already been a sharp rise in the cost of food stuffs. We particularly desire the public to report cases of profiteering to the Strike Committee when the necessary steps will be taken to deal with the offenders. Coal is another instance in which profiteering is taking place, all grades being sold at the one price, the maximum. If this is going to continue the strikers will require to deal with those people who are indulging in these sharp practices.

We have authentic information that the Brewers in the East Lothian and Alloa districts have bottled and sent out more beer within these last few days than at any other time. We understand this is supplied for keeping up the courage of the Voluntary Workers in the 'Dutch' fashion. No doubt the idea is to make old heads and scabheads appear 'Younger'.

The Transport and General Workers' Union reports that the situation all over Scotland is most gratifying. In all the large towns the stoppage of Trams and Buses is practically 100 per cent, and there is no sign of weakening of the spirit of the men involved. Continuation of this spells success.

Our God, our help in ages past -	The T.U.C. General Council
Lloyd George.	call upon you to stand
Our hope for years to come -	Solid. The response to
The Dole.	their call far exceeds
Our shelter from the stormy blast-	their expectations. Be
The Workhouse.	of good cheer and victory
And our Eternal Home -	is ours.
The Cemetery.	

OFFICIAL STRIKE BULLETIN OF THE PARTICK AREA STRIKE  
COMMITTEE  
9th MAY 1926.

ISSUED IN CONJUNCTION WITH THE SCOTTISH TRADES  
UNION CONGRESS.

No. 2. Price 1/2d.

Fellow Workers,

**THIS IS A WAGES FIGHT.** The Mine Owners demand that the Miners submit to an average reduction of 13½% on their weekly wages. This would mean that the Miners' average earnings would be under 40/0 per week, whilst

tens of thousands would earn less than 30/0 per week. In all, roughly £500,000 per week would be taken from the Miners' wages. In addition the Owners demand that those Miners working work one hour more per day. At present 200,000 Miners are unemployed. The addition of an extra hour per day will mean that another 130,000 would be thrown out of work (Coal Commission Report, pages 173/4). The British T.U.C. desire that the Miners' wages be maintained at their present basis and call upon you to support them in this struggle to maintain this already too low standard. Moreover, negotiations were not due to cease until midnight on Friday, 30th April, but the Owners, contrary to all precedent, persisted in posting Lock-Out Notices during the course of the negotiations. FELLOW STRIKERS: YOU CANNOT AFFORD TO FAIL THE MINERS IN THIS FIGHT. IF THEY GO DOWN, YOU GO DOWN.

We now come to the latest news.

The general position is still absolutely satisfactory, and the following items, lifted from the latest British and Scottish T.U.C. Reports give one an idea of the situation.—

PETERBOROUGH—Situation splendid. Everything going all right.

CHELTENHAM (near Bristol)—Workers absolutely solid.

NORTH EASTERN RAILWAY—At a complete standstill. It is significant that the Government representatives, when meeting the Press representatives, had to admit that the passenger traffic on the North Eastern Railway was almost at a standstill.

CAERNARVON COUNTY COUNCIL unanimously passed a Resolution urging that negotiations should recommence.

THE INTERNATIONAL TRANSPORT WORKERS' FEDERATION has sent word to the British T.U.C. that British ships will not be supplied with Coal or bunkered at Continental Ports. Dutch Transport Workers are refusing to bunker British ships and doing what they can to prevent crews from being signed on.

TELEPHONE MESSAGE from British T.U.C. at 4.50 pm Saturday: 'The tendency is for more men to come out rather than for any to go back'.

FULHAM. The Electrical Workers struck work this afternoon, Saturday, at Fulham.

SCOTLAND STANDS FAST. The reports from Scotland are very cheering. The Scottish T.U.C. have been in personal touch with the whole country from Dumfries and Galashiels to Dundee through visits from members of the General Council so that they know the position over the whole industrial area of Scotland from personal contact, as well as from the reports they are receiving. There is not the slightest sign of wavering anywhere. The position is improving every day.



The Strike Committee have now settled down to their job.

**LOCHABER HYDRO-ELECTRIC POWER SCHEME.** The work on this scheme has been stopped and the men sent home from Fort William. The N.U.R. were responsible for conveying the men by motor transport.

We understand the Chief Constable has ordered the closing down of all Tramway Depots in Glasgow with the exception of Govan, Partick, Maryhill and Langside. The situation is certainly improving—for us.

We are informed that the members of the Seamen & Firemen's Union are clamouring to be withdrawn from their ships on arriving at port.<sup>1</sup>

Extract from Railway Clerks' Daily Bulletin.—'When speaking to headquarters on 'phone today I was informed that they had made special arrangements to obtain reports from the more important centres in England, and at the time of going to type the situation in LONDON, LIVERPOOL, BRISTOL, MANCHESTER and YORK is such that the General Secretary and the Executive Committee are more proud of our Organisation today than ever they were in its splendid history.'

Extract from Radio Bulletin, 8th May—'110 lorries were loaded at London Docks this morning, and under adequate protection *several* arrived at their destination'—Question, where did the others get to? '305 passengers landed at Southampton today from the U.S. liner s/s "Leviathan". They left for London in Motors'—Question—What about the train service the Emergency Press talks of?

**HOUSEWIVES, PLEASE NOTE**—According to the above Bulletin, an increase of 2d per quart on Milk applies only to the London district.

**TRAMWAYMEN** are still solid. We hear that an attempt will be made as from Monday, 10th May to re-open the Subway. The Labour will be 'scab'. Workers, if this is so, see that you absolutely decline to make use of the Subway.

**TRAMWAY FITTERS** have been asked but refused to go back to work.

Mr Baldwin asks for the truth in his latest broadcast. *He* should know the truth by now.

**ALBION** and **HALLEY's** are still at a complete standstill.

There will be a Mass Meeting of Strikers in the Partick Picture House, Orchard Street, on Monday, 10th at 11 a.m. All turn up.

1 The National Seamen and Firemen's Union, under the presidency of J. Havelock Wilson, was the only important union affiliated to the TUC that refused to take part in the general strike. Wilson suspended dissident local officials at several ports who tried to take local action in support of the strike, and arranged a collusive court appeal which gave rise to the Astbury Judgement (see below, 265, note 1). Phillips, *General Strike*, 211-12.



We have definite information that a large number of the City Warehouses have placed their staff on half pay owing to the fact that business is at a standstill. This is also the case over a large part of the country.

Tomorrow the first edition of the Scottish Worker will be on Sale here and on the streets at 1d. This is an Official T.U.C. paper.

Next Bulletin will be issued as early as possible.

## OFFICIAL STRIKE BULLETIN OF THE PARTICK AREA STRIKE COMMITTEE

10TH MAY 1926.

ISSUED IN CONJUNCTION WITH THE SCOTTISH TRADE  
UNION CONGRESS.

No.3. Price 1½d

Fellow Workers,

WE REPEAT. THIS IS A WAGES FIGHT. The Mine Owners demand that the Miners submit to an average reduction of 13½% on their weekly wages. This would mean that the Miners' average earnings would be under 40/0 per week, whilst tens of thousands would earn less than 30/0 per week. In all, roughly £500,000 per week would be taken from the Miners' wages. In addition the Owners demand that those Miners working work one hour more per day. At present 200,000 Miners are unemployed. The addition of an extra hour per day will mean that another 130,000 would be thrown out of work. (Coal Commission Report, pages 173/4). The British T.U.C. desire that the Miners' wages be maintained at their present basis and call upon you to support [them] in this struggle to maintain this already too low standard. Moreover, negotiations were not due to cease until midnight on Friday, 30th April, but the Owners, contrary to all precedent, persisted in posting Lock-Out Notices during the course of the negotiations.

FELLOW STRIKERS, WE REPEAT: YOU CANNOT AFFORD TO FAIL THE MINERS IN THIS FIGHT. IF THEY GO DOWN, YOU GO DOWN.

LATEST NEWS. See and get the Scottish Worker, the Official Daily of the Scottish T.U.C. Don't believe the Emergency Press, Wireless or rumours. These methods are being utilised to deceive you.

The situation in the Partick and district area is absolutely excellent.

Our International Fellow Trade Unionists are supporting us.

KILMARNOCK.—ALL out. Boilermakers in Barclay Engineering Co. and Kilmarnock Engineering Co. have ceased work. Further the A.E.U. and several other classes of workers have petitioned their E.C.s for permission to take action. This will indicate the spirit of the workers in that area.

**THE STRIKERS' POSITION IN LAW.**—The right to strike was legally constituted by Parliament in 1875 and 1906. Any attempt at victimisation of men who have left their work is, therefore, illegal and an infringement of the workers' right created by Parliament.

The N.U.R. report that it is impossible to improve the position in Scotland, it is so good. The R.C.A. states the situation is splendid.

The Police Sergeant reported as having been killed in the East End of the City is not dead. He is in the infirmary and recovering. This shows that you must not accept statements except from T.U.C. sources.

A number of Newsagents have refused to sell the Emergency Press because it is printed by non-union Labour. Workers, don't buy the Emergency Press.

The Strike Committees have settled down to their job.

**BUILDING TRADE WORKERS.**—With the exception of those instructed to remain at work the Building Trade Workers have answered the call 100 per cent.

**TRANSPORT WORKERS** have taken out all Clyde Trustee Floating Department men (Bargemen, Hoppermen etc), with the exception of those engaged at the Ferries and Safety men.

**WORKERS! Boycott the Tramways and Buses!**

Situation in the area comprising ARDROSSAN, KILWINNING, STEVENSTON, SALTCOATS, IRVINE and right to KILMARNOCK.—Absolutely solid. Ardrossan Harbour dead. Nobel's Explosive Works, Stevenston, practically at standstill. Men employed on day to day notice and large number off work. Nobel's Printers on strike. No buses or trams running in the whole of this area since Friday night. Only one work in Kilwinning still going. Railways.—Solid. Only one or two Stationmasters on duty. Only two or three trains have run in this area since strike began. These are manned by 'scabs'. We understand that the Corporation Trams and Buses in Kilmarnock are off. There is absolutely no sign of weakening in this area; in fact, tendency is for more to come out.

**LATEST WORD BY T.U.C.** Couriers from all over. All large towns, including London, in England completely tied up. Taxis in London not running. Liverpool completely dislocated. In Birkenhead a strike of the Dock Board men has rendered 600 men idle. Bedford Power Station men out. Birmingham, no trains, trams or buses are running and quiet obtains in the City. Hull, Portsmouth and Plymouth, very small quantities of goods are being removed by tradesmen. Strikers at Norwich have had their ranks considerably augmented since Thursday. In London between 5,000 and 6,000 taxi drivers have ceased work on their own accord. From all quarters, but more especially in North East, details are being received of the failure of the O.M.S. to cope with the situation which the strike has created. **STONEHOUSE,**

SALISBURGH, HAMILTON, COALBURN, STRATHAVEN, KILSYTH, BROXBURN, PENICUIK, HAWICK, GALASHIELS, DUNFERMLINE and Fifeshire, OLD CUMNOCK, ANNAN, CARLISLE completely tied up. All men out in these places. Arrol Johnstone Motor Works shut in DUMFRIES. BO'NESS, FALKIRK and LARBERT solid.

No 'Labour' Students doing 'scab' work.

From the British T.U.C.—'Engineering & Shipbuilding Trades shall, unless otherwise ordered, refrain from starting work on Wednesday, 12th May. This applies to ALL UNIONS'.

Since Tuesday the Government have been unable to produce the Hansard debates of Parliament.

WORKERS! Remain solid—we ARE winning. Sit tight and keep cool heads.

The Dockers are out to a man. Local Factories in Vale of Leven closed down, except one or two, which are running short time.

Tell us of any PROFITEERING.

# OFFICIAL STRIKE BULLETIN OF THE PARTICK AREA STRIKE COMMITTEE

11TH MAY 1926

ISSUED IN CONJUNCTION WITH THE SCOTTISH TRADES UNION CONGRESS

No.4. Price 1/2d.

Fellow Workers,

The position is sounder than ever. As we informed you yesterday the Boilermakers and other shipyard Unions cease work to-night. HOLD TIGHT. WE ARE WINNING. Locally the situation is very good. All we ask is that you discountenance the rumours which your opponents are assiduously spreading for the purpose of weakening the morale of the strikers. The latest news is.—

T.U.C. 'Reports from every district are splendid'.

Conservative move for peace reported. We are informed that at the weekend 50 Conservative Members signed a memorial to Mr Baldwin urging a resumption of negotiations on the lines of the withdrawal of the Lock-out Notices, the withdrawal of the General Strike Notices, and the granting of financial assistance so that the Miners' wages may be assured during the period of further negotiations, or until a settlement is reached.

The stoppage of the Shipyards & Engr. Shops tonight will mean that on the Clyde 80,000 and at least 100,000 in Scotland, will be affected.

The British Broadcasting Co. have officially and definitely refused to broadcast the following message.—'At a conference between the Archbishop

of Canterbury and heads of Christian Churches, it was proposed that negotiations be reopened and the status quo of Friday last be returned to'. WHY DID THE B.B.C. refuse?

Mrs Snowden has issued an emphatic denial of the statement that she had said in a recent speech that everyone should support the Government in the present crisis.<sup>1</sup> She says, 'My sympathies are entirely with the Miners'.

The iron gate and palings around Pinkston Power Station have been electrified and a live wire barrier has been constructed round the enclosure. The workmen are living 'on the job' in not very enviable conditions.

The Glasgow Branch of the Union of Post Office Workers, at a meeting on Sunday, unanimously resolved to support the Strike by voluntary contribution, and a strike, if necessary.

The Cheque, valued £5,000, sent to the B.T.U.C. by the U.S.S.R. at Moscow, has been returned with a courteous reply stating the B.T.U.C.'s inability to accept.

At the B.B. Cinerama, Victoria Rd., Glasgow, the pictures showing Baldwin and Churchill were received in silence by the audience who, however, cheered the photos of Cook and Smillie.<sup>2</sup> Significant?

The employees, numbering 500, at Messrs Caldwell's Paper Mill, Inverkeithing, joined in the General Strike by ceasing work on Wednesday.

Mr Dalrymple has been inviting unemployed men to become blacklegs on the permanent way. UNEMPLOYED, stand true to your fellow-workers.

The daily loss of the Glasgow Tramways is £5,000.

The Lanarkshire buses are suspended entirely.

The official reports from Airdrie, Irvine Valley, Aberdeen and Edinburgh are 'all solid'.

**GOVERNMENT HOLD-UP.**—The British Worker has been reduced to 4 pages and in explanation say, 'The reason is that the Cabinet has stopped our supply of paper. At the Docks and in a mill there are supplies belonging to us. The Cabinet refuse to let us have them.'

The Members of the Episcopal Church Mission (St Mathias), Garngad, Glasgow, have agreed to maintain a Miner's family for the duration of the Strike. The Dockers report 'There is not one docker blacklegging and we are satisfied with the glorious stand of our members.' Some students and similar blacklegs have been smuggled into the Docks but these creatures are not able

1 Ethel Snowden, a governor of the BBC, wife of Philip Snowden (1864-1937), Independent Labour and Labour Party MP, chancellor of the exchequer, 1924 and 1929-32, created Viscount Snowden, 1931.

