

I.

NOTICE OF A MANUSCRIPT OF THE LATTER PART OF THE FOURTEENTH CENTURY, ENTITLED *PASSIO SCOTORUM PERJURATORUM*. BY THE MOST HON. THE MARQUESS OF BUTE, K.T., F.S.A. SCOT.

Mr Henry Gough, to whose learned researches I stand much indebted, had the goodness some time ago to send me a transcript of two pieces contained in a MS., written towards the close of the fourteenth century, and now deposited in the Public Library of Reigate Church, Surrey. This MS. contains, among other things, Lives of the Archbishops of Canterbury, ascribed to Stephen Byrchington, a monk of the same church (1382-1407). The authorship of the other treatises is uncertain. One of them is a Chronicle of England from Brutus. The pieces sent to me are a Scotch Chronicle, mainly extracted from the other, and entitled *Gesta Scotorum*, and another piece embedded in it, and entitled *Passio Scotorum Perjuratorum*. The *Gesta* reach from 1066 to 1327, then comes the *Passio*, followed by a loss of some leaves, after which the *Gesta* continue, reappearing in the midst of the description of the battle of Halidon Hill (1333), and going down to the defeat and capture of David II. at Neville's Cross, Oct. 17, 1346.

The *Passio* offers several instances of copyist's blunders, which show that it is not the original or only copy.

The *Passio* is a would-be comic narrative of events between Feb. 1306 and Feb. 1307. Its chief characteristics are cruelty and profanity. It is in the form of a parody on Scripture, and belongs altogether to that class of things to which one naturally applies the line of Dante—"Non ragionam' di lor', ma guarda, e passa." In this case, however, it happens to be a very curious historical monument. The composition is headed "*Leccio Actuum Scotorum, infra librum Judicium*," after the manner of a Church Lesson from the Acts of the Apostles. It is true that it commences with a portion of the Book of Judges, but the contents leave no doubt that there is here a *double-entendre*, and a reference to the judges of ordinary criminal courts. The *Leccio*, after

the common opening words of an ecclesiastical lesson from the middle of a book, "In diebus illis," gives the parable of the trees choosing a king, in Judges ix. 8-15. There is nothing peculiar about it, except that in verse 13, where the vine speaks of "my wine which cheereth God and man," the reference to God (which doubtless regards the wine-libations at sacrifices) is omitted. As this omission, however, is pointless, I am inclined to attribute it to a mere slip of the pen. After the parable, the composition, again mimicking church forms, ends the quotation by "Et reliqua," and then, with the heading "Homilia ejusdem," and the opening words "In illo tempore," at once begins the parody:—

OMELIA EJUSDEM.

In illo tempore, videlicet anno Domini M^oCCC^{mo} sexto, facta est contencio inter non discipulos Jhesu, sed inter majores Scocie, quis eorum in malicia videretur esse major.

Dixerunt autem, Reges gencium Anglicarum dominantur nobis et qui potestatem exercent in nos inimici nostri, non benefici, nominantur. Sed qui majorem potestatem habet inter Scotos, superior noster fiat.

Constituamus ergo nobis Regem, sicut et cetera nationes habent, qui excuciat cervices nostras ab Angligena servitute, et in prelio nos defendat.

Ecce postquam recessimus a patriis legibus et fidei juramento, invenerunt nos mala multa quorum non est numerus propter decentiam status nostri.

HOMILY UPON THE SAME.

At that time, which is to say, in the year of the Lord one thousand three hundred and six, there was a strife among them which were, not the disciples of Jesus, but the chief of Scotland, which of them should be accounted the greatest in naughtiness.¹

And they said: The kings of the English Gentiles exercise lordship over us, and they that exercise authority upon us are our enemies and not called benefactors.² But he that hath the greatest power among the Scots, let him be over us.

Therefore let us make unto ourselves a king, like the other nations, to break the yoke of the English from off our necks, and to defend us in battle.³

Behold, since we left the laws of our fathers, and the oath of our fealty, many evils are come upon us that cannot be numbered, because of the weakening of our state.⁴

¹ Luke xxii. 24.² Luke xxii. 25.³ 1 Sam. viii. 5; Gen. xxvii. 40.⁴ 1 Macc. i. 12, *decentiam* seems to be a mistake for *decedentiam*.

Provide dixerunt olive, id [est],
Comiti de Bowan, Impera nobis.

Qui respondit, Non possum deserere
pinguedinem meam, id [est], fidem
meam, ex qua justus vivit, et venire
ut inter ligna bifurcata promovear.

Dixeruntque ad arborem ficum, id
[est], Comiti de Ros, Veni, et accipe
super nos regnum.

Qui respondit, Numquid possum
deserere pinguedinem meam et fructus
dulcissimos, id [est], vinculum jus-
jurandi quo proximus proximo Deo-
que constringitur, et ire ut inter ligna
maledictionis commovear? Pro maledi-
cto enim habetur homo omnis qui
pendet in ligno.

Locuta sunt quoque ligna ad vitem,
id [est], Comitem Patricium, Veni, et
impera nobis.

Qui respondit, Numquid possum
deserere vinum meum, id [est], robur
fidelitatis mee, quod tactis sacrosanctis
Evangeliiis coram Deo pollicitus sum,
servire Regi Anglie, et ire ut inter
ligna mortifera, flexo poplice et trun-
cato capite, laurea perjurii merear
coronari?

Dixeruntque ligna ad rampnum, id
[est], Robertum le Brus, Comitem
de Carrike, Veni, et impera super nos
Qui respondit eis, Si vere me Regem

They said [therefore] unto the olive
tree, that is, unto the Earl of Buchan :
Reign thou over us.¹

And he said unto them : I cannot
leave my fatness, that is, my faith
(but the just doth live by faith), and
go to be promoted among the gallows
trees.²

And they said to the fig-tree, that
is, to the Earl of Ross : Come thou,
and reign over us.³

But he said unto them : Can I for-
sake my fatness, and my good fruit,
that is, the bond of mine oath where-
by one neighbour is bound unto
another, and [man] unto God, and go
to be moved up upon the accursed
tree? ⁴ For cursed shall be every man
that hangeth on a tree.

The trees also sail unto the vine,
that is, unto Earl Patrick, the Earl of
Dunbar: Comethou, and reign over us.⁵

And he said unto them : Can I
leave my wine, that is, the strength of
my fealty which I have promised
before God, with mine hands upon the
Holy Gospels, to serve the King of
England, and go to earn to be crowned
with the crown of perjury among the
deadly trees, with my knee twisted
and mine head cut off? ⁶

And the trees said unto the bramble,
that is, unto Robert Bruce, Earl of
Carrick : Come thou, and reign over
us.⁷ And he said unto them : If in

¹ Judges ix. 8, *Provide* probably by mistake for *proinde*.

² Judges ix. 9, and Gal. iii. 11, adhering to the Vulgate. ³ Judges ix. 10.

⁴ Judges ix. 11. (*Pinguedinem* probably by accident for *dulcedinem*.) Deut. xxi. 23; Gal. iii. 13.

⁵ Judges ix. 12.

⁶ Judges ix. 13. I cannot explain the reference to the twisted knee, unless it be its kneeling at the block.

⁷ Judges ix. 14.

constituistis, venite et preceptis mei culminis obedite. Si autem nolueritis, egredietur ignis de rampno et consumet cedros Libani; hoc est,

Vos vocatis me Regem et dominum, et bene dicitis. Sum etenim primogenitus patris mei, cui regnum hoc jure hereditario debebatur, sed a domino Rege Anglie alteri est translatum.

Venite ergo ad me omnes qui pacem negligitis, guerram cupitis, perjuri ac suspensi eritis, et ego vos reficiam de cruore occisorum et de captivitate nudati amicorum capitis.

Et sub umbra, id [est], vocacione regalis nominis mei, severe proficis civini per totam Scociam, compellentes Episcopos, Abbates, Comites, et Barones simul in unum, divitem et pauperem, ad coronacionem meam venire.

Qui autem venerint usque ad visitacionem Regis Anglie, qui unicuique juxta opera sua retribuet de hiis qui me coronant.

Si autem non consenserint, ignis succensus est in furore meo, et quem volo ut ardeat in omnibus habitaculis venire nolencium.

Ite, ecce mitto vos sicut lupus inter agnos.

Nolite portare sacculum neque peram, sed gladium atque hastam,

truth ye make me king over you, then come and obey the commands of my highness. But if ye will not, fire shall come out of the bramble and devour the cedars of Lebanon; ¹ that is,

Ye call me King and Lord: and ye say well; for so I am, the first-born son of my father, unto whom this kingdom was due by right of inheritance, but was given unto another by the Lord king of England.²

Wherefore, come unto me, all ye that neglect peace and love war (ye shall be forsworn and hanged): and I will refresh you with the blood of the slain, and of the captives, of the bared head of the enemy.³

And under the shadow which is the name of my Royal title, ye do go forth throughout all Scotland, to compel the bishops, abbots, earls, and barons, both rich and poor together, to come unto my coronation.⁴

And they that shall come [shall abide] until the day of visitation of the King of England, who shall render unto every man of them that crown me, according unto his works.⁵

But if they will not, a fire is kindled in mine anger; and what will I but that it burn in all the habitations of them that will not come? ⁶

Behold, I send you forth as wolves among lambs.⁷

Carry neither purse nor scrip, but sword and spear, and salute no

¹ Judges ix. 15. closer to the Vulgate.

² John xiii. 13.

³ Matt. xi. 28; Deut. xxii. 42 (Vulgate), *amicorum* in mistake for *inimicorum*.