2 Robert Smillie (1857-1940), president, Miners' Federation of Great Britain, 1912-21, and of National Union of Scottish Mine Workers, 1894-1912, 1922-8, Labour MP, 1923-9.

to do the work of the regular dockers and the ships they manage to load will not carry heavy cargoes.

In the Municipal Bye-Election in Chiswick (London) the Labour Candidate gained the seat, with a majority of 664. The Figures were Labour 1,041, Conservative 337, Lib. 133.

There were three serious train disasters on the L. & N.E. Railway yesterday, at Edinburgh, Newcastle and Bishop Stortford respectively.

We are informed that a number of Colliery Owners are reduced to such straitened circumstances through the Strike that they have been compelled to eat their share certificates.

RENFREW PARISH COUNCIL. This Council has agreed to grant under Able Bodied Relief 12/0 for wives and 4/0 for each child during the period the Strike lasts.

Railway Clerks report at 2-30 pm today that position is very good, despite repeated efforts to create breach.

T.U.C. message 2-15 pm today, 'Everything going O.K.'

Year 1930—Echo of the Great Strike—Young Hopeful, 'Father, what did you do in the Great Strike?' Fond Parent, shamefacedly, 'Wheesht, I scabbed on the Tramwaymen and tried to steal their job.'

We regret our inability to supply everyone with the Scottish Worker, owing to the fact that the supply of paper for printing is limited.

## OFFICIAL STRIKE BULLETIN OF THE PARTICK AREA STRIKE COMMITTEE

12th MAY 1926.

ISSUED IN CONJUNCTION WITH THE SCOTTISH TRADES  
UNION CONGRESS

No.5. Price 1/2d.

Fellow Workers,

The Kilsyth Co-operative Male Voice Choir, largely composed of Miners, walked from Kilsyth to St Andrew's Hall, Glasgow, and won the first prize in the open class in the Musical Festival, and then walked back to Kilsyth. This spirit, shown by the Miners, is the spirit which achieves great things.

We observe, from the Emergency Press, that a meeting has been arranged between the Cabinet and the T.U.C. Council. Hold tight, we are getting on.

The same Press also quotes a judgement given by Mr Justice Astbury that the General Strike was illegal. Pay no attention to these statements. Sir Henry



Slessor, the eminent Law Authority, has clearly shown that the Strikers' position is quite legal.<sup>1</sup>

GOVAN strikers' wives hold a matinee meeting daily to maintain order and to watch local food prices. Partick housewives please copy.

The National Transport Committee, acting with the authority of the British T.U.C., has issued the following instructions.—'Unions in connection with Transport are instructed, and local Transport Committees informed, that all men engaged in transport should now be on strike, excepting men employed by Co-op Societies solely for the purpose of delivering bread and milk direct to their members'. This means that, with the exception of the Co-op. Societies, no further permits will be issued.<sup>2</sup>

The Co-operative Society at Bonnybridge have reduced the price of all foodstuffs by 15% in view of the fact that most members are on strike pay. Other Co-op. Societies would do great service by following this generous lead.

Notwithstanding the appeal of the Employers to the members of the Scottish Typographical Asscn., it is true to state that there are not more than 25 working in Scotland who were hitherto members of the Association.

Official notices have been sent postponing the Glasgow Town Council meeting which was fixed for tomorrow.

The Glasgow Magistrates, by a majority, have refused to allow the R.C.A. to hold a meeting in the McLellan Galleries next Sunday. The meeting was to be addressed by two members of the R.C.A. Executive.

That the Railway Companies are feeling the pinch is evidenced by their statement to the few men who did not respond to the call, and who have been housed by the Companies on their premises, that they must get out and find accommodation for themselves.

Steps are being taken by the French Printers to prevent the printing of British Newspapers in Paris, for transport to London by air.

A wireless message received yesterday states that all Belfast Dockers have ceased work. The message further states that the men on Liverpool boats have come out in response to the call of the Transport and General Workers' Union. This is fine news.

1 See above, 259, note 1. The general strike was declared illegal by Mr Justice Astbury on 10 May, as a result of an application by the seamen's union for restraining dissident branches from paying out strike funds. But the Astbury Judgement seems to have had minimal effect on the TUC General Council's decision to call off the strike, a decision which by then had already been taken. Sir Henry Slessor, solicitor general in the Labour government, 1924, had argued in the Commons on 10 May against the view of Sir John Simon that the strike was illegal. Phillips, *General Strike*, 147.

2 See above, 179, note 1.



Official report from London.—Nowhere has the position weakened. In London, out of the 40,000 passenger workers not one has returned. Factories are closing everywhere.

The statement of the Tramway Management that the men had returned at Dennistoun Depot is untrue. A meeting of over 300 men employed at that Depot, last night unanimously agreed to remain loyal to the strike decision.

For the first time in history, we are informed by the Deptford Trades Council, all the workers in the Government Royal Victoria Yard have come out on strike.

The reports from Ayrshire, including Ayr, IRVINE, CATRINE, DARVEL, Kilmarnock, etc., are excellent. Position splendid. The situation in MONTROSE, STIRLING and district, LADYBANK, COWDENBEATH, first class. PERTH reports.—81 RCA, 157 Loco, 1580 NUR men on strike.

Out of 550 tram men employed in Aberdeen only 20 are working.

WE HAVE RECEIVED INSTRUCTIONS FROM THE SCOTTISH TRADES UNION CONGRESS THAT A BASIS OF SETTLEMENT HAS BEEN REACHED, BUT THAT NO MAN IS TO RETURN TO HIS WORK UNTIL HE RECEIVES DEFINITE AND OFFICIAL INSTRUCTIONS FROM THE AREA STRIKE COMMITTEES. SUCH INSTRUCTIONS WILL BE ISSUED FROM THE SCOTTISH TRADES UNION CONGRESS TO THE STRIKE COMMITTEES AND THE LOCAL TRADE UNION MANAGEMENT COMMITTEES.

The Mass Meeting of the Strikers will be held as usual tomorrow in the Partick Picture House, Orchard Street, at 11 am.

PERTH STRIKE COMMITTEE  
N.U.R. A.S.L.E.& F. and R.C.A.

9 May 1926.

Wire received by Mr Niven reads as follows:

‘Stoppage 100 per cent efficient, be sure and maintain our position, you cannot improve it.’ (Signed) ‘CRAMP’.<sup>1</sup>

A concert is to be held in the CITY HALL tonight: doors open at 6.30 pm: concert commences at 7.30 pm. For STRIKERS and WIVES ONLY: collection will be taken.

A concert was held in Co-op Hall on Friday evening, selections being rendered by Railway Male Voice Choir, also Mr Dewar and Mr Thomas Lindsay, the latter proving himself to be an adept at the piano.

1 Mr Niven was branch secretary in Perth of the National Union of Railwaymen.

Is it the case that a man doing *blackleg work* was injured through his own inexperience?

The Secretary of the Slaters Union is Mr Curr, 31 High Street, Perth.

#### PERMITS COMMITTEE.

**TRANSPORT OF FOOD.** The Transport Committee in each locality will be composed of one representative from each of the Transport Unions. These Transport Committees will be solely responsible for the issuing of permits for the transport of staple food supplies from stores to retailers and from retailers to consumers. (Food supplies include COAL for HOUSEHOLD USE and BAKERIES). It will be for the Transport Committees to decide what is meant by 'STORE' and 'STAPLE FOODS'. No individual union is to be responsible for the issuing of the permits. The Transport Committee will act similarly in the maintenance of transport of sanitary and health services. Permits are to be issued only to *members of unions, not to employers.*

A LOCAL PERMITS COMMITTEE has been set up to attend to issuing of permits in connection with the above regulation.

#### PRESS BULLETINS.

The public should not place too much reliance on the news which is likely to come from a source not in our interests, and detrimental to the worker.

Templars Hall,  
King Street,  
Perth.

### STRIKE BULLETIN

#### ISSUED BY

#### GREENOCK CENTRAL STRIKE COMMITTEE

Official address:

2 Cathcart Street,  
Greenock

No.1.

'Phone No. 225.

#### UNIONS ON STRIKE

Bookbinders, Building & Monumental Workers, Electrical Trades Union, House Painters, Lithographers, Loco. Engineers & Firemen, National Union of Railwaymen, (Greenock, Gourock, and Port Glasgow Branches), Printers Assistants, Railway Clerks Association, Railway Signalmen, Transport Union (Commercial, Dockers, Harbour Trust, and Passenger Sections), Typographical, and Vehicle Builders

#### LOCAL NEWS.

#### GREENOCK STANDS FAST!

Number of Men on Strike Increases Daily!

Railwaymen report no engines in steam at Princes Pier or Ladyburn. On Saturday only two trains made return journey between Glasgow and Gourock.

For four days no trains reached Princes Pier. Two were to be run on Saturday but unfortunately for Company the engine of second had to return without train which now blocks line for any other train arriving. All Signalmen out with two exceptions: one an old man and the other under petticoat command.

Railway Clerks strong. Pickets still determined. Numbers out being added to daily.

Printing and kindred trades report all men, women, and apprentices out. Local Daily Press at a standstill.

House Painters all out on Friday. Enthusiasm prevails.

Large number of Joiners ceased work on Saturday on Housing Scheme, owing to lack of material.

An effort is being made to hold a Mass Meeting in the Town one of these nights.

Our 'Printer's Devil' would like to know if the 'Lady' Scabs are being paid Trade Union Rates by the Tramway Company?

#### NATIONAL NEWS

THE TRADES UNION CONGRESS GENERAL COUNCIL HAS ISSUED THE FOLLOWING:-

'The General Council does not challenge the Constitution. It is not seeking to substitute Unconstitutional Government nor is it desirous of undermining our Parliamentary institution.

'The action of the Trades Union Council is to secure for the Miners a decent standard of life.

'The Council is engaged in an Industrial Dispute.

'The only issue in any settlement, the only issue to be decided will be an industrial issue.'

Reports received from all over the country prove conclusively that the general stoppage is a complete success and the enthusiasm and discipline of the rank and file is most enheartening.

The plans are developing rapidly and cover every phase of activity related to the successful termination of the dispute.

Pickets are instructed to avoid any disturbances and confine themselves directly to their immediate duties.

Greetings and expressions of support have been received from:

Irish Trade Union Congress; French Confederation of Labour; Clothing Workers of America; Farmers' Union of Canada; German Miners; Trades and Labour Congress of Canada, etc., etc.

The Newcastle City Council has unanimously passed resolutions urging the Government 'to resume negotiations with contending parties on condition that the General Strike order is withdrawn, that coal loading be re-opened up on the existing rate of wages and conditions and continued long enough to

reach a settlement, with the continuance of the Government support for that period.'

Caernarvon County Council have taken somewhat similar action.

Mr Kershaw, Transport Workers Executive, journeying from London to Scotland reports great solidarity and fine spirit all along the line.

Belgium, Germany and Holland have been requested by International to prevent movement of coal to Britain; to stop British ships from bunkering in foreign ports; and to prevent non-British seamen signing on on British ships.

The London Taxi Drivers are out on their own request.

The big London Dailies were effectively prevented from printing on Friday by non-unionists who joined up.

### GLASGOW

Over 120 arrests were made in the East-end of Glasgow, mainly irresponsible youths not connected with the Strike. The Police seem to have got out of hand.

The car service consisted of 130 cars usually half empty, compared with a normal service of over 1000 and 500 buses. The Strike revenue for one day was £800. A normal day's drawing is £6,600.

There are 300 students scabbing out of a total of 5,000. Scab students have been promised an easy examination.

The Scottish Trades Union Congress are now issuing an official organ—'THE SCOTTISH WORKER'. Printers and journalists are giving their services free.

Throughout Fifeshire the general feeling is that all workers should be in the firing line. 'So Say We'!

Reports from country districts show that they are as solid as in industrial centres.

No trams or buses running in Birmingham. 600 Dockers out at Birkenhead. Bedford—Power Station men coming out. Hull—only very small quantities of stores being removed and that only by Shopkeepers. Wolverhampton—Engineers out. Norwich—numbers out daily increasing. Reading—only a few trams running. London—Regent Park closed. Victoria Park being used as a Military encampment. Motherwell—reports only three trains passed. All trains blocked at Carlisle. Lockerbie men all out. So effective has been strike on West Highland Line to Crianlarich that railwaymen had to send food supplies by Motor to members up the line.

AT THE URGENT REQUEST OF MANY FRIENDS OF THE MOVEMENT THE CENTRAL STRIKE COMMITTEE INTEND PUBLISHING THIS BULLETIN DAILY UNTIL THE NECESSITY CEASES.

PLEASE HAND THIS COPY TO A FRIEND.

## Ladybank Joint Strike Committee

General News,

11.5.26

Everything seems to be in a satisfactory condition and all men are standing fast. Reports from the surrounding districts show that everything is going well and all positions remain solid. Five clerks, non-union members, have come out on strike and joined the R.C.A.

International Control of coal industry. The International Transport and Miners Federation Committees meeting at Ostend reaffirmed their decision to refuse to export coal to Britain and promise every assistance financial and otherwise to their comrades on strike. They stated that the only way to ensure lasting peace in the coal industry was to inaugurate a regime of International Control and co-operation throughout the entire industry.

Following is extract from Coal Commission's report: 'We cannot approve the proposal of the Mining Association that the gap between costs and proceeds should be bridged by an increase of an hour in the working day, reductions in the Miners' wages, and economies in other costs, and a large diminution in Rly. rates, to be effected by the lowering of wages of Railway Men.' This should prove to all Railway men that by remaining solid they are only defending their own interests.

The L.M.S. declared there were 28 trains running from the Central Stn, Glasgow, on Saturday. According to the local time table the number of trains to and from Glasgow daily is over 14,000. This contrast illustrates clearly that the Railwaymen are on strike.

Extract from this morning's Dundee Advertiser shows that many railway strikers have returned to duty at Ladybank. We wish to correct this and say not one man attempted to return.

The Kettle Co-op Society, Baking and Grocery, have made a magnificent response to our request to advance strike money until receipt of our cheque. We wish to tender our sincere thanks.

Things we want to know.

Who fell through the stop going up to the operating box?

What picket challenged the old 'ewe' in the butcher's field?

The telegraph clerk who has had another breakdown: is this a weekly spasm?

Who was the picket who went to the barber's for a shave and fell asleep in the chair?

Meetings.

Mr J. Annand will address a meeting in the Lomond Hotel, Freuchie, tonight at 7.30 pm.

Meeting here tonight at 7.30 pm, when a speaker from the Mining quarter will speak. We hope to have time for a few songs tonight.

## Headquarters.

No news. The *British Worker* edited in Glasgow will be on sale here every morning. Price one penny.<sup>1</sup>

<sup>1</sup> I.e., the *Scottish Worker* published by the STUC General Council. Though the TUC proposed to print an edition of the *British Worker* in Glasgow its attempts proved abortive. See, e.g., Minutes, STUC General Council, 9 May 1926.



# INDEX

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The English translation of the *Question about the Succession*, but not the Latin text, is indexed.