⁴ Matt. xi. 16, and Ps. xlix. 2. ⁵ Possibly 1 Sam. xxvi. 23, and Rev. xxii. 12.

⁶ Jer. xv. 14; Luke xii. 49.

⁷ Luke x. 3.

neque quemque Anglicum potencio-
rem nobis per viam salutaveritis.

Adhuc eo loquente, venit quidam
nobilis decurio Johannes Comyn, et
ait, Non est nobis hereditas neque
pax in Roberto, neque Regem nisi
Cesarem, Regem Anglorum.

Cui alius in dolo est locutus, Amice,
ad quod venisti? Assentire nobis et
vive super terram, et eris deterior
quam fuisti.

Cui Johannes Comyn, Et si oportuerit
me mori Regem Anglie non negabo.

Tunc surrexerunt adversus eum
duo falsi testes, dicentes, Audivimus
eum prohibentem tributa dari nostro
Regi, et contestari fidelitatem esse
servandam Regi Anglie, a Galilea
usque hic.

Quibus Robertus, Quid adhuc
egemus testibus? Audivimus ex ore
ejus blasphemiam.

Et evaginato pugione illum in
ecclesia trucidavit.

Stulte, dixerunt, operatus es, dixerunt
Fratres Minores, et quod non
licet quemquam interficere in templo
Dei.

Quibus ille, Sanguis ejus super me
et super fratres meos, et benivolos
meos semper.

Englishman by the way if he be
stronger than ye.¹

And while he yet spake, a certain
honourable counsellor, John Comyn,
came, and saith: We have no in-
heritance nor peace in Robert, and
no king but Cæsar, King of the Eng-
lish.²

And the other spake unto him
craftily [saying]: Friend, wherefore
art thou come? Consent unto us, and
live in the land, and thou shalt be
worse than thou hast been.³

And John Comyn [said] unto him:
Though I should die, yet will I not
deny the king of England.⁴

Then arose against him two false
witnesses, saying: We heard him for-
bidding to give tribute to our king,
and bearing witness that faith should
be kept unto the king of England,
from Galilee to this place.⁵

Then Robert [saith] unto them:
What further need have we of
witnesses? We ourselves have heard
the blasphemy out of his own mouth.⁶

And he drew his dagger, and slew
him in the church.

The Friars Minors said unto him:
Thou hast now done foolishly, for it
is not lawful for us to put any man to
death in the temple of God.⁷

And he answered them: His blood
be on me and on my brethren and on
my well-wishers for ever.⁸

¹ Luke x. 4. ² Luke xxii. 47; Mark xv. 43; 1 Sam. xx. 1; John xix. 15.

³ 2 Sam. iii. 27; Matt. xxvi. 50; Dan. xiii. 20 (Vulgate).

⁴ Matt. xxvi. 35. ⁵ Matt. xxvi. 60; Mark xiv. 58; Luke xxiii. 2, 5

⁶ Matt. xxvi. 65; Luke xxii. 71. ⁷ Gen. xxxi. 28; John xviii. 31.

⁸ Matt. xxvii. 25.

Sub illo tempore dixit Robertus Brus discipulis suis, Ecce, nisi angelum meum Willelmum Waleys ante faciem vestram qui preparabit consimile vobis iter, nempe in regno Anglie elevabitur et sublimis erit valde.

Et ipsi nichil horum intellexerunt.

Qui dicunt illi, Edissere nobis hanc parabolam.

Numquid et vos cesi estis? Quinimo seducti et cesi eritis. Omnis enim qui se humiliat exaltabitur, et qui se exaltat humiliabitur.

Itaque post dies aliquot perigrinationis Willelmi Waleys de Scotia auditum est quod tractus, suspensus, exinteratus, crematus, quatrifidatus et affixo capite super pontem London, et in Anglia est exaltatus.

Propterea dixit Symon Frisel, Impleta est scriptura, quoniam sic oportuit eum pati et intrare in ignominiam suam.

Sed vivat pseudo Rex noster, et vivat anima mea, quia vadam et tollam capud ejus, et affigam capud Anglici loco sui. Et sic auferam obprobrium gentis nostre.

Post hec fecit sibi Rex nequam currus et equites qui prederent eum in civitate qua coronandus esset ab

At that time, Robert Bruce said unto his disciples: Behold, I have sent my messenger William Wallace before your face, which shall prepare unto you a way like [unto his own], for he shall be very high and exalted in the kingdom of England.¹

And they understood none of these things.²

They say unto him: Declare unto us this parable (*Hiatus*).³

Are ye blind also? Yea, rather, led astray and blind shall ye be. For whosoever humbleth himself shall be exalted, and he that exalteth himself shall be abased.⁴

Therefore, when William Wallace was gone some days on his pilgrimage out of Scotland, word was brought again how that he was drawn, hung, bowelled, burned, and quartered, and his head was fastened up over London Bridge, and [thus] was he lifted up in England.

Simon Fraser therefore said: The Scripture is fulfilled, that thus it behoved him to suffer, and to enter into his shame.⁵

But as our sham king liveth, and as my soul liveth, I will go and take away his head, and put the head of an Englishman in his place, and so will I take away the reproach from our nation.⁶

After these things the evil king prepared him chariots and horsemen, to go before him in the city wherein

¹ Mal. iii. 1, quoted in Matt. xl. 10, &c.

³ Matt. xv. 15.

⁵ Luke xxiv. 26.

² Luke xviii. 34.

⁴ John ix. 40; Luke xiv. 11, *cesi* for *ceci*.

⁶ 1 Sam. xvii. 38 (Vulgate).

Anna et Caypha, sacerdotibus qui populum seducebant.

Et Abbate de Scone, Johanne Comite de Asceles, Simone Frisel, et fratribus suis uterinis et multis coronatus est a prophanis Episcopis Glasguensi et Sancti Andree primo, et tercio die postea Comitissa de Bowan, que transgressa maritali thoro exarserat in concupiscenciam fatui coronati, vocans eum Daffe.

Cumque domum redisset dixit uxori proprie, Heri vocabamur Comes et tu Comitissa; hodie vero Rex et Regina nominamur. Cui illa, Cave ne sicut fenum agri quod hodie est et cras in clibanum mittitur, sic effloreas, nequando propter usurpacionem regalis nominis perdas simul comitatum et regnum.

Nonne audisti, Quis Rex bellum commissurus adversus alium Regem, nonne prius sedens computat sibi occurrere cum viginti milibus si possit. Alioquin, adhuc longius eo agente, mittit legacionem, rogat ea que pacis sunt

Hoc fac et vives.

Sin autem forcior te supervenerit, auferet universa arma tua in quibus confidis, et spolia tua distribuet diripientibus ea valde velociter.

he should be crowned by Annas and Caiphass, the high-priests that deceived the people.¹

And [before] the Abbat of Scone, John Earl of Athol, Simon Fraser, and his brothers the sons of his mother, and many [more] was he crowned first by the abominable Bishops of Glasgow and St Andrews, and, the third day afterward, by the Countess of Buchan, who had transgressed against the bed of her husband, and burned with lust after the crowned fool, calling him "Daffy."

And when he was come home, he said unto his own wife: Yesterday we were called earl and countess, but this day we are named king and queen. And she [said] unto him: Take heed that thou flourish not as the grass of the field, which to-day is, and to-morrow is cast into the oven, but forasmuch as thou hast taken wrongfully the name of a king, thou lose the earldom and the kingdom together.²

Hast thou never heard, what king going to war against another king, sitteth not down first and consulteth whether he be able to meet him with twenty thousand? Or else, while the other is yet a great way off, he sendeth an ambassage, and desireth conditions of peace.³

This do, and thou shalt live.⁴

But if a stronger than thou shall come upon thee, he will take from thee all thine armour wherein thou trustest, and divide thy spoils among them that shall part them among them very speedily.⁵

¹ 1 Kings i. 5.

² Matt. vi. 30.

³ Luke xiv. 31, 32.

⁴ Luke x. 28.

⁵ Luke xi. 22.

Hiis sanis insane turbatus maritus
voluit eam gladis trucidasse, sed pro-
hibitus est a dicentibus, Si fedaveris
manus tuas in sanguine mulieris in-
bellis, non poteris stare contra hostes
tuos in bellis.

Ab illo autem die multi Scot
abierunt retrorsum, nec adherebant
deinceps secte sue. Itaque diviso
regno ejus confusio aproximavit, nam
gens surrexit contra gentem pro-
prium uno cum exercitu Anglicano.

Et conserto prelio, pseudo rex
senciens quod totum pondus prelii
versum est in eum, fugit ex acie,
populum suum in occisione gladii
derelinquens.

Testantur quidem hoc qui capti
fuerunt, videlicet, Thomas Randulf,
David Ynkemartyn, Johannes Somer-
vyle, milites, Huttyng Marescallus
vexillifer illius Regis, et Hugo [pres]
biter sed prophanus, cum multis aliis.

Et data sententia, omnes bravium
suspendii acceperunt.

Sed Hugo presbiter ante alios pri-
mitus est suspensus, quasi diceret,
Ego presbiter vobis prebeo tale iter.

Ceteri vero cum sensissent crucis
tormentum, dicebant intra se, Hugwe
a diables.

In diebus illis dixit Rex Anglie

And her husband was troubled
madly with these sound words, and
he would have slain her with the
sword, but they forbade him, saying :
If thou defile thine hands in the
blood of this unwarlike woman, then
shalt thou not be able to stand up in
battle against thine enemies.