- ABERDEEN 83, 171, 206, 216, 219;  
 arrests in 184; bishop of 10; cathedral  
 chapter of 21; conflict of police and  
 strikers in 184, 230; earl of *see*  
 Gordon, William; electricity supply  
 in 229; places in: Advocate's Park  
 232, Beach Pavilion 232, Belmont  
 Street 229, 230, 232, 234, 235, 236,  
 Bridge of Dee 206, Donside paper  
 mill 234, electricity station 229, His  
 Majesty's Theatre 232, 234;  
 railwaymen's strike committee at  
 228, 235; strike position at 206, 229,  
 230, 234, 235, 239, 263; student  
 strike-breakers at 184, 234; Town  
 Council 229, 231, 235; theatrical  
 show at 232, 234; train services at  
 228, 229; tram and bus services in  
 184, 206, 229, 230, 231;  
 tramwaymen at 235, 236, 266; *see*  
*also* general strike; newspapers and  
 periodicals; strike bulletins; strike  
 committees; trades councils
- Aberhill brickwork 205
- Abertillery 199
- Abingdon, earl of *see* Venables-Bertie,  
 Montague
- Aboyne, earl of *see* Gordon, John
- Acts: against Irregular Baptism (1695)  
 127-8; Conspiracy and Protection of  
 Property (1875) 182, 261; Defence  
 of the Realm (DORA) (1914) 252;
- Emergency Powers (1920) 178, 252;  
 Settlement, 'for limiting the  
 Succession' (1701) 108, 129, 155;  
 Trade Disputes (1906) 182, 183, 261;  
 Treason (1709) 108, 114, 155, 164;  
 Uniformity (1693) 124; Union  
 (1708) 164; Vacant stipends,  
 'intruding' (1685) 124, 138; 6 and 7  
 Wil. & Mar. c. 12 128; *see also* bills
- Adamson, William, MP 209, 217
- Airdrie 238, 263; *see also* strike bulletins
- Aitchison, Craigie, KC, MP 187, 190,  
 193
- Alloa 74, 215, 224, 257
- America 221, 268; exports to 137, 139
- Amsterdam 175
- Anderson, James 134
- Angusel, king of Scots 43
- Anna of Denmark, queen of Scots 89
- Annan 262
- Annand, Mr J., a speaker 270
- Annandale 15, 16; marquis of *see*  
 Johnstone, William
- Anne, queen 110-11, 113, 123, 126,  
 127, 129-30, 138-9, 144, 152-3,  
 156-7, 160, 165
- Annemuir 204
- Annesley, Arthur, 5th earl of Anglesey  
 (Anglesey) 124, 131, 136, 140, 157
- Anstruther 205, 206, 209
- Anstruther (Enster), Sir John, MP 134

- Arbuthnott (Arbuthnot), John, 5th Viscount 168  
 Ardrossan 261  
 Areskine, Sir Alexander, 2nd Bt, MP, Lord Lyon King of Arms 149  
 Argyll, earl and duke of *see* Campbell  
 Arthur, king 43  
 Ashfield, Lord, chairman, London Passenger Transport Board 255  
 Astbury, Mr Justice 259, 264, 265  
 Astor, Lady Nancy, MP 198  
 Atholl, duchess of *see* Ross, Mary; earl and duke of *see* Murray  
 Augustine, St, of Hippo 25  
 Auldearn, battle of 72  
 Ayr 266  
 Ayrshire 134, 266  
  
 BAILLIE, Mr, a contractor 191  
 Baillie, George, of Jerviswood 114, 134, 137, 150, 153; letters of 107-8  
 Baillie, William, general 67, 73, 77  
 Baker, George, MP 199  
 Balcarres, earl of *see* Lindsay, Alexander  
 Baldwin, Stanley, prime minister 179, 182, 190, 196, 200, 203, 226, 232, 250, 252, 253, 254, 259, 262, 263  
 Balfour, A.J., 1st earl of Balfour 247  
 Balfour-Melville, E.W.M., historian 1  
 Ballater 230  
 Balliol, Edward, king of Scotland 12, 15, 18  
 Balmerino, Lady *see* Montgomerie, Christian; Ross, Ann  
 Balmerino, Lords *see* Elphinstone  
 Bangor, bishop of *see* Evans, John  
 Bangour *see* Hamilton, John  
 Bannatyne, James, of Corehouse, colonel 71  
 Barry, James, 4th earl of Barrymore (Barimore) 126  
 Barrymore, earl of *see* Barry, James  
 Bartolus of Sassoferrato 5  
 Bath (the Baths) 132-3  
 Bathgate 180, 183, 188, 192  
 Baylie Smarts 133  
 Beardmore's *see* Dalmuir  
 Beaufort, duke of *see* Somerset, Henry  
 Beaumont, Henry, Lord 57  
 Bedford 231, 261, 269  
 Belfast 265  
 Belgium 269  
 Bellenden, William, Lord Bellenden 93  
 Bennet, Charles, 2nd Baron Ossulton 139, 147; diary of 107  
 Bentinck, Henry, 2nd earl of Portland 131  
 Berlin 191  
 Berwick 7, 19, 73, 76, 77, 78, 86, 194, 195, 233; treaty of (1357) 7, 9, 33  
 Bevin, Ernest, general secretary, T&GWU 196, 251  
 Bills: African Company (1713) 163; continuation (1713) 154; French Commerce (1713) 115, 153-4, 156, 162; Land Grants (1711) 131; Malt Tax (1713) 113-16, 155, 157-60, 163; Patronage(s) (1712) 109, 112, 127-8; Peerage (1719) 116-19, 142, 167, Scottish provisions of 108, 113, 166; precedence of the Duke of Cambridge (1712) 140; precedence of Princess Sophia (1712) 140; prerogative (1712) 141, 143, 148; Quakers affirmation (1713) 154; resumptions (1711) 131; repeal of Union (1713) 108, 114-15, 152-3, 155-6; Scottish Linen (1711) 105, 108, 135-8; 'Scottish Peerage' 117, 119-20; Toleration (1711) 127, 129; Toleration or Scottish Episcopal

- Communion (1712) 109, 112,  
147-9; *see also* acts
- Bing *see* Byng
- Birgham, treaty of (1290) 4, 10, 23, 35
- Birkenhead 261, 269
- Birkenhead, Lord, secretary of state for  
India 190
- Birmingham 231, 261, 269
- Bishop's Stortford 198, 233, 264
- Black Death 47
- Blair, Robert, minister 76
- Blairhall 218, 219
- Blanche, duchess of Lancaster 57
- Blantyre, Lords *see* Stewart
- Blenheim 132
- Blewcap club *see* Society of the Board  
of Brothers
- Bligh, John, MP 132
- Boddam 230
- Bolingbroke, Viscount *see* St John,  
Henry
- Bo'ness 180, 262
- Boniface VIII, pope 37
- Bonnybridge: Co-operative Society  
234, 265
- Bonnyrigg 194
- Borders, the 180, 205, 239
- Bower, Walter, chronicler 11, 12, 13
- Bowhill, Fife 204, 217, 219
- Boyd, Robin 130
- Boyle, David, 1st earl of Glasgow 168
- Brandon, duke of *see* Hamilton, James
- Bretigny, peace of 16, 33
- Bridges, John, letters of 107
- Bridges, Ralph 107; letters of 107
- Bristol 196, 258, 259
- British Gazette* *see* newspapers and  
periodicals
- British Worker* *see* newspapers and  
periodicals
- Brittany 47
- Brodie, Alexander 79
- Brown, John, captain 81, 83-4
- Broxburn 262
- Bruce, Thomas, 7th earl of Kincardine  
(Kincardin) 165-8
- Bruce, William 106, 146, 148
- Buccleuch, earls, countesses and duke  
of *see* Scott
- Buchan, earl of *see* Comyn, John
- Buckhaven 206, 207, 209, 210, 228
- Buckingham, dukes of *see* Sheffield,  
John; Villiers, George
- Burnet, Alexander, archbishop of  
Glasgow 96-7
- Burnet, Gilbert, bishop of Salisbury 58,  
64
- Burnett, John, jurist 183
- Burns, Robert 251
- Burntisland 82, 204, 215, 218
- bus services: in general strike 174, 256,  
257; Aberdeen 184, 206, 229, 230,  
231; Anstruther 206, 209; Bathgate  
183; Birmingham 231, 261, 269;  
boycott of 212, 221, 261, 264;  
Dundee 229; Dunfermline 215, 218,  
221, 224; Edinburgh 178, 185, 197;  
Falkirk 195; Glasgow 256, 261, 269;  
Greenock 239; Kilmarnock 261;  
Kirkcaldy 210, 220; Lanarkshire 263;  
London 195; Methil 212; North  
Ayrshire 261; Paisley 239; Partick  
256; St Andrews 209; Wemyss 220;  
*see also* general strike; tramway  
services
- Byng (Bing), Sir George, MP 154
- Byron, Lord 238
- CAERNARVON: County Council 192,  
199, 243, 258, 269

- Cairney, William, secretary,  
International Class War Prisoners  
Aid 210
- Caithness, earl of *see* Sinclair, Alexander
- Callander, countess of *see* Hay,  
Margaret; earl of *see* Livingstone,  
James
- Cambridge 249; duke of *see* George II;  
University of 138
- Cambuslang 184; *see also* strike bulletins
- Campbell, Archibald, 8th earl and 1st  
marquis of Argyll 66, 69, 71–2, 78
- Campbell, John, 2nd duke of Argyll  
(Argyle) 105, 116, 117, 119–20, 123,  
126–9, 153, 155–6, 158–62, 165–6
- Campbell, Archibald, earl of Ilay (Yla),  
representative peer (1707–13,  
1715–61) 105, 116, 123–4, 127,  
135–6, 140, 145, 152–3, 155,  
158–60, 163, 165–6; house of 152
- Campbell, John, 1st earl of Loudoun  
65–6, 100
- Campbell, James, 2nd earl of Loudoun  
100
- Campbell, Hugh, 3rd earl of Loudoun  
(Lowdown), representative peer  
(1707–31) 100, 105, 114, 126–9, 132,  
140, 145–6, 155, 161
- Campbell, Sir James, of Ardkinglas 84
- Canada 221, 268
- Cannon, Robert, of Mondrogat 94
- Canterbury 19; archbishop of 37; *see  
also* Davidson, Randall Thomas
- Capel, Arthur, Baron Capel 79
- Cardiff 206, 239
- Carey, William Ferdinand, 8th Baron  
Hunsdon (Hundsdon) 147
- Carlisle 76, 77, 78, 171, 215, 216, 262,  
269; bishop of *see* Nicolson, William
- Carnegie, David, 4th earl of Northesk  
166
- Carnegy, James 103
- Carnwath *see* Lockhart
- Carnwath, earl of *see* Dalryell, Robert
- Carte papers, Bodleian Library 103
- Carteret (Cartwright), John, 2nd Baron  
160
- Cassillis, countess of *see* Hay, Margaret;  
earls of *see* Kennedy
- Catrine 266
- Cavendish, William, 2nd duke of  
Devonshire 140
- Cavendish, William, 2nd earl and 1st  
duke of Newcastle 68–71
- Ceres 209
- Chancellor, Lord *see* Harcourt, Sir  
Simon
- Chancery 135
- Charlemagne, emperor 25
- Charles I, king 60–1, 65–7, 69, 75–9, 89
- Charles II, king 59–60, 78–83, 87, 89–98
- Château Gaillard 27
- Cheltenham 258
- Chicago 214
- Child, Rebecca, Lady Granville 140
- Chisholm, John, sheriff 182
- Churchill, John, 1st duke of  
Marlborough 126, 142
- Churchill, Sarah, duchess of  
Marlborough 132
- Churchill, Winston, chancellor of the  
exchequer 190, 193, 197, 201, 224,  
263
- Cicero 35, 55
- Citrine, Walter, acting general  
secretary, TUC 189, 237
- Clackmannan 209, 214
- Clarendon, earl of *see* Hyde, Edward
- Clarke, Andrew, secretary, Mid and  
East Lothian Miners' Association 194
- Clement VIII, pope 99

- Clyde: engineering and shipbuilding trades 232, 243, 262; river workers on 261
- coal: bunkering of prevented 269; cargo returned from Kirkcaldy to Leith 210; embargo at continental ports 246, 258, 269, 270; outcropping forbidden 206; owners 170, 182, 183, 199, 264, Mining Association of 270; pits, safety men in 224; profiteering in sale of 257; sale of, from bings, forbidden 205
- coal industry: crisis in 170; negotiations preceding general strike 170, 182, 258; Royal Commission (Samuel) on 170, 203, 258, 270; subsidy to 170
- coal miners: general strike and 170, 174, 177, 199, 241; hours of labour of 204, 253, 258, 260, 270; lock-out of 170, 204, 258, 260; local strike committees of 214, 215; maintenance by church of family of 263; picket tram depot 184; slogan of 179; support railwaymen 213; unemployment among 258, 260; wages of 170, 187, 190, 196, 199, 204, 226, 236, 240, 247, 253, 257, 258, 260, 270; *see also* trade unions
- Coalburn 262
- Coatbridge *see* strike bulletins; strike committees
- Cochrane, William, Lord and 1st earl of Dundonald 93, 95
- Cochrane, John, 4th earl of Dundonald, representative peer (1713-15) 130, 138
- Cochrane, William, MP, of Kilmaronock 132; *see also* 'Kilme'
- Cockburn, Adam, Lord Ormiston 161
- Cockburn, John, MP, of Ormiston 134, 150, 153
- Cockburn, William, major 94
- Coll, Adam, minister of Musselburgh 65
- Coll, John, tutor 65
- Colville (Colvill), Robert, 3rd Lord, of Ochiltree 122
- Commerce, Treaty of, 9th article of 153, 155, 162
- Commons, House of 112-15, 124-5, 130, 133, 137, 142, 147, 152-3, 187, 192, 193, 198, 201, 203, 252, 254, 265; address to 117; Committee of Ways and Means 113; Scottish MPs 112-13, 137, 150-1, 153; speaker of 130
- Compton, Henry, bishop of London 107, 159
- Comyn, John, earl of Buchan 57
- Comyn, Alice 57
- Convocation, members of 138
- Conway, Francis Seymour, 1st Baron 137
- Cook, A.J., general secretary, Miners' Federation of Great Britain 179, 226, 247, 263
- Cook, James, Fife, Kinross and Clackmannan Miners' Association 217
- co-operative societies: in general strike 174, 179, 194, 198, 265; Bank 233; Bonnybridge 234, 265; Edinburgh and Lothians 193; Gorebridge 193; Kettle 270; Kilsyth Choir 264; Musselburgh 193; Paisley Provident 245; Portobello 193; Prestonpans 193; SCWS 231, 237; Tranent 186, 193
- Coote (Coot), Thomas, lieutenant-colonel 126
- Cosin, John, bishop of Durham 97
- Coupar, Lord *see* Cowper, William; Elphinstone, James