And from that day many of the
Scots went back, and clave no longer
unto his company ; so that his
kingdom was divided, and confusion
came upon them, for a nation rose
against his own nation, together with
the English army.¹

And when they joined battle, the
sham king, knowing that the battle
went sore against him, fled out of the
field, and left his people unto the
slaughter of the sword.²

Unto this indeed do they bear
witness which were taken, that is to
say the knights, Thomas Randolf,
David Inchmartin, [and] John
Somerville, Hutting the marshal [and]
standard-bearer of the king, and Hew
the abominable priest, with many
others.

And when sententia was given upon
them, they all received the prize of
being hanged.³

But Hew the priest was hanged
first of all, before the others, as though
he said : I the priest do show this
way unto you.⁴

But when the others felt the torment
of the cross, they said within them-
selves : To the devil with Hew !

In those days, the King of England

¹ Matt. xii. 25 ; Luke xxi. 10.

² 2 Kings xxv. 6 ; 1 Cor. ix. 24.

³ 1 Sam. xxxi. 3.

⁴ Isa. lvii. 14.

principi Wallie, Proficiscere in Scociam et vindica despectum factum sancte ecclesie, es sanguinem Johannis Comyn et Anglicorum qui effusus est.

Ego vero prosequar iter tuum ; sicut fuerit voluntas in celo sic fiat.

Exiit ergo a Cesare Edwardo edictum ut describeretur universa militia Anglicana, qua adunata, statim in Scociam profectus est.

Premittensque angelos suos de *Traylebastone*, id [est], Justiciarios, binos et binos ante faciem suam in omnem civitatem et locum ad quem erat ipse venturus, dicebat, Ecce, dedi vobis potestatem calcandi omnia membra diabolica. Homicidas occidite ; proditores distrahite ; perjuros suspendite ; non per con, sed per col. ; incendiarios comburite ; malos male perlite ; et meam vineam locate Anglicis agricolis, qui reddant vobis fructum temporibus suis. Non parcat oculus vester cuiquam magno vel parvo, signo Thau signatis duntaxat exceptis.

Illi autem abeuntes fecerunt sicut precepit illis Rex.

Et capti sunt infra duorum mensium spacium per inquisitiones juratorum hominum centeni et milleni

said unto the Prince of Wales : Go forth into Scotland and avenge the insult which is done unto the Holy Church and the blood of John Comyn and of the Englishman which is shed.¹

But I will follow after thee ; as the will in heaven shall be, so be it.²

Therefore there went out a decree from Cæsar Edwardus, that all the militia of England should be enrolled, and when it was gathered together he set forth straightway unto Scotland.³

And he sent his angels of Trailbaston,⁴ which is to say, the justiciaries, two and two before his face into every city and place, whither he himself would come, saying : Behold, I give,⁵ unto you power to tread on all the limbs of the devil. Slay the manslaughterers ; draw the traitors ; hang the perjurers, not *per con.* but *per col.* ; burn the fire-raisers ; miserably destroy these wicked men, and let out my vineyard unto English husbandmen,⁶ which shall render you the fruits in their seasons. Let not your eye spare any, either great or small, save only them that are signed with the sign Tau.⁷

And they went, and did as the king commanded them.⁸

And there were taken within the space of two months, by the verdicts of jurors, an thousand and one

¹ Ps. lxxix. 10.

² 1 Macc. iii. 60.

³ Luke ii. 1 (Vulgate).

⁴ See "The Outlaw's Song of Trailebaston," in French, in the Political Songs of England, from the reign of John to that of Edward II. Edited by Thomas Wright (Camden Society), 1839, 231. Also Langtoft's account of the same institution, *ib.* 319, and notes, *ib.* 283, 398.

⁵ Luke x. 1, 19.

⁶ Matt. xxi. 41.

⁷ St George's Cross ? Ezek. ix. 4, 5, 6 (Vulgate).

⁸ Matt. xxi. 6.

virī digni morte, velud fractores pacis regie, parricide, conspiratores pessimi, qui omnes palmam patibuli meruerunt. Testimonium huic perhibet Nigellus de Bruys, miles et germanus pseudo Regis, adolescens pulcherrime juventutis. Qui cum judicaretur ad mortem dicebat, Sumus quidem quinque fratres. Utinam, testetur illis de me, ne et illi veniant in hunc locum tormentorum.

Tunc ait quidam de turba, Heliam vocat iste. Cui alius, Non, sed fratres suos. Sinite; si venerint fratres sui, eumque nunc liberent si velint.

Qui cum moram facerent in veniendo, per plateas de Berewyke tractus et suspensus est. Causa hujus quia, consenserat faccionibus fratris sui.

Porro Johannes et Christoforus de Seytone, fratres, et hostiarii ecclesie dum perimeretur Johannes Comyn, distraccionis et suspendii beneficia condigne meritis sunt adepti.

Capitur autem et illa impia conjuratrix, Comitissa de Bowan, de qua consultus Rex ait, Quia gladio non percussit, gladio non peribit.

Sed propter coronacionem illicitam quam fecit, in corona ferrea ad modum domuncule fabricata firmissime obstruatur, cujus latitudo et longitudo, summitas et profundum, octo pedum

hundred men guilty of death, as breakers of the peace of the king, murderers of fathers, most wicked plotters, who all earned the palm of the gibbet. Hereunto doth bear witness Nigel Bruce, a knight and a brother of the sham king, a young man of youth comely exceedingly. When he was judged unto death, he said: We are five brethren; would that it were testified unto them concerning me, lest they also come into this place of torment.¹

Then one of the multitude saith: This man calleth for Elias, and another [saith] unto him: Nay, but for his brethren. Let be, let us see whether his brethren will come and deliver him now, if they will have him.²

But, forasmuch as they tarried in coming, he was drawn through the streets of Berwick and hanged. His cause was that he had consented unto the conspiracy of his brother.

Moreover, John and Christopher Seton, brethren that kept the doors of the church while John Comyn was put to death, received the benefit of hanging whereof they were worthy.

And there is taken also that wicked conspiratrix, the Countess of Buchan, and when the king had taken council concerning her, he saith: Because she hath not smitten with the sword, she shall not perish with the sword.³

But on account of the unlawful crowning which she made, let her be kept most fastly in an iron crown, made after the fashion of a little house, whereof let the breadth and

¹ Luke xvi. 28.

² Matt. xxvii. 43, 47, 49.

³ Matt. xxvi. 52.

spacio concludatur. Et apud Berewike sub divo imperpetuum suspendatur, ut a pretereuntibus possit conspici, et agnosci pro qua fuerat causa illa. Que tunc assumpsit gemitum pro cantu, meditans ut columba, et ait, Similis facta sum pellicano solitudinis, nicticoraci in domicilio, et passeri solitario in tecto.

Post hec optulerunt Regi Episcopos et Abbatem qui coronaverant pseudo Regem. Quibus Anglie Rex, Vos estis de quibus lex vestra canit, Egresse est iniquitas a sacerdotibus Scocie qui videbantur populum regere.

Nonne vos estis qui apud Shene juxta London, tactis sacrosanctis Evangeliiis jurastis super corpus Domini, Sic Deus vos adjuvet et sancta Dei Evangelia, michi et succedentibus post me Regibus Anglie fidelitatem servare? Et pactum Domini irritum fecistis propter traditiones vestras!

Ypocrite! bene prophetavit de vobis Ysaias, Populus hic labiis me honorat, cor autem eorum longe est a me.

Respondete obsecro. In lege Domini de talibus quid scriptum est? Dixit Episcopus Sancti Andree, Virum injustum mala capient in interitu.

length, the height and the depth, be finished in the space of eight feet; and let her be hung up for ever at Berwick under the open sky, that all they that pass by may see her, and know for what cause she is there. Then did she take up groaning for singing, and did mourn as a dove, saying: I am like a pelican of the wilderness, I am like an owl in his hole, and as a sparrow alone upon the house top.¹

After these things, they brought unto the king the bishops and the abbat, who had crowned the sham king. The King of England saith unto them: Ye are of them of whom your law singeth, Iniquity is gone forth from the priests of Scotland, who seemed to rule the people.²

Are not ye they that did touch the Holy Gospels at Sheen, hard by London, and did swear upon the body of the Lord, so help you God and the Holy Gospels of God, to keep fealty unto me and unto the kings of England that shall come after me? Thus have ye made the covenant of the Lord of none effect by your tradition.³

Ye hypocrites, well did Esaias prophecy of you [saying], This people honoureth me with their lips, but their heart is far from me.⁴

Answer me, I pray you. What is written in the law of the Lord concerning such? The Bishop of St Andrews said: Evil shall hunt the violent man to overthrow him.⁵

¹ Is. xxxviii. 14; Ps. cii. 6, 7 (Vulgate).

³ Matt. xv. 6.

⁴ Matt. xv. 7, 8.

² Dan. xiii. 5 (Vulgate).

⁵ Ps. cxl. 12.

Et Rex Episcopo Glascuensi ait, Quomodo legis? Qui ait, Impietas impii super ipsum erit. Et Rex, Tu Abba, quid dicis? Respondit, Qui juramentum Christi violat, ipsum in adiutorium sui negat. Quibus Rex, Recte iudicastis. Et ego despiciam quos hactenus spreuit Deus. Os enim condenpnavit vos, et non ego. Porro nunc non moriemini, quia portatis archam Domini, tonsura[m] capitis clericalem. Verumptamen quia sub capa pastorali deprehenditur lorica militaris, immutato habitu quo induimini, ergastula introite quousque visitavit vos oriens ex alto, in [est], Summus Pontifex degradaverit vos ex facto.

Et factum est ita. In Anglia diversis carceribus mancipantur, sedentes in tenebris et umbra mortis, vincti in mendicitate et ferro.