- Cowdenbeath 214, 221, 222, 223, 224, 266
- Cowper (Couper), William, 1st Baron, 1st Earl 109, 143, 154, 160, 167
- Cramp, C.T., industrial general secretary, NUR 188, 205, 207, 211, 212, 213, 223, 237, 247, 249, 266
- Crawford (Crawford-Lindsay), earls of *see* Lindsay
- Crewe 239
- Crianlarich 269
- Crieff 209
- Cromartie, earl of *see* Mackenzie, John
- Cromwell, Oliver 60-1, 72, 78-82, 87-8
- Crookshanks, John 163
- crowning and anointing 3, 31, 43
- Cullen, Father, SJ 202
- Cumnock 262
- Cunningham, William, 9th earl of Glencairn 78, 90, 92-3
- Cupar 209, 219
- Curr, Mr, slaters' union 267
- DALHOUSIE, earls of *see* Ramsay
- Dalhousie papers, Scottish Record Office 99
- Dalkeith 74, 87, 186, 188, 194, 197, 202
- Dalmuir, Beardmore's of 237
- Dalrymple, Margaret, Lady Balmerino 100
- Dalrymple, Margaret, countess of Loudoun 100
- Dalrymple, Jean, countess of Panmure 100
- Dalrymple, John, 2nd earl of Stair, representative peer (1707-8, 1715-34, 1744-7) 100, 164
- Dalrymple, Sir David, MP, 1st Bt 149, 157, 164
- Dalrymple, Hugh, of North Berwick, lord president 149
- Dalrymple, James, tramways manager 233, 238, 246, 247, 263
- Daly, Colonel 236
- Dalyell, Robert, 5th earl of Carnwath 120
- Darvel 266
- David II, king of Scots 2-57
- Davidson, J.C.C., MP 190
- Davidson, Randall Thomas, archbishop of Canterbury 192, 201, 248, 262, 263
- Dawson, Mr, tramways manager 213
- Denbeath 206, 207, 209, 210, 212
- Denny 198
- Deptford *see* trades councils
- Derby, earl of *see* Stanley, James
- Deskford, Lord *see* Ogilvy, James
- Devonshire, duke of *see* Cavendish, William
- Dewar, Mr, entertainer 266
- Dick, Sir William, of Braid 86
- Disbrowe, Samuel 85
- disinherited, the 4, 6, 14-16, 39, 45, 51
- Dollan, Patrick J., ILP 191
- Donside paper mills 234
- Doonan, James, agent, West Lothian miners 192
- Douglas, Sir William, earl of Douglas 9, 12
- Douglas, Mary, countess of Dunfermline 86, 89
- Douglas, William, 3rd duke of Hamilton 94, 96
- Douglas, William, 2nd earl of March 168
- Douglas, William, 8th earl of Morton 75, 86
- Douglas, James, 2nd duke of Queensberry, 1st duke of Dover, representative peer (1707-8) 122-3, 133, 144; house of, 122



- Douglas, Charles, 3rd duke of Queensberry, 2nd duke of Dover 117
- Douglas, William, 1st earl of Selkirk 146
- Douglas, Charles, 2nd earl of Selkirk, representative peer (1713-15, 1722-39) 100, 119, 131, 146, 168
- Douglas, Sir William, of Liddesdale 6, 27, 45
- Dover, dukes of *see* Douglas
- Drummond, David 158
- Drummond, Margaret, queen of Scots 9, 19
- Drummond, William, *The History of Scotland* 160
- Duff, William, newsagent 212
- Dumfries 258, 262; *see also* strike bulletins
- Dunbar 184, 186; battle of 60, 80-1
- Duncan, Joseph F., general secretary, Scottish Farm Servants' Union 191
- Dundee 80, 211, 221, 229, 258
- Dundonald, earls of *see* Cochrane
- Dunfermline, 80, 86, 89, 180, 215-28 *passim*; bus services in 215, 218, 221, 224; countesses of *see* Douglas, Mary; Hay, Margaret; Leslie, Grizel; cycling corps at 215, 219; earls of *see* Seton; food committee at 221; motor scouts at 222; permits system at 218, 222; picketing of motor cycles at 220; places in: Lesser Co-operative Hall 221, Public Park 217, 221, 224; policeman brandishes revolver at 228; printers at 219, 224; profiteering at 220; railwaymen at 214, 226; RCA at 224; strike meetings in 217, 221, 224; strike position at 180, 215, 216, 218, 221, 222, 224, 262; train services at 224; *see also* general strike; strike bulletins; strike committees; trades councils
- Dunlop, Captain A.R., OMS 182
- Dupplin, Viscount *see* Hay, George
- Durham 20, 27, 69; bishop of *see* Cosin, John; Miners' Association 246
- Dyer, John 130
- Dysart 210; earl of *see* Murray, William
- EAST LOTHIAN 87, 186, 188, 191, 257
- East Wemyss 207, 209, 210, 213, 215
- Edgehill, battle of 67
- Edinburgh 99, 109, 129, 153, 156, 177-204 *passim*; AEU in 177, 179, 191, 194; arrests in 181, 184; bishop of *see* Rose, Alexander; blacksmiths in 200; Boilermakers' Society in 179; Bookbinders in 185; bricklayers in 185; building trades in 177, 185; busmen in 177, 185; closure of licensed premises in 184, 188; Corporation 177, 178, Electricity Department 185; deputation to Lord Provost of 184, 222; engineering trades in 182, 185; ETU in 177, 214; Fire Brigade 201; foundrymen 185, 200; Holyrood House 168; hospital workers in 186; Independent Labour party in 178; Labourers' Union in 185; *Labour Standard* published in 171, 177, 178; Litho artists in 188; Litho printers in 185; magistrates of 109, 147, 181, 184, 188, 203; moulders in 182, 185, 191, 200; National Union of Corporation Workers in 177; non-union press at 184, 185; OMS volunteers in 182; patternmakers' union in 179, 185; peace of 21, 39; places in: Ardmillan Terrace 197, Bridges 184, Bruce Peebles' factory 185, Calton Hill 187, Canongate 184, Castlehill School 187, Castle Mills 191, District

Library 175, East constituency 187, engineering works 191, George Street 187, Granton 218, High Street 181, 184, Hillside Crescent 172, 177, 181, 182, 184, 189, 195, 198, 199, 204, Leith 106, 151, 178, 179, 188, 189, 191, 195, 210, docks 195, Street 181, Miller's foundry 182, Niddry 194, North constituency 192, Piershill 249, Portobello 190, 193, 196, power stations in 177, 178, 196, Princes Street 181, 187, Royal Infirmary 181, 186, St Andrew Square 197, St Margaret's locomotive depot 178, 188, 191, St Margaret's Tunnel 198, 201, 249, Scottish Labour College 171, Scottish Record Office 175, Shrubhill tram depot 200, trade union offices 171, Tron 181, University 179, 182, 184, Waverley Station 178; plumbers in 185; police in 181, 184, 222; printers in 173, 177, 178, 197; railwaymen in 178, 182, 198, 199; RCA members in 171; response to the general strike in 177, 178, 183, 185, 202, 263; sale of *Scottish Worker* in 190, 200; Scottish Horse & Motormen's Association in 177, 179, 185; Scottish Painters in 185, 186; slaters in 185; SMT in 179, 185; stonemasons in 185; street disturbances in 184; street meetings and processions in 181, 182; student strike-breakers in 177, 178, 184, 186, 187, 222; Town Council 177; train accident at 233, 249, 264; train services between London and 195, 198, 233; tram and bus services in 177, 178, 181, 185, 214; tramwaymen in 184, 187, 222;

transport permits system in 179, 182, 185, 186, 189; typefounders in 188; Typographical Society in 185; vehicle builders in 194, 200; *see also* general strike; newspapers and periodicals; strike bulletins; strike committees

Edward I, king of England 37, 49

Edward III, king of England 2, 4-9, 11-16, 18-20, 23, 27, 49, 51, 53, 55, 57

Edward, prince of Wales 4, 12, 53, 55

Eglinton, earls of *see* Montgomery

Eglinton, Sir Hugh 8

Elcho, Lord *see* Wemyss, David

Elderslie 239, 252

Elger, William, general secretary, STUC 191, 203, 205, 235

Elgin 10, 83, 86, 228, 230; *see also* strike bulletins

Elibank, Lord *see* Murray, Alexander

Elizabeth, queen of Scots 12

Elphinstone (Elphingston), Sir James, 1st Lord Balmerino 99

Elphinstone, John, 2nd Lord Balmerino 99

Elphinstone, John, 3rd Lord Balmerino 99-100, 146

Elphinstone, John, 4th Lord Balmerino, representative peer (1710-14): absences from House of Lords 112, 143, 146-7; activity in House of Lords 104-6; and draft legislation 128-9, 131; and the Hamilton peerage case 146; and James Greenshields 109; and patronage 116, 134, 166-7; and the succession 107; and the Union 107, 114, 148, 163-5; attendance of House of Lords 105; career of 99, 101; connections of 100-1; dining 124, 130, 133, 147,

- 151; Jacobitism of 102-3, 123;  
 knowledge of the Constitution 101;  
 letters of 99, 103-4, 113, 151;  
 holograph 106, to earl of Oxford  
 149; letters to 103, 148; opposition  
 to French Commerce Bill 115-16;  
 opposition to change of status of  
 representative peers 117-19; orders  
 to wife 151; organiser of addresses  
 117; politics of 101-4; poverty of 99,  
 101; protest against Malt Tax Bill  
 115, 161-2; protest at general  
 election (1722) 120, 168; speeches in  
 House of Lords 144-5; support of  
 duke of Hamilton 110
- Elphinstone, James, styled Lord  
 Coupar, later 5th Lord Balmerino  
 100-1, 116, 134, 139-41, 146, 167
- Elphinstone, Charles, 9th Lord 168
- Ely, bishop of *see* Moore, John
- Emergency Press* *see* newspapers and  
 periodicals
- Engagement (1647-8) 60, 77-8, 80, 85
- England, linen manufacture in 136
- English, Patrick, captain 68
- Enster *see* Anstruther
- Erroll, earl of *see* Hay, Gilbert
- Erskine, Charles, 5th earl of Mar 100
- Erskine, John, 6th earl of Mar,  
 representative peer (1707-15) 100,  
 103, 114, 123, 132-3, 136, 140,  
 145-6, 153, 155-6, 165; lodgings of  
 155-7; 1st wife of 132; 2nd wife of  
 132
- Erskine, John, 19th earl of Mar 83
- Erskine, Sir Charles, of Alva, captain of  
 Dumbarton 84
- Erskine, Sir Robert 8, 12
- Evans, John, bishop of Bangor 109
- Everest, Mount 187
- exchequer 135
- F., Mr C. 134
- Fairfax, Ferdinando, 2nd Lord 70-2
- Fairfax, Sir Thomas, 3rd Lord 69, 70
- Falkirk 180, 188, 192, 195, 216, 262;  
*see also* strike bulletins; strike  
 committees
- 'Falstaff' 139
- Fenwick, George, colonel 84-5
- Ferrers, Baron *see* Shirley, Robert
- Fife 180, 209, 213, 216, 227, 262, 269;  
 east coast of 205; West constituency  
 172
- Finch, Heneage, 1st Baron Guernsey  
 127, 135, 137, 143, 144-5
- Finch, Daniel, 2nd earl of Nottingham  
 115, 143-5, 155, 159-61
- Findlater, earl of *see* Ogilvy, James
- Fitzroy, Charles, 2nd duke of Grafton  
 158
- Fleetwood, William, bishop of St Asaph  
 156
- Fleming, John, 6th earl of Wigtown  
 (Wigton, Wigtoun) 122, 130, 168
- Fletcher, Andrew, of Saltoun (Salton)  
 124-5, 129-30, 132, 138, 148,  
 151-2, 155, 157
- Forbes, William, 14th Lord 119
- Ford, Sir Patrick J., MP 192
- Fordun, John of 9, 27
- Forest of Dean 190
- Forfar 221
- Forrest Hall 195
- Forrester, Walter, bishop of Brechin 21,  
 22
- Forth, Firth of 220
- Fort William 259
- France, the French 7, 8, 9, 16, 27, 33,  
 83, 113, 135, 160, 191, 221, 253, 268
- Fraser, Alexander, 13th Lord Saltoun  
 168

- Fraserburgh 230
- Fraserdale *see* Mackenzie, Alexander
- Freind, Dr John 124
- Freuchie 270
- GADDERAR, James 128
- Galashiels 195, 258, 262
- Gallacher, John, cartoonist ('Gee Whiz') 172, 238, 243, 247, 250, 251, 255
- Gallacher, William, MP 172
- Gallatown 210
- Galloway, earl of *see* Stewart, Alexander
- Garnock, Viscount *see* Lindsay-Crawford, Patrick
- Gaunt, John of, earl of Richmond, duke of Lancaster 4, 5, 6, 12, 13, 22, 55, 57
- Gee, Arthur, T&GWU 246
- Gee Whiz *see* Gallacher, John
- general council: Scone (?1351) 6, 27; Scone (1357) 14, 51; Perth (1365) 14-15, 16, 18; Holyrood (1366) 17; (1412) 21; (1416) 21
- general election (1711) 110
- general election (1713) 163, 165
- general election (1722) 101, 106, 117, 165-8
- general election (1734) 104
- general strike 169-271 *passim*; agents provocateurs and spies in 189, 195; aim and purpose of 173, 174, 177, 183, 189, 190, 192, 197, 199, 202, 223, 228, 236, 242, 245, 247, 248, 249, 250, 251, 257, 260, 268; armed forces in 174, 204, 207, 210, 224, 225, 231, 246; arrests in 181, 184, 195, 198, 199, 210, 213, 224, 227, 228, 230, 269; Astbury Judgement and 259, 264, 265; bakers in 190, 239; BBC and 173, 174, 190, 201, 213, 216, 220, 223, 229, 231, 238, 240, 246, 248, 249, 256, 259, 260, 262, 263; beer convoys in 224, 225, 228, 257; blacksmiths in 191, 200, 234; boilermakers and 253, 260, 262; building trades in 177, 185, 186, 191, 204, 206, 224, 230, 237, 251, 261, 268; calling off of 172, 173, 174, 189, 203, 213, 234, 235, 251, 253, 264, 266; churches and 174, 182, 192, 199, 201, 248, 262, 263; Central or National Transport Committee in 179, 198, 265; communal feeding in 196, 207, 211, 216, 217, 218, 222, 224, 225, 228; concerts, dances and entertainments in 174, 201, 207, 209, 210, 213, 266, 270; cost of 238; cycle, motor cycle and motor corps in 205, 215, 216, 217, 219, 222, 224; dockers in 189, 204, 213, 261, 262, 263, 265, 269; dockyards, HM, and 200, 236, 266; duration of 169, 251; electricity supply and electricians in 174, 177, 178, 179, 185, 200, 214, 229, 231, 258, 263; engineering and shipbuilding workers in 174, 179, 182, 185, 191, 199, 201, 230, 232, 234, 237, 243, 247, 248, 249, 250, 251, 253, 262; Fascists in 210; feeding of school-children in 174, 186, 202, 206, 215, 216, 217, 219, 225; food supplies during 174, 179, 180, 192, 194, 201, 217, 229, 230, 231, 267, *see also* prices; football matches between strikers in 232, 241, 243, 246; foundry workers in 180, 182, 185, 191, 200; funds for strikers in 207, 213, 232, 243; international support for 191, 201, 212, 221, 243, 246, 247, 258, 260, 263, 265, 268; intimidation in 197, 219; legal or constitutional aspects of

- 174, 182, 183, 187, 189, 190, 193, 194, 196, 197, 199, 202, 240, 241, 242, 247, 248, 250, 254, 255, 259, 261, 264, 265, 268; meetings and demonstrations in 195, 197, 207, 209, 240, 270, mass 201, 209, 212, 213, 215, 217, 222, 224, 259, 266, 268, official and unofficial 221, permission refused for 265, of strikers' wives 201, 265, for women 213; newsreel of 263; number of strikers in and after 204, 245; OMS in 182, 187, 189, 197, 218, 228, 233, 237, 243, 261; order, disturbances and violence in 174, 178, 181, 182, 183, 189, 192, 197, 204, 205, 211, 222, 223, 224, 228, 229, 230, 237, 247, 252, 262, 265; origins of 170, 174, 193, 197, 203, 237, 241, 242, 252; painters in 180, 185, 186, 197, 206, 209, 268; paper workers in 186, 188, 197, 217, 234, 263; parish relief in 196, 219, 225, 264; permits for transport of foodstuffs in 174, 179, 194, 218, 232, 239, 267, ended by National Transport Committee 265, forged 220, free of charge 207, 210, 212, at Bathgate 188, Dunfermline 218, 222, Edinburgh 179, 182, 185, 186, 189, Glasgow 180, Leslie 217, Longcroft 198, Perth 195, West Lothian 192, railwaymen's embargo and 182; picketing in 174, 180, 186, 188, 189, 192, 194, 195, 198, 206, 207, 210, 211, 212, 213, 218, 219, 220, 222, 268; police in 174, 184, 186, 197, 201, 211, 222, 223, 228, Aberdeen 184, 206, 230, Coatbridge 200, Dalkeith 197, Donside paper mills 234, Dunfermline 227, 228, Edinburgh 181, 184, 222, Glasgow 184, 231, 236, 257, 259, 261, 269, Hill of Beath 225, Leven 211, 213, 220, Lochgelly 225, Lothians 194, Methil 224, Muiredge 205, 211, Norwich 234, Sheffield 207, Stirlingshire 194, Thornton 205, Valleyfield 225, Wellwood 222; preparations for 169, 170, 171; press in 175, 178, 230, 237, 243, 269, boycott of urged 184, 247, 261, inaccurate or misleading reports in 173, 184, 185, 192, 199, 201, 202, 229, 240, 248, 270, *see also* newspapers and periodicals; prices in 174, 193, 218, 219, 220, 225, 234, 259, 265; printers in 171, 173, 194, 234, 237, 242, Aberdeen 234, Berwick 195, Borders 195, Dunfermline 219, 224, Edinburgh 177, 178, 181, 185, 188, 214, Glasgow 237, Greenock 268, Hawick 180, Inverkeithing 215, Kirkcaldy 209, Leven 204, Paisley 251, Perth 211, Stevenston 261; profiteering in 174, 218, 220, 257, 262; railway clerks in 188, 206, 212, 215, 221, 230, 239, 245, 259, 264, 268; railwaymen in 177, 179, 180, 236, 237, 240, 256, 270, Aberdeen 228, 235, Bathgate 180, Berwick 195, Burntisland 204, Dunfermline 214, 226, East Lothian 184, 186, Edinburgh 178, 188, 191, 199, Glasgow 231, 240, 256, Greenock 268, Ladybank 170, 213, Methil 213, Leslie 217, Musselburgh 191, 197, Paisley 251, Perth 206, 266, return to work after by 226, 228, 255, stationmasters 239, Thornton 213; railway services in 174, 195, 207, 212, 253, 256, 258, 259, 265, accidents during 174, 198, 201, 224, 231, 233, 249, 264, Aberdeen 228,



- 229, Birmingham 231, 261,  
 Burntisland 215, Carlisle 269,  
 dangers of 195, 212, 224, 231, 249,  
 Dundee 211, Dunfermline 224,  
 Edinburgh 184, 199, Glasgow 231,  
 236, 239, 249, 255, 256, 267, 268,  
 270, Greenock 236, 267, 268,  
 Kinross 217, Ladybank 210, Leven  
 207, 220, 221, Motherwell 269,  
 Musselburgh 186, North Ayrshire  
 261, north-east Scotland 228, 230,  
 Paisley 238, Perth 204, 206, 211,  
 post-strike 228, West Highlands 269;  
 response by workers generally in  
 174, 177, 183, 205, 223, 231, 232,  
 239, 240, 242, 248, 256, 258, 269,  
*see also* individual towns and  
 occupations; resumption of  
 negotiations urged in 174, 182, 192,  
 198, 199, 200, 221, 232, 233, 239,  
 243, 248, 250, 258, 262, 263, 268,  
 269; returns to work during 200,  
 247, 251; rumours in 177, 204, 205,  
 211, 231, 260, 261, 262; Samuel  
 Memorandum and 203, 226; seamen  
 in 206, 265; 'second line' in 174,  
 179, 199, 232, 247; sentences,  
 imprisonment, and release sought in  
 178, 198, 203, 210, 212, 227;  
 significance of 189, 251; solidity of in  
 second week 199, 200; speakers  
 during 195, 207, 209, 210; success of  
 expected or claimed 181, 183, 189,  
 193, 199, 211, 221, 232, 245, 248,  
 251, 252, 262, 264, 268; taxi drivers  
 and 190, 216, 231, 243, 261, 269;  
 terms of settlement and aftermath of  
 203, 204, 212, 213, 226, 227, 228,  
 235, 236, 251, 252, 254;  
 tramwaymen and 177, 184, 186, 187,  
 213, 222, 233, 246, 251, 256, 259,  
 266, *see also* tramway services;  
 transport workers in 179, 180, 186,  
 198, 212, 229, 233, 266;  
 unemployed and 170, 197, 240, 263;  
 victimisation and 182, 213, 226, 227,  
 254, 261; voluntary workers  
 (blacklegs or strike-breakers) in 174,  
 182, 187, 190, 196, 198, 220, 265,  
 Dunfermline 224, Edinburgh 177,  
 178, 184, 200, 214, Glasgow 240,  
 256, Greenock 268, Hull 214,  
 Ladybank 204, Leven 207, London  
 231, Perth 267, students: Aberdeen  
 184, Burntisland-Granton 218,  
 Donside paper mills 234,  
 Dunfermline 224, Edinburgh 177,  
 178, 182, 184, 186, 187, 196, 222,  
 Glasgow 184, 191, 210, 239, 242,  
 263, 269, women 268; women in  
 174, 195, 201, 213, 234, 264, 265;  
 workers' defence corps in 174, 205,  
 210; *see also* bus services; coal;  
 co-operative societies; newspapers  
 and periodicals; Scottish Trades  
 Union Congress; strike bulletins;  
 strike committees; trade unions;  
 trades councils; Trades Union  
 Congress; tramway services  
 George I, king, 103, 119, 140; address  
 to 117  
 George II, king, previously electoral  
 prince of Hanover, duke of  
 Cambridge 103, 140, 156  
 Gerard, Elizabeth, duchess of Hamilton  
 140  
 Germany 191, 221, 268, 269  
 Gilmour, Sir John, advocate 88, 91  
 Gilmour, Sir John, secretary for  
 Scotland 198, 203  
 Glasgow 74, 81, 84, 142, 171, 173, 180,  
 183, 184, 188, 191, 221, 246, 256;  
 archbishops of *see* Burnet, Alexander;  
 Leighton, Robert; Clyde Trust in



- 261; earl of *see* Boyle, David; Fascists in 210; government emergency organisation at 236; magistrates of 265; Music Festival 264; places in: Albion Motor works 256, 259, Bath Street 246, 252, BB Cinerama 263, Bridgeton 192, Central police station 236, Central Station 231, 240, 270, Dennistoun 184, tram depot 266, docks 256, 263, East End 261, 269, Garngad 263, *Glasgow Herald* office 237, Govan 265, tram depot 259, Halley's works 259, Langside tram depot 259, McLellan Galleries 265, Maryhill tram depot 259, Mitchell Library 175, Orchard Street 259, 266, Partick 255-66 *passim*, Picture House 259, 266, Pinkston power station 256, 263, Royal Infirmary 261, Ruby Street 184, St Andrew's Hall 264, St Mathias' Episcopal Church 263, St Rollox railway workshops 256, subway 246, 259, tramway depots 256, 259, University 242, Labour Club 191, Victoria Road 263; Roll of Voluntary Workers 236; Town Council 265, Transport Committee of 180; warehouse staff in 260; *see also* general strike; newspapers and periodicals; strike bulletins; strike committees; trade unions
- Glencairn, earl of *see* Cunningham, William
- Glencraig 204, 217
- Godolphin, Sidney, 1st earl of 124, 136
- Goodwin, Mr T., Co-operative Bank 233
- Gordon, William, 2nd earl of Aberdeen, representative peer (1721-7), 117, 119-20, 166
- Gordon, John, 3rd earl of Aboyne 168
- Gordon, George, 2nd marquis of Huntly 69
- Gordon, Harry, comedian 232, 234
- Gorebridge 193, 194
- Gourlay, A., printer 206
- Gourock 267
- Grafton, duke of *see* Fitzroy, Charles
- Graham, James, 1st marquis of Montrose 61, 72-4, 76
- Graham, James, 1st duke of Montrose, representative peer (1707-10, 1715-34) 107, 150, 159
- Graham, Mungo, letters of 107
- Grange, Lord *see* Erskine, James
- Grant, James, of Freuchie, laird of Grant 83
- Granville, Lady *see* Child, Rebecca
- Gray, John, 9th Lord 168
- Greenock 170, 172, 175, 236, 239, 267-9
- Greenshields (Greensheids), James, 101, 109, 124, 127, 133, 138
- Grey, Charles Robert, 5th Earl Grey 247
- Grey, Sir Edward, Viscount Grey of Fallodon 190, 247, 249
- Grey, Henry, duke of Kent 160
- Guernsey, Baron *see* Finch, Heneage
- Guthrie, James, minister 59
- HADDINGTON 65, 74, 80, 149; earl of *see* Hamilton, John
- Haldane, John 150
- Halifax, Baron *see* Montagu, Charles
- Halket, Robert, colonel 81
- Hallsworth, Joseph, general secretary, National Union of Distributive and Allied Workers 198
- Hamilton, John, 4th earl of Haddington 96
- Hamilton 262; duchesses of *see* Hamilton, Anne; Gerard, Elizabeth

- Hamilton, Anne, duchess of Hamilton, wife of 1st earl of Selkirk 146
- Hamilton, James, 3rd marquis and 1st duke of Hamilton 66-7, 69, 76-7, 79
- Hamilton, William, earl of Lanark and 2nd duke of Hamilton 66, 69, 73-4, 76, 78, 80, 83
- Hamilton, 3rd duke of *see* Douglas, William
- Hamilton, James, 4th duke of  
Hamilton, 1st duke of Brandon, representative peer (1708-12) 100, 102, 110, 113, 122, 131-41, 144, 146-7, 150; house of 112, 133, 141, 147-8
- Hamilton, James, 5th duke of Hamilton 117-18, 165
- Hamilton, Margaret, countess of Panmure 100
- Hamilton, John, 1st earl of Ruglen 168
- Hamilton, Lord Basil 133
- Hamilton, James, of Pencaitland 134
- Hamilton, John, of Bangour 161-3
- Hamilton, Thomas, of Paisley 243
- Hamilton, William, son of William  
Hamilton of Wilshaw 134, 147
- Hamilton peerage case 110-12, 114; decision of 108, 117, 145-6; boycott against 104, 112-13, 142-3, 146-8; votes on 105, 110, 161
- Hanover, electoral prince of *see* George II
- Harcourt, Sir Simon, Baron, Lord Keeper (Chancellor) 135, 138, 141, 147-8, 161, 164
- Harley (Harlay), Robert, 1st earl of Oxford, Lord Treasurer 110-13, 115-17, 125, 128, 130-2, 134-5, 136, 141, 142, 143, 147, 154-5, 158, 160, 162-3, 164, 166; daughter of 132; lodgings of 163; son of 132
- Haversham, Baron *see* Thompson, John
- Hawick 180, 195, 262
- Hay, Margaret, Lady Ker, later countess of Cassillis 69-70
- Hay, Margaret, countess of  
Dunfermline and later of Callander 62, 65, 72, 88, 89
- Hay, George, styled Viscount Dupplin (Duplin) 158
- Hay, Gilbert, 11th earl of Erroll 70
- Hay, George, 1st earl of Kinnoull 74
- Hay, George, 2nd earl of Kinnoull 74
- Hay, Thomas, 7th earl of Kinnoull, representative peer (1710-15) 149
- Hay, John, Lord Yester, 1st earl of Tweeddale 60-2, 65-70, 75, 76, 86
- Hay, John, Lord Yester, 2nd earl and 1st marquis of Tweeddale 58-98  
*passim*
- Hay, John, Lord Yester, 2nd marquis of Tweeddale 60, 63, 78, 83, 85, 92, 97
- Hay, Charles, 3rd marquis of Tweeddale 96
- Hay, John, 4th marquis of Tweeddale (Tweedail), representative peer (1722-34, 1742-62) 118-19, 168
- Hay, Alexander, of Baro: wife of 96
- Hay, Archibald 76
- Hay, George 128
- Hay, Sir James, of Linplum 76-7
- Hay, Sir James, of Smithfield 67, 76
- Hay, Jean, daughter of 2nd earl of Tweeddale 75, 83
- Hay, Sir John, of Hayestone 75
- Heaton Chapel 195
- Henderson, Alexander, minister 76
- Henry IV, king of England 20
- Henry V, king of England 22
- Henry, duke of Lancaster 57
- Hepburn, Sir Patrick, of Waughton 71
- Herbert, Henry, 2nd Baron, of Chirbury 147, 160
- Hesse Darmstadt, prince of 133

- Hill of Beath 225  
 Hilversum 243  
 Hodges, Frank, miners' leader 246  
 Holborne, James, general 82  
 Holland 78, 85, 157, 258, 269  
 Holland, earl of *see* Rich, Henry  
 Holy Land 47  
 Home, Alexander, 4th earl of Home 97  
 Home, Alexander, 7th earl of Home,  
   representative peer (1710-13) 123, 158  
 Home, Sir David, of Wedderburn 74  
 Home, Sir John, of Renton 93  
 Hope, Sir James, of Craighall 89  
 Horrabin, J.F., author 175  
 Hull 66, 214, 261, 269  
 Hume, Sir Patrick, 1st earl of  
   Marchmont 150  
 Hunsdon, Baron *see* Carey, William  
   Ferdinand  
 Huntly, marquis of *see* Gordon, George  
 Hyde, Edward, 3rd earl of Clarendon:  
   daughter of 132  
 Hyde, Laurence, 1st earl of Rochester  
   125, 131
- ILAY, earl of *see* Campbell, Archibald  
 Innerleithen 195  
 Inverkeithing 215, 219, 263; battle of 82  
 Inverness 205, 215, 216  
 Ireland, the Irish 12, 15, 17, 39, 43, 47,  
   73, 77, 78, 132, 138, 191, 221, 268;  
   linen manufacture in 135-6  
 Irvine 261, 266; Valley 263  
 Isabella, duchess of Lancaster 57
- JAFFRAY, Alexander, provost of  
   Aberdeen 79  
 James I, king of Scots 20, 21, 22, 160  
 James VI, king of Scots 89  
 Japan 191, 252  
 Jedburgh 45  
 Jarviswood *see* Baillie, George
- 'Jix' *see* Joynson-Hicks, Sir William  
 Joan, queen of Scots 8  
 John II, king of France 9, 27, 47  
 John of Gaunt *see* Gaunt, John of  
 John O'Groats 239  
 Johnstone, William, 1st marquis of  
   Annandale (Annandail),  
   representative peer (1708-13,  
   1715-21) 104, 112-13, 118, 127,  
   130-1, 133, 141, 143, 147, 149, 162,  
   168  
 Johnstone, Sir Archibald, of Wariston  
   74  
 Johnstone, William, colonel 69  
 Joynson-Hicks, Sir William, home  
   secretary 190, 220
- KEEPER, Lord *see* Harcourt, Sir Simon  
 Keith, John, 3rd earl of Kintore 168  
 Keith, William, 8th Earl Marischal,  
   representative peer (1710-12) 123,  
   131, 133  
 Kelty 215, 217, 219, 221  
 Kennedy, John, 6th earl of Cassillis 69,  
   79  
 Kennedy, John, 8th earl of Cassillis  
   (Cassils) 168  
 Kensington (Kensinton) 153  
 Kent, duke of *see* Grey, Henry  
 Ker, Mark, 1st earl of Lothian 65  
 Ker, William, 3rd earl of Lothian 73,  
   79-80  
 Ker, Robert, 1st earl of Roxburghe 70,  
   73, 97  
 Ker, William, 2nd earl of Roxburghe 97  
 Ker, John, 1st duke of Roxburghe  
   (Roxburg, Roxburgh),  
   representative peer (1707-10,  
   1715-27) 122, 150  
 Ker, Gilbert, colonel 81  
 Ker, Mary 65, 77  
 Ker, Robert, schoolmaster 65