Saulus dum hec fierent, ad huc spirans minarum, id [est], Symon Frisel, petiit a pseudo Rex epistolas ut ubicumque inveniret Regis Anglie fideles vinciret et trucidaret. Ibat igitur Saulus, Simon, furia invectus, totoque pectore virus efflabat, et Anglorum sanguinem sine intermissione siciebat. Et cum iter faceret, contigit ut appropinquaret Lillistho. Et subito circumsepit eum Rex Anglorum. Et audivit vocem dicen-

And the king saith unto the Bishop of Glasgow: How readeest thou? and he said: The wickedness of the wicked shall be upon himself.¹ And the king said: Abbat, what sayest thou? He answered: Whoso breaketh the oath of Christ, refuseth Him for his helper. And the king said unto them: Ye have rightly judged. And I will despise them whom God hath rejected. For not I but your own mouth hath condemned you. Howbeit, now, ye shall not die, because ye bear the ark of the Lord, the shaven head of clerks. Nevertheless, forasmuch as the breastplate of the warrior is found under the cloak of the shepherd, the raiment wherewith ye are covered shall be changed, and enter ye into the prison-houses until the day-spring from on high shall visit you, that is, until the Supreme Pontiff shall actually degrade you.²

And it was so. They are put into divers prisons in England, sitting in darkness and in the shadow of death, being bound in affliction and iron.³

While these things were done, Saul, that is, Simon Fraser, yet breathing out threatenings, desired of the sham king letters, that wheresoever he found men faithful to the King of England he should bind them and put them to death. Therefore Saul-Simon went carried away with fury, and spat poison out of all his breast, and thirsted for the blood of Englishmen without ceasing. And as he journeyed, he came near Linlithgow. And suddenly

¹ Ezek. xviii. 20.

² Luke i. 78.

³ Ps. cvii. 10.

tem sibi, Saule, Simon, quid me persequeris? Quis es domine? At ille, Ego sum minister Regis Anglie quem tu persequeris infidelis. Durum erit tibi contra pavementum natibus calcitrare. Et adductus ad judicem tremens ac stupens, dixit, Domine, quid me vis facere? Et judex ad eum, Simon, habeo aliquid tibi dicere, quod non [potes] portare modo. Scies autem postea. Qui cadens in terram nichil ridebat. Et judex ad eum, Surge et ingredere civitatem London, ac dicetur tibi quanta oporteat te pro nomine Regis pati. Ad manum autem illum trahentes introduxerunt castrum London.

Et cum apponeretur ei cibus, neque manducavit neque bibit, et ait, Tristis est anima mea usque ad mortem, mortem autem crucis.

Fatigatus est ex itinere cepit [cedere]. Oculi enim ejus erant gravati pre magna tristitia.

Erant autem ibidem plures alii Scoti, insignes viri, qui propter sediciones et homicidia carcere claude-

¹ All from Acts ix. 1, 2, 3, 4, 5, 6, 8, 16, except part of the speech of the judge, which is from Luke vii. 40; John xvi. 12, xiii. 7. The *pavimentum natibus calcitrare* is a reference to being *drawn* through the streets to execution.

² Acts ix. 9.

³ Mark xiv. 34; Phil. ii. 8.

⁴ John iv. 6; Mark xiv. 32, 40; Luke xxii. 45.

there came round about him the King of England. And he heard a voice saying unto him: Saul-Simon, why persecutest thou me? [And he said]: Who art thou, Lord? And he said: I am the servant of the King of England, whom thou unfaithfully persecutest; it will be hard for thee to kick against the pavement with thy buttocks. And he, when he was led before the judge, trembling and astonished, said: Lord, what wilt thou have me to do? And the judge said unto him: Simon, I have somewhat to say unto thee, but thou [canst not] bear it now, but thou shalt know hereafter. And he fell to the earth, and laughed not at all. And the judge said unto him: Arise, and go into the city of London, and it shall be told thee how great things thou must suffer for the king's name's sake. But they led him by the hand and brought him into the Castle of London.¹

And when meat was set before him, he neither did eat nor drink.² And saith: My soul is exceeding sorrowful unto death, even the death of the cross.³

[Simon therefore] being wearied with his journey, began [to be very heavy] for his eyes were heavy for sorrow.⁴

But there were there many other Scots, men of renown, that for sedition and murder were cast into prison,

bantur. Inter quos Thomas de Morham cum filio Hereberto et armigero suo Thoma de Roys, ferreijs compedi- bus nexi erant.

Et ait Thomas pater ad hospitem, Simon, dormis? Non potuisti una hora vigilare mecum?

Vigilate et plorate; cras intrabitis in dampnationem, tu et filius meus eum.

Et continuo gallus cantavit. Tunc recordatus est Herbertus verbi quod prius dixerat, In quocunque die captus fuerit Simon Frisel, capud meum Regi dono.

Et pater addens dixit, Si possibile est transeat a me calix iste. Spiritus quidem promptus est evadere, caro autem infirma.