- Kershaw, Mr, Transport Workers' Executive 269
- Kilmarnock 132, 187, 260, 261, 266
- 'Kilme' (?William Cochrane of Kilmaronock) 132
- Kilsyth 262, 264; battle of 73; Viscount *see* Livingston, William
- Kilwinning 261
- Kincardine, earl of *see* Bruce, Thomas
- King, Sir Peter, MP 154
- Kingseat 215
- Kingskettle 270
- Kinnoull, earls of *see* Hay
- Kinross 209, 210, 216, 217, 221
- Kintore, earl of *see* Keith, John
- Kirkcaldy 175, 204, 210, 220, 221, 228
- Kirkintilloch 169
- Knighton, Henry, chronicler 12
- LADYBANK 204, 207, 209, 210, 213, 217, 219, 266, 270-1
- Lamb, Mr M.L., secretary, Methil Trades and Labour Council 205
- Lambert, John, general 79, 81-2
- Lanark, earl of *see* Hamilton, William
- Lanarkshire 263
- Lancaster, dukes of *see* Gaunt, John of; Henry, duke of Lancaster; Blanche, duchess of Lancaster
- Larbert 195, 262
- Lassodie 215
- Lauder, Sir Harry, entertainer 252
- Lauderdale, earl and duke of *see* Maitland, John
- Laundels, William, bishop of St Andrews 6, 10, 22, 29
- Laurencekirk 228
- Law, Andrew Bonar, MP 236
- Lawrence, Henry 87
- Lechmere, Nicholas 154
- Leeds, duke of *see* Osborne, Peregrine
- Leighton, Robert, bishop of Dunblane and archbishop of Glasgow 98
- Leslie 217
- Leslie, Grizel, countess of Dunfermline 59, 65, 84
- Leslie, Alexander, 1st earl of Leven 59, 67
- Leslie, John, 6th earl of Rothes 65-6
- Leslie, John, 7th earl and 1st duke of Rothes 78, 87, 90-4, 96
- Leslie, Jean, Lady Weem 84
- Leslie, Margaret, countess of Wemyss 62-3, 78, 87
- Leslie, David, general 61, 67, 73-4, 81
- Leslie, Sir Norman 8
- Leuchars 207, 221
- Leven 204, 206, 207, 209, 211, 213, 220, 221; earl of *see* Leslie, Alexander
- Lewes 201
- Liddall, Sir Francis 75
- Lindores abbey 10
- Lindsay, Alexander, 1st earl of Balcarres 73
- Lindsay, John, 17th earl of Crawford (Crawford-Lindsay) 73-4, 78, 90
- Lindsay, John, 19th earl of Crawford (Crafurd), representative peer (1707-10) 122
- Lindsay, Thomas, pianist 266
- Lindsay-Crawford, Patrick, 2nd Viscount Garnock 122
- Linlithgow, earls of *see* Livingstone
- Lionel, earl of Ulster, duke of Clarence 11, 12, 16
- Lisle, William, major 68, 76-7
- Liverpool 206, 231, 259, 261, 265
- Livingstone, James, 1st Lord Almond and 1st earl of Callander 61-2, 65, 72, 74, 77, 85-6, 88
- Livingston, William, 3rd Viscount Kilsyth, representative peer

- (1710-14) 104-5, 123, 125, 133, 138, 161, 163
- Livingstone, Alexander, 2nd earl of Linlithgow 71
- Livingstone, George, 3rd earl of Linlithgow 93-4
- Livingstone, James, 5th earl of Linlithgow (Lithgow), representative peer (1711-13) 138
- Livingstone, Sir James, later 1st earl of Newburgh 76, 93, 95
- Lloyd George, David, MP 189, 201, 257
- Loanhead 194, 199
- Lochaber: hydro-electric scheme 259
- Lochgelly 196, 206, 216, 217, 219, 225, 228
- Lochmaben 45
- Lochore 217
- Lockerbie 269
- Lockhart, George, of Carnwath 100-1, 103, 125, 127, 129, 149-50
- Lockhart, Sir George, of Carnwath 125
- Logie, Sir John 9
- London 8, 10, 12, 19, 20, 27, 37, 106, 195, 203, 207, 255, 259, 269; bishop of *see* Compton, Henry; letters dated at 106, 134, 138, 142, 148; miners' conference in 226; newspapers in 201, 237, 243, 265, 269; non-unionists strike in 201, 243, 269; places in: Cheapside 246, Chiswick 201, 264, docks 246, 259, Fulham 258, Haymarket (Hay Mercate), Blue Post tavern 114, 151, 154, Hyde (Hide) Park 126, King's Cross station 195, 233, Lombard Street, Pontacks eating house 147, Mall (Mail) 131, Marble Arch 246, Pall Mall, British Coffee House 131, parks, main 231, Regent's Park 231, 269, Royal Victoria dockyard 236, 246, 266, St James's Park 127, Spring Gardens 133, Strand, the Globe 130, Tower of 139, Unity House 240, Victoria Park 231, 269, Villiers (Villars) Steet, 'Two golden Balls' 163, Whitehall 207, Whitehall, Privy Garden 133; strike position in 207, 212, 231, 256, 261, 266; taxi drivers in 216, 231, 243, 261, 269; trade union executives' national conference in 170, 179; trains between Edinburgh and 195, 233; treaty of (1641) 65; *see also* general strike; trades councils, Deptford
- Longcroft 198
- Longniddry 184, 186
- Lonsdale, Viscount *see* Lowther, Richard
- Lord, James, secretary, Dunfermline Trades and Labour Council 215, 216, 217, 218, 220, 222, 223, 224, 225, 226, 227, 228
- Lords, House of 104, 106-13, 115, 124, 131-2, 135, 137, 141-2, 146-50, 154-60, 163; address from 111; address to 117; appeals to, from Scottish courts 109; bar of 108; clerk of 161; committee 140; committee of the whole House 110-12, 159; debates 107, 135-7, 144-6, 155-61; divisions 156, 160; gallery of 107; proceedings of 107; seating in party groups 159; Lords Journals 104; *see also* representative peers
- Lothian, earls of *see* Ker, William
- Lothians 173, 194
- Loudoun, countesses of *see* Dalrymple, Margaret; Montgomery, Margaret
- Loudoun, earls of *see* Campbell
- Lowther, Richard, 2nd Viscount Lonsdale 162

- Lumley, Richard, 1st earl of  
Scarborough 162
- Lumsden, Sir James, general 67, 75
- Lyon, Charles, 4th earl of Strathmore  
18, 168
- Lyon King of Arms, Lord *see* Areskine,  
Sir Alexander
- McALLISTER, Gilbert, Glasgow  
University Labour Club 191
- McArthur, John, Fife miners' leader 209
- MacColla, Alasdair 72-3
- MacDuff 230
- MacGill, James, 1st Viscount Oxenfuird  
89
- Mackay, Mr, provost of Methil 211
- Mackenzie, John, 2nd earl of Cromartie  
(Cromertie, Cromerty) 119, 127,  
150; lodging of 127
- Mackenzie, Alexander, of Fraserdale 146
- McKenzie, Lady Ann 140
- M'Lure, Lieutenant, Glasgow police  
236
- Maitland, John, 2nd earl and 1st duke  
of Lauderdale 58-63, 73-4, 78, 85,  
91-2, 96-7
- Maitland, Charles, 3rd earl of  
Lauderdale 63
- Maitland, Mary, wife of 2nd marquis of  
Tweeddale 60, 63, 92, 95-6
- malt tax 105, 108, 113, 151, 164, 166
- Man, Isle of 15
- Manchester 171, 194, 195, 198, 259;  
earl of *see* Montagu, Edward
- Mar, countesses of *see* Maule, Mary;  
Scott, Elizabeth; earls of *see* Erskine
- Mar, Thomas, earl of 8
- March, Patrick, 9th earl of 8, 9, 12
- March, earl of *see* Douglas, William
- Marchmont, earl of *see* Hume, Sir  
Patrick
- Marischal, Earl *see* Keith, William
- Markinch 206, 210
- Marlborough, duchess and duke of *see*  
Churchill
- Marston Moor, battle of 61, 72, 75
- Masham (Marsham), Abigail, Mrs: sister  
of 132
- Maule, Mary, countess of Mar 100
- Maule, George, 2nd earl of Panmure  
100
- Maule, George, 3rd earl of Panmure 100
- Maule, James, 4th earl of Panmure  
100-1
- Maule, Harry, of Kellie 100-1, 103,  
118, 142, 146; career of 101;  
Jacobitism of 103; letters to 99, 106,  
113; wife of 139
- Maule, Patrick 76
- Maurice, Prince 66
- Meldrum, Sir John, general 71
- Mellerstain House, George Baillie's  
letters at 107
- Menzies, Sir Alexander, of Weem 59,  
84
- Menzies, Duncan, of Weem 84
- Methil 201-14 *passim*; arrests and  
prosecutions at 212, 224; boycott of  
buses urged after strike at 212;  
concerts and dances at 207, 210, 213;  
delegates and speakers from 204, 209;  
demand for release of men  
imprisoned at 212; dockers at 213;  
International Class War Prisoners  
Association formed at 210; mass  
meeting at 209; motor and push  
cyclists at 216; picketing at 211, 212,  
224; places in: Co-op Hall 205,  
Denbeath Bridge 209; police at 211,  
224; railwaymen at 205, 213; soup  
kitchen at 207; strike position at 209,  
216, 224; trade unionists at warned  
not to take other work 209; transport  
permits at 207, 210, 212; workers'



- defence corps at 174, 205; *see also*  
 general strike; strike bulletins; trades  
 councils
- Methilhill 205, 214
- Mid and East Lothian coalfield 179
- Middleton, John, 1st earl of Middleton,  
 general 73-4, 77, 81, 90, 91, 98
- Midlothian 202
- Millar, J.P.M., general secretary,  
 Scottish Labour College 171
- miners *see* coal miners
- Miners' Federation of Great Britain *see*  
 trade unions
- Mitchell, E. Rosslyn, MP 240, 241
- Monck, George, general 82-3
- Monmouth, duchess and duke of *see*  
 Scott
- Monmouth, Geoffrey of 43
- Monod, Paul, historian 102
- Monro, George, colonel 77-8
- Monro, Robert, general 73, 77
- Montagu, Charles, Baron Halifax 115,  
 136, 143, 154, 155, 156, 161
- Montagu, Edward, 2nd earl of  
 Manchester 72
- Montgomerie *see* Montgomery
- Montgomery, Christian, Lady  
 Balmerino (1st wife of 4th Lord)  
 100-1
- Montgomery, Alexander, 6th earl of  
 Eglinton 62, 67, 72, 78, 85
- Montgomery, Hugh, Lord, later 7th  
 earl of Eglinton 62, 85-6, 100
- Montgomery, Alexander, 8th earl of  
 Eglinton 100
- Montgomery, Alexander, 9th earl of  
 Eglinton (Eglington), representative  
 peer (1710-14) 100, 124, 127, 134,  
 141, 150, 154, 165-6, 168
- Montgomery, Margaret, countess of  
 Loudoun 100
- Montgomery, Margaret, countess of  
 Tweeddale 60, 67, 72, 76, 85
- Montgomery, Euphemia 100
- Montgomery, John 134
- Montrose 266; marquis and duke of *see*  
 Graham
- Montrose papers, Scottish Record  
 Office 107
- Moore, John, bishop of Ely 156
- Moray, bishop of 10; earl of *see* Stewart,  
 James
- Moray, Sir Thomas 7
- Mordaunt, Charles, 3rd earl of  
 Peterborough (Peterburrow) 124,  
 155, 161
- More, Sir Thomas 35
- Morlay, Sir John 72
- Morton, earl of *see* Douglas, William
- Moscow 214, 263
- Motherwell 269
- Mugiemoss 232
- Muireside 205, 211
- 'Mumper' 148
- Murray, John, 29th earl of Atholl 95
- Murray, John, 1st duke of Atholl  
 (Athol), representative peer  
 (1710-15) 118, 123, 133, 136, 162,  
 166, 168
- Murray, William, 1st earl of Dysart 76
- Murray, Alexander, 4th Lord Elibank  
 168
- Murray, Alex, chairman, Mid and East  
 Lothian Miners' Association 194, 202
- Murray (Moray), Sir Robert 92-3, 95,  
 97
- Musselburgh 62, 65, 79, 97, 185, 186,  
 191, 192, 193, 194, 197
- NATIONAL UNION OF  
 RAILWAYMEN *see* trade unions
- Nellies, Walter, secretary, West Lothian  
 strike committee 192

- Neville's Cross, battle of 5
- Newburgh, earl of *see* Livingstone, James
- Newcastle, earl and duke of *see* Cavendish, William
- Newcastle-on-Tyne 6, 60-1, 68, 71-6, 171, 195, 198, 233, 249, 264; City Council 192, 199, 221, 239, 268; indenture (1351) 6, 10, 12, 15-17, 20
- newspapers and periodicals 201, 210, 211, 212, 216, 217, 219, 223, 265, 267, 268; *Aberdeen Evening Citizen* 175; *Aberdeen Press and Journal* 230; *British Gazette* 188, 193, 197, 200, 201; *British Worker* 169, 186, 211, 216, 218, 233, 234, 263, 271; *The Bulletin* 237; *Co-operative News* 233; *Daily Mail* 174, 193, 197, 199, 203, 237, 241, 252; *Daily Record* 237; *Dundee Advertiser* 270; *Edinburgh Evening Dispatch* 173, 178, 185, 190, 195, 196, 197, 201, 202, 216, 220; *Edinburgh Evening News* 177, 188, 214; *Emergency Press* 173, 237, 241, 255, 256, 259, 260, 261, 264; *Fife Free Press* 209; *Glasgow Evening Citizen* 237; *Glasgow Evening News* 237; *Glasgow Evening Times* 237; *Glasgow Herald* 237; *Hansard* 231, 262; *Labour Standard* 171, 172, 177, 178, 198; *Leven Advertiser* 204; *Morning Post* 193; *Perthshire Advertiser* 206, 211; *Perthshire Constitutional* 211; *Scotsman* 173, 178, 185, 190, 192, 195, 199, 200, 216, 220; *Scottish Worker* 169, 211, 223, 231, 271, begins publication 190, 191, 221, 260, editorial group of 191, exhortations to strikers in 211, great demand for 200, 212, 223, 224, issued after strike 228, limited paper supply for 264, printers and journalists give services free to 269, proposed reprinting in Edinburgh 173; *Solicitor's Journal* 255; *The Times* 198; *see also* general strike, press
- Newtongrange 194
- New York 206
- Nicholson, R.G., historian 17
- Nicolson, William, bishop of Carlisle 104, 109; diary 107, 109
- Niven, Mr, Perth NUR 266
- North, William, 6th Lord North and Grey 109, 155, 160-1
- North Berwick 184
- north-east of England 261
- Northesk, earl of *see* Carnegie, David
- Northumberland, duke of *see* Percy, Alan Ian
- Norwegians, the 33
- Norwich 234, 261, 269; bishop of *see* Trimmell, Charles
- Nottingham, earl of *see* Finch, Daniel
- OAKLEY 225
- Offler, H.S. 2, 11, 28, 30, 31, 33, 35, 39, 41, 44, 47, 49, 50, 51, 55
- Ogilvy, James, styled Lord Deskford 132
- Ogilvy, James, 1st earl of Seafield, later 4th earl of Findlater, representative peer (1707-10, 1712-15, 1722-30) 105, 114, 129, 151, 154-6, 157, 158, 160, 163
- O'Neil (O'Neill), John, Fife miners' leader 209
- Ormiston, Lord *see* Cockburn, Adam
- Osborne, Peregrine, 2nd duke of Leeds 159, 161
- Ossulton, Baron *see* Bennet, Charles
- Ostend 246, 270
- Othello 189
- Oxenfuird, Viscount *see* MacGill, James
- Oxford 69, 75, 132; earl of *see* Harley, Robert; University of 138

- PAISLEY 236-55 *passim*; bakers' union at 239; building workers at 251; busmen in 239; disturbances, absence of at 252; engineering and shipbuilding workers at 243, 251, 253; ILP MP for 240, 241; places in: Causeyside 245, Cumberland Court 238, 240, 242, 247, 250, 255, ILP Rooms 243, Thistle Park 241, 246, Town Hall 240; printers at 251; Provident Co-operative Society 245; railwaymen at 245, 251, 254; response at 237, 241, 251; return to work at 247; sports gala proposed at 238; strike fund in 243; trams and tramwaymen in 238, 246, 251; victimisation at 254; *see also* strike bulletins; strike committees
- Palestine 203
- Panmure, countesses of *see* Dalrymple, Jean; Hamilton, Margaret
- Panmure, earl of *see* Maule
- Paris 6, 8, 11, 103, 265
- parliament 6, 9, 10, 12; Scone (1352) 6; Scone (1364) 2, 10, 11, 13-15; Scone (1366) 17; Scone (1367) 19; Scone (1368) 18, 19; Perth (1369) 20; Perth (1370) 20
- parliament (1710): 1st session (1710-11) 104, 106, 122-40; 2nd session (1711-12) 104-6, 140-51; 3rd session (1713) 104, 106, 113-16, 151-65
- parliament (1713): 1st session (Feb.-July 1714) 104
- Partick *see* Glasgow, places in; strike bulletins; strike committees
- Paterson, Alexander (Sandy) 147
- Paterson, Sir Hugh (Hew), MP, 2nd Bt 132
- Paterson, Walter 139, 143, 148, 151
- Paulett *see* Poulett
- Peebles 195
- Pencaitland 191; *see also* Hamilton, James
- Penicuik 188, 197, 262
- Penrith, honour of 47
- Pentland Rising 92-4
- Percy, Alan Ian, 8th duke of Northumberland 193, 240
- Perth: boycott of non-union papers urged in 211; building trades at 206, 267; concerts in 201, 266; in contact with other areas 219; meeting at (1365) 17; meetings at, mass 201, of strikers' wives 201, of women 213; Methil delegates to 204; NUR branch at 266; permits system at 195, 267; picketing at 195; places in: City Hall 201, 266, Co-op Hall 266, Dewar, distillers 206, High Street 267, King Street 267, Pullar, dyers 206, Templars' Hall 267; Railway Male Voice Choir at 266; railwaymen at 206, 266; railway services at 204, 206, 210, 211; RCA at 204, strike continues after calling off 213; strike position at 206, 212, 216, 219, 221; tram services in 204; treaty of (1266) 33; *see also* general strike; newspapers and periodicals; strike bulletins; strike committees
- Perthshire 74, 212
- Peterborough 258; earl of *see* Mordaunt, Charles
- Peterhead 230
- Philip VI, king of France 27
- Philippaugh, battle of 61, 74
- Pinkie House 62, 79, 89, 90
- Plymouth 154, 198, 261
- Poitiers, battle of 47
- Port Glasgow 267
- Portland, earl of *see* Bentinck, Henry
- Portsmouth 261
- Postgate, Raymond, historian 175

- Poulett (Paulett), John, 1st Earl 141
- Preston, battle of 61, 78
- Prestonpans 186, 194; Co-operative Society 193
- Pride's Purge 77-8
- Primrose, Archibald, 1st earl of  
     Rosebery (Roseberry),  
     representative peer (1707-15) 141,  
     147-9, 168; lodgings of 154
- Primrose, Sir Archibald 89
- Pringle, Walter 149
- Pringle, Sir Walter 149
- Pugh, Arthur, chairman, TUC 170
- QUEEN'S SPEECH (1712) 140-1
- Queensberry, dukes of *see* Douglas
- RABY, Baron *see* Wentworth, Thomas
- Ramsay, William, 1st earl of Dalhousie 71
- Ramsay, William, 6th earl of Dalhousie 168
- Ramsay, Sir Andrew, provost of Edinburgh 98
- Reading 269
- Reid, Alexander, of Kildrummy 83
- Reid, George 143, 148, 150
- Reith, John, director-general, BBC 190
- Renfrew: parish council 264
- Renton, Lord *see* Home, Sir John
- representative peers 101, 108, 110, 112, 114, 116; by-elections of (1721) 113, 117; dining of 124; election of 104, 108; election (1710) of 106, 122-3; election (1722) of 106, 113, 118, 120; meetings of 146, 151-5; protestation of 142, 161-2; *see also* Lords, House of
- Requests, court of 140
- Rich, Henry, 1st earl of Holland 79
- Richardson, W.P., Durham Miners' Association 246
- Richmond, earl of *see* Gaunt, John of
- Ripon, treaty of (1640) 65
- Riviera, the 187
- Robert I, king of Scots 25, 27, 41, 47
- Rochester, earls of *see* Hyde, Laurence; Wilmot, Henry
- Rollo, Robert, 4th Lord, of Duncrub 168
- Rome, Scots College in 103
- Rose, Alexander, bishop of Edinburgh 103, 112, 128-9, 131, 139, 158, 165
- Rose, Sir H. Arthur, district commissioner 238
- Rosebery, earl of *see* Primrose, Archibald
- Rosie colliery, Fife 209
- Ross, Mary, duchess of Atholl 133
- Ross, Anne, Lady Balmerino (2nd wife of 4th Lord) 100, 125, 138-9, 143, 146, 151; letters to 99; letters by 125, 151; letters copied by 106
- Ross, William, 12th Lord, of Halkhead 168
- Ross, Arthur, archbishop of St Andrews 100
- Rosyth dockyard 200
- Roths, earls of *see* Leslie
- Roxburgh 45, 183
- Roxburghe, earls and duke of *see* Ker
- Ruglen, earl of *see* Hamilton, John
- Rupert, Prince 66, 72, 75
- Rutherglen 191
- SACHEVERELL, Dr Henry, trial of 109
- Sage, John 128
- St Andrews 66, 74, 75, 207, 209;  
     archbishops of *see* Ross, Arthur;  
     Sharp, James
- St Asaph, bishop of *see* Fleetwood, William
- St David's, bishopric of 37

- St John, Henry, Viscount Bolingbroke (Bolinbroke) 152, 154, 160-1
- Saline 228
- Salsburgh 262
- Saltcoats 261
- Saltonstall, Richard 85
- Saltoun (Salton) *see* Fletcher, Andrew
- Saltoun, Lord *see* Fraser, Alexander
- Samuel, Sir Herbert, chairman, Royal Commission on Coal Industry 203, 226
- Savoy, duke of 132
- Scarborough 71; earl of *see* Lumley, Richard
- Scone 8
- Scotland: Episcopal ministers 127; estates of 140, 149; linen manufacture in 135, 137-8; Parliament of 137, 144; peers of 143, 149; Police, Commission of 166; Privy Council of, 127, abolition of 108, 114, 155, 164; Session, Court of 109, Lord President of *see* Dalrymple, Hugh; trade 155, 163; woollen manufacture in 135, 138
- Scott, Anna, duchess of Buccleuch and Monmouth 59-60, 63, 87, 91, 94
- Scott, Francis, 2nd earl of Buccleuch 61-3, 67-8, 71-4, 79, 83, 85-7
- Scott, James, 1st duke of Buccleuch and Monmouth 59, 63, 91, 97
- Scott, Mary, countess of Buccleuch 62, 78, 87
- Scott, Elizabeth, countess of Mar 83
- Scott, Jean, countess of Tweeddale 61-2, 67, 71-2, 75, 77, 78, 80, 83-5, 87, 91
- Scott, Sir Francis, colonel 97
- Scott, Francis, son of 2nd earl of Tweeddale 83
- Scott, Gideon, of Haychesters 60
- Scott, John 150-1
- Scott, Sir John, of Ancrum 148
- Scott, Sir John, of Scotstarvit 61
- Scott, William, of Clerkington 83
- Scottish Trades Union Congress: and general strike 169, 173, 174, 183, 186, 189, 191, 205, 215, 216, 250, 256; and calling off of 202, 203, 234, 235; communications established by 216, 258; daily bulletins in 169, 216; policy before 170; and public order in 189; *Scottish Worker* issued by 221; and sentences on strikers 203; urges calling out of engineering and shipbuilding workers 237
- Scottish Worker see* newspapers and periodicals
- Seafeld, earl of *see* Ogilvy, James
- Secretary for Scotland *see* Gilmour, Sir John
- Selkirk 74, 195; earls of *see* Douglas
- Seton, Alexander, 1st earl of Dunfermline 58, 61, 65, 89
- Seton, Charles, 2nd earl of Dunfermline 61, 65, 66, 69, 75, 79, 80, 83, 85-6, 88-9
- Seton, Jean, mother of 2nd earl of Tweeddale 65
- Seymour, Charles, 6th duke of Somerset 162
- Sharp, James, archbishop of St Andrews 92, 94
- Sharp, John, archbishop of York 130; diary of 107
- Sheffield 207
- Sheffield, John, 1st duke of Buckingham 136, 139-40
- Sheriffmuir, battle of 101
- Shiels, T. Drummond, MP 187, 202
- Shirley, Robert, 1st Baron Ferrers 124
- Shotts 169
- Shrewsbury, duke of *see* Talbot, Charles

- Simon, Sir John, MP 187, 189, 190, 193, 194, 241, 255, 265
- Sinclair, Alexander, 9th earl of Caithness (Cathness) 122
- Sinclair, Sir Robert, advocate 98
- Skinner, John 130
- Sleigh, William, lord provost of Edinburgh 184, 222
- Slessor, Sir Henry, lawyer 264, 265
- Smillie, Robert, Miners' Federation of Great Britain 263
- Smith, Alex, agent, Fife, Kinross and Clackmannan Miners' Association 214
- Smith, Herbert, president, Miners' Federation of Great Britain 253
- Smith, Sir John 79
- 'Smith, Thomas' 142, 148, 150
- Smithies, Frank, editor, Edinburgh strike bulletin 197
- Snowden, Mrs Ethel, BBC governor 263
- Snowden, Philip, MP 263
- Society of the Board of Brothers (Blewcap club) 140
- Solemn League and Covenant 58, 67, 77, 80
- Somers (Sommers), John, Lord 109, 135, 143
- Somerset, duke of *see* Seymour, Charles
- Somerset, Henry, 2nd duke of Beaufort 140
- Southampton 259
- South Queensferry 201, 220
- South Sea project 167
- Soviet Union 247, 263
- Spain 159, 160; British army in 123-4, 128
- Spencer, Robert, 2nd earl of Sunderland 160
- Spencer, Charles, 3rd earl of Sunderland 115, 130, 136-7, 143, 155-6, 157, 160-1
- Spyny, William de, bishop of Moray 2-5, 10-13, 20, 22, 27, 29, 37, 51
- Squadron Volante* 117-20, 150, 165-7
- Stair, earl of *see* Dalrymple, John
- Stanley, James, 10th earl of Derby (Darby) 158
- Steelend 215
- Stenhouse, David, town clerk depute, Glasgow 233
- Stevenson 261
- Stewart *see also* Stuart
- Stewart, Robert, guardian (King Robert II) 2, 5, 6, 7, 9, 10, 12, 20, 27, 43
- Stewart, Walter, 6th Lord Blantyre (Blantire), representative peer (1710-13) 104, 125, 162
- Stewart, Robert, 7th Lord Blantyre 168
- Stewart, Alexander, 5th earl of Galloway 168
- Stewart, James, 19th earl of Moray 83
- Stewart (Stuart), John, MP, brigadier, called colonel: footman of 154
- Stewart, William, colonel 68
- Stirling 78, 79, 81, 82, 83, 219, 266
- Stirlingshire 132, 194, 219
- Stonehaven 230
- Stonehouse 261
- Stoneyburn 169
- Stornoway 239
- Strachan, Archibald, colonel 81
- Strathaven 262
- Strathmore, earl of *see* Lyon, Charles
- Straton, Henry, captain 103
- strike bulletins 169-271; achievement of 175; balance and range of news in 174; cartoons in 172; continue after general strike 175; distribution and sale of 171, 172, 173; duplicated 169,



- 171, 173; frequency of 172; graphics in 172; handwritten 171; humour in 172, 270; lay-out, size and number of copies of 171, 172; by national trade unions 169; proposals to print 173; publication of begins 169, 170; purpose of 173; railwaymen's 169, 175, 204; sources of news in 173, 174; Sunday issues of 172; typing of 171; whereabouts of 175; Aberdeen 170, 172, 175, 228-36, Airdrie and Coatbridge 169, 172, 200; Cambuslang 169; Dumfries 169; Dunfermline 170, 172, 175, 214-28; Edinburgh 169, 171, 172, 173, 175, 177-204; Elgin 169; Falkirk 169, 192, 216; Glasgow 169; Greenock 170, 172, 175, 267-9; Kirkintilloch 169; Ladybank 170, 172, 175, 270-1; Methil 170, 171, 172, 175, 204-14; Paisley 170, 172, 173, 174, 175, 236-55; Partick 170, 172, 173, 175, 255-66; Perth 170, 172, 175, 219, 266-7; Shotts 169; Stoneyburn 169; *see also* newspapers and periodicals; *British Worker* and *Scottish Worker*
- strike committees 169, 170, 171, 189, 201, 222, 225, 232, 261; Aberdeen 173, 228-36 *passim*; Bathgate 183, 188; Blairhall 218; Bowhill, Fife 217; Coatbridge 200; Dalkeith 197; Dunfermline 219; East Lothian 186; Edinburgh 171, 177, 178, 191, calling off of strike and 202, complaints about police 181, 184, 222, demands release of prisoners 203, forbids unauthorised street meetings or processions 180, 181, 182, 184, and permits system 179, 186, 189, press and 196, 197, printers help 185, 188, protests about 'savage sentences', 198, remains in existence after strike 204, seeks permission to print bulletin 173, urges calm and good order 178, 182, 183, warns against government spies and false representatives 189, 195; Falkirk 180; Glasgow 169, 240; Greenock 267-9; Kinross 217; Ladybank 170, 270-1; Methil 207; Musselburgh 186; Paisley 173, 236-55 *passim*; Partick 255-66 *passim*; Penicuik 188; Perth 201, 211, 216, 217, 219, 266-7; Queensferry 201; Saline 228; Thornton 210, 221; Valleyfield 225; Wellwood 215; West Lothian 192
- Stuart *see also* Stewart
- Stuart, James Francis Edward, the old Pretender: correspondence of, 102-3
- Stuart, Sir James, MP, 1st Bt 149
- Sunderland 68-70, 72; earls of *see* Spencer
- Swales, Alonso, AEU leader 223
- Syler, Edmund, colonel 85
- Szechi, Daniel, historian 102
- TALBOT, Charles, duke of Shrewsbury 136, 141
- Taylor, Mr A., Buckhaven 207
- Tempest, Sir Nicholas 68
- Thomas, J.H., political general secretary, NUR 170, 188, 197, 223, 252, 253
- Thompson, John, 1st Baron Haversham 145
- Thomson, William 132
- Thornton 204, 205, 207, 210, 213, 221
- 'Thumb, Tom' 150
- Tilling, Robert, general secretary, National Union of Foundry Workers 200
- Townhill 215, 225
- Townshend (Townsend), Charles, 2nd Viscount 155

- Trade and Plantation, Commissioners of 137
- trade unions 170, 267; AEU 177, 179, 194, 223, 230, 234, 243, 245, 260; ASLE&F 243, 266; Boilermakers' Society, United 179, 234; Bookbinders' Union 185; Confédération Générale du Travail 253; Corporation Workers' Union 177; Dutch Federation of Trade Unions 201; Edinburgh Typographical Society 185; ETU 177; Foundry Workers, National Union of 180; General Workers' Union 234; Heating and Domestic Engineers, National Union of 231; International Federation of Employees 221; International Transport Workers' Federation 188, 243, 258, 270; Journalists, National Union of 230; Labourers' Union 185; Litho Artists 188; Miners' Association, Durham 246; Miners' Association, Fife, Kinross and Clackmannan 209, 214, 216, 217, 219; Miners' Association, Mid and East Lothian 177, 179, 186, 194; Miners' Federation of Great Britain 203, 245, 246, 263; Miners' International 246, 270; Mine Workers, National Union of Scottish 192, 263; Mineworkers' Reform Union, Fife, Kinross and Clackmannan 209, 216; Moulders of Scotland, Amalgamated Iron 180; National Union of Distributive and Allied Workers 198; Patternmakers' Association, United 179; Railway Clerks' Association 171, 188, 204, 212, 224, 239, 245, 261, 265, 266, 270; Railwaymen, National Union of 188, 205, 207, 211, 212, 213, 223, 228, 231, 245, 249, 259, 261, 266; Russian Central Council of Trade Unions 247; Sailors' and Firemen's Union, National Amalgamated 170, 206, 259; Scottish Farm Servants' Union 191; Scottish Horse & Motormen's Association 177, 179, 185, 195, 200; Scottish Painters' Society 185, 186, 229; Scottish Typographical Association 234, 242, 265; Shale Miners and Oil Workers, National Union of 183, 192; Slaters' Society of Scotland, Amalgamated 267; Transport & General Workers' Union 179, 213, 237, 239, 240, 245, 246, 257, 265; Union of Post Office Workers 263; Vehicle Builders, National Union of 194; *see also* coal miners; general strike; strike bulletins; strike committees; trades councils
- trades councils 169, 170, 171; Aberdeen 175; Alloa 215; Cowdenbeath 214, 221; Deptford, London 236, 266; Dunfermline 214–28 *passim*; Kirkcaldy 204, 210; Lochgelly 206, 217; Methil 206, 204–14 *passim*; *see also* trade unions
- Trades Union Congress: and general strike 180, 188, 189, 192, 196, 204, 223, 256, 262, 264, 268; *British Worker* published by 169; calls off strike 172, 202, 203, 226, 253, 254; calls out 'second line' in 248; donation from USSR and 263; exhortations to strikers in 211, 232, 242, 257; and maintenance of essential services in 179, 229, 232; management of entrusted to 170; news from 'absolutely reliable', 256; and printers and printing during 171, 181, 216; policy before 170; and

- response to 232, 237, 239, 268; and resumption of work on pre-strike conditions 219; and special conference of trade union executives 170, 179; Special Industrial Committee of 170; urged to secure release of all imprisoned strikers 212
- tramway services: in general strike 174, 256, 257; Aberdeen 184, 206, 229, 230, 231, Birmingham 231, 261, 269; boycott of urged 256, 261; Dundee 229; Edinburgh 178, 181, 184, 185, 214, 222; Falkirk 195; Glasgow 184, 191, 201, 210, 233, 239, 242, 246, 247, 256, 259, 263, 266, 269; Greenock 268; Hull 214; Kilmarnock 261; Kirkcaldy 210; North Ayrshire 261; Paisley 238; Partick 264; Perth 204; Reading 269; Sheffield 207; *see also* bus services; general strike
- Tranent 186, 193, 194
- Transport & General Workers' Union *see* trade unions
- Treasurer, Lord *see* Harley, Robert
- Trevor, Thomas, 1st Baron 155, 161
- Trimnell, Charles, bishop of Norwich 109
- Trumbull papers, British Library 107
- Trumbull, William, letters to 107
- Turrieff 230
- Tweeddale, earls and marquises of *see* Hay
- Tweeddale, Lady *see* Maitland, Mary; Montgomery, Margaret; Scott, Jean
- Tweedmouth 195
- Tynningham, Thomas of 21
- UNION, Anglo-Scottish 111, 113-4, 136, 138, 141-2, 146, 149, 153, 163-4; 6th article of 164; 14th article of 113, 157-8, 160; 15th article of 164; 20th article of 164; 22nd article of 138, 144; 23rd article of 144
- Uphall 190
- USSR *see* Soviet Union
- Utopia 35
- Utrecht, treaty of 113, 139, 140
- VALE OF LEVEN 262
- Valleyfield, Fife 216, 217, 225, 228
- Valleyfield paper mill *see* Penicuik
- Veitch, John, T&GWU 237, 251
- Venables-Bertie, Montague, 2nd earl of Abingdon (Abbinton) 136, 144
- Villiers, George, 2nd duke of Buckingham 79
- WAKE, William, bishop of Lincoln 109; diary of 107
- Wales, the Welsh 37, 39, 55, 199, 205
- Walkden, A.G., general secretary, Railway Clerks' Association 212, 245
- Wam Dykes 195
- Wardlaw, Henry, bishop of St Andrews 22
- Wardlaw, Walter, king's secretary 11
- Watson, Mr J.B., Denbeath 207
- Watt, D.E.R., historian 1, 21
- Webster, A.B., historian 1
- Wellwood 215, 222
- Wemyss 220
- Wemyss, countess of *see* Leslie, Margaret
- Wemyss, David, Lord Elcho, 2nd earl of Wemyss 72, 78-9
- Wemyss (Weems), James, 5th earl of 168
- Wemyss, James, colonel 82
- Wentworth papers, British Library 107
- Wentworth, Thomas, 2nd Baron Raby 139; letters of 107
- West Lothian 186, 188, 192
- Western Association 81

- Westminster 5, 10; indenture (1363)  
 2-5, 10-13, 15, 16, 20, 22, 23, 29,  
 31, 35, 37, 39, 41, 43, 45, 47, 51
- Wetherby 61, 70
- Wharton, Thomas, earl of 111, 143,  
 154, 156, 158-9; proxy of 159
- Whiggamore Raid 78
- Wick 194
- Wigtown, earl of *see* Fleming, John
- Wigtownshire 154
- Wilkinson, Ellen, MP 175
- William of Orange 79
- Wilmot, Henry, 1st earl of Rochester 79
- Wilson, J. Havelock, president,  
 National Seamen's and Firemen's  
 Union 259
- Windsor Castle, Stuart papers 103
- Windygates 209, 211
- Wingate, Edward, MP 66
- Wingate, George, colonel 236
- Winrame, George, of Liberton 79
- Wolverhampton 269
- wool, custom on 41, 47
- Worcester, battle of 82-3
- Wyntoun, Andrew, chronicler 8, 11,  
 12, 27
- YESTER, Lords *see* Hay, earls and  
 marquises of Tweeddale
- Yester House 62, 65, 75, 78
- York 66, 69, 70, 71, 72, 138, 186, 259;  
 archbishop of *see* Sharp, John
- ZINOVIEV, Grigori, chairman, Third  
 (Communist) International 220



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1993-94

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*Enquiries should be addressed to  
the Honorary Secretary, whose address  
is given overleaf.*

## SCOTTISH HISTORY SOCIETY

## 107th ANNUAL REPORT

*Presented to the Annual General Meeting  
by the Council, 11 December 1993*

The text of the 1992 volume, *The Scottish Office: Depression and Reconstruction, 1919-1959*, edited by Professor Ian Levitt, has been received and will shortly go to press. The 1993 volume, *History of the Union of Scotland and England*, edited by Dr Douglas Duncan, which will contain a list of members of the Society as an appendix, is in the press. It is hoped that both the 1992 and 1993 volumes will appear in the New Year, at which point the publication schedule will be restored to its expected path. During the year Council accepted two proposed volumes for future publication: *Scottish Migration, 1740-1920*, with Professor Allan Macinnes as general editor; and *French Military and Financial Documents concerning Scotland during the Reign of Henri II*, edited by Dr Elizabeth Bonner. Professor Michael Lynch has decided to demit office as one of the publication secretaries. His place has been taken by Dr David Ditchburn. Council expresses its appreciation for Professor Lynch's commitment to the Society.

The Society's financial position is satisfactory and it has been possible to hold the subscription at £15 (£18 for joint members) for another year. A legacy of £1,000 from the late Professor Gordon Donaldson is recorded with gratitude.

Dr Jean Munro's term as Chairman comes to a close. Council thanks her for the last four years and is pleased to put to the Annual General Meeting its nomination of Dr Norman Macdougall as her successor. Professor Allan Macinnes has demitted office as Honorary Membership Secretary. Council appreciates the time he has given to the Society. He has been replaced by Dr Irene Maver (Sweeney). Mr Bruce Webster has been elected by Council as liaison officer to the British National Committee (committee of the Royal Historical Society) of the International Historical Congress.

The four members of Council to retire by rotation are Dr James Kirk, Dr Farquhar Macintosh, Dr Athol Murray and Mrs Mairi Robinson. To replace them Council recommends the election by the Annual General Meeting of Dr Tristram Clarke, Dr Terry Brotherstone, Ms Elaine Finnie and Dr Michael Spearman. To replace Dr David Ditchburn and Dr Irene Maver two new Council members are required. Nominations for these positions and any other nominations, made by at least two other members of the Society, should reach the Honorary Secretary not less than seven days before the Annual General Meeting.

The membership of the Society stands at 484 individual and 207 institutional members.

## INCOME AND EXPENDITURE FOR THE YEAR TO 30 SEPTEMBER 1993

1992		1993
£		£
8791.89	Subscriptions	9045.22
500.00	Income Tax on Covenants Recoverable (estimate)	500.00
577.60	Sales of Past Publications	972.15
-60.00	Less: Insurance	-77.94
153.75	Royalties	0.00
3526.15	Interest on Bank Premier Account	2792.44
1067.32	Interest on Bank Current Account	189.05
<u>14556.71</u>	NET INCOME	<u>13420.92</u>
	Costs of year's publication:	
-12793.00	Printing	-11400.00
-303.93	Editorial Expenses	-182.16
-1087.32	Postage & Packing	-1167.25
nil	Special Lecture	-104.07
-142.50	AGM Expenses	-151.00
-128.90	AGM Postage	-148.23
-144.45	Other expenses	-127.58
nil	Subscriptions & Donations	<u>-25.00</u>
		-13305.29
<u>-43.39</u>	CURRENT ACCOUNT SURPLUS	<u>115.63</u>
2210.74	Income relating to Past Years	0.00
0.00	Donation from Glenmorangie	2000.00
0.00	Bequest—G. Donaldson	1000.00
<u>2167.35</u>	TOTAL SURPLUS FOR YEAR	<u>3115.63</u>

## BALANCE SHEET AS AT 30 SEPTEMBER 1993

1992		1993
£		£
1.00	Stocks of Unsold Publications	1.00
500.00	Debtors (Income Tax Recoverable)	1000.00
38520.72	Bank—Premier Account	52313.16
14544.98	Bank—Current Account	3359.17
-9.00	Creditors	0.00
<u>53557.70</u>	NET CURRENT ASSETS	<u>56673.33</u>

## CAPITAL ACCOUNT

51390.35	Balance at 1 October 1992	53557.70
2167.35	Surplus for Year	3115.63
53557.70	Balance at 30 September 1993	56673.33

ABSTRACT ACCOUNT OF THE CHARGE AND DISCHARGE OF THE  
INTROMISSIONS OF THE HONORARY TREASURER

1 October 1992 to 30 September 1993

CHARGE

		£
1	Cash in Bank at 1 October 1992	
a	Sum at credit of Premier Account with Bank of Scotland	38520.72
b	Sum at credit of current (Treasurer's) account with Bank of Scotland	<u>14544.98</u>
		53065.70
2	Subscriptions received	9051.22
3	Past publications sold	972.15
4	Interest on Premier Account	2792.44
5	Interest on Current (Treasurer's) Account	189.05
6	Glenmorangie Gift Aid	2000.00
7	G. Donaldson Bequest	1000.00
8	Miscellaneous	8.93
9	Sums drawn from Bank Premier Account	0.00
10	Sums drawn from Bank Current Account	<u>21407.16</u>
		<u>69079.42</u>



## DISCHARGE

		£
1	Subscriptions refunded	15.00
2	Cost of publications during year	12567.25
3	Editorial expenses	182.16
4	Costs of insuring stock of unsold books	77.94
5	Costs of AGM	151.00
6	Costs of postage re AGM	148.23
7	Office bearers' expenses	128.58
8	Special Lecture	112.00
9	Miscellaneous	25.00
10	Sums lodged in Bank Premier Account	13792.44
11	Sums lodged in Bank Current Account	<u>10221.35</u>
		13407.16
12	Funds at close of this account	
a	Sum at credit of Premier Account with Bank of Scotland	52313.16
b	Sum at credit of Current (Treasurer's) Account with Bank of Scotland	<u>3359.17</u>
		<u>69079.49</u>

STIRLING, 28 October 1993.

I have audited the Account of the Honorary Treasurer of the Scottish History Society and certify that I am satisfied that proper records appear to have been kept and that the above Account is a correct statement of the transactions recorded during the year.

H.D. PEBBLES  
Auditor