Cui pater, Fili, non venisti facere voluntatem tuam sed ejus qui te misit. Lucescente autem die, ductus est Herebertus ad supplicium. Et clamavit post tergum armiger suus dicens, Quo progredieris sine patre fili? Quo miles nequicie sine ministro versucie proferas? Tu nunquam sacrilegium, homicidium, vel maleficium sine ministerio meo exercere consueveras. Qui ait illi, Veni et sequere me. Nam ego et tu morsque dividimur.

Exeuntes autem de castello proceserunt vicum unum.

among the which was Thomas de Morham, with his son Herbert, and his squire Thomas de Roys, bound with fetters of iron.¹

And Thomas, the father, saith unto the new-comer: Simon, sleepest thou? Couldst not thou watch one hour with me?²

Watch and wail, [for] to-morrow ye shall enter into damnation, thou and my son Herbert with thee.³

And immediately the cock crew. Then Herbert remembered the word which he had said before: In what day soever Simon Fraser is taken, I give mine head to the king.⁴

And the father said moreover: If it be possible, let this cup pass from me. The spirit indeed is willing to escape, but the flesh is weak.⁵

His father saith unto him: Son, thou art come, not to do thine own will, but the will of him that sent thee.⁶ And when the day broke, Herbert was led to execution. And his squire cried after him, saying: Son, whither goest thou without thy father? Knight of wickedness, whither farest thou without a squire of craftiness? It hath never been thy use to commit sacrilege, murder, or witchcraft without my ministry. And he saith unto him: Come, and follow me. For there is [but a step] between me and thee and death.⁷

And they went out, and passed on through one street.⁸

¹ Luke xxiii. 25.

³ Mark xiv. 38; Matt. xxvi. 41.

⁵ Matt. xxvi. 39, 41.

⁷ Matt. xix. 21; 1 Sam. xx. 3.

² Mark xiv. 37.

⁴ Matt. xxvi. 74, 75.

⁶ John vi. 38.

⁸ Acts xii. 10.

Quo, sub divo, decollato milite, decapitatus armiger sequebatur eum. Et nesciebant quia verum est quod fiebat per Anglicum. Oculi enim eorum velabantur ne quemque agnoscerent.

Hoc autem totum factum est ut impleretur scriptura, Ego dixi, in dimidio dierum meorum vadam ad portas inferi, nec aspiciam hominem ultra in terra vivencium.

Et planxerunt speciem decoris illius omnes qui noverant eum ab heri et nudius tercius, quia in tota Scocia non erat vir ita pulcher sicuti Herbertus. A planta enim pedis usque ad verticem non erat in eo macula. Ab humero et sursum eminebat super populum.

Planxit autem pater filium suum, dicens, Quis mihi det ut pro te moriar, fili mi Herberte ?

Addiditque pro filio et pro servo, Ecce quomodo dilexerunt se in vita sua, ita et in morte non poterant separari.

Tunc conversus iudex ad Simonem Frisel dixit, Tu es qui sepius turbasti regna Regis Anglie. Quomodo et quociens Rex Anglie dimisit te liberum ut cum iusticia permaneres

And when the soldier had been beheaded there in the open air, his squire followed him, headless also. And they wist not that it was true which was done by the Englishman, for their eyes were holden that they should not know any man.¹

Now, all this was done that the scripture might be fulfilled, which saith : I said, in the midst of my days, I shall go to the gates of the grave : I shall behold man no more in the land of the living.²

And all they that had known him yesterday and the day before, mourned for the perfection of his beauty : for in all Scotland there was none to be so much praised as Herbert for his beauty ; from the sole of his foot even to the crown of his head there was no blemish in him ; from his shoulders and upward he was higher than any of the people.³

And the father mourned for his son, saying : Would God I had died for thee, O Herbert [my son], my son !⁴

And he said, moreover, for his son and for his servant : Behold how they loved one another in their lives, and in their death they could not be divided.⁵

Then the judge turned unto Simon Fraser, and said : Thou art he that hast oftentimes troubled the kingdoms of the King of England. How and how many times hath the King of

¹ Acts xii. 9 ; Luke xxiv. 16, *velabantur*, viz., blindfolded at the block.

² Is. xxxviii. 10, 11.

³ Ps. l. 2 ; 2 Sam. xiv. 25 ; 1 Sam. ix. 2.

⁴ 2 Sam. xviii. 33. The brutality of this is quite startling.

⁵ 2 Sam. i. 23. Commem. of SS. Peter and Paul in Breviary.

et viveres super terram. Jamque pejora peioribus cumulasti; comprehenderunt te iniquitates tue et mala que operatus es ab adolescentia tua usque in presens. Ne poteris amplius villicare, sed itaque judicaris. Primo, per longitudinem civitatis traheris; deinde in patibulo alcium exaltaberis; postea in decisione capitis spiritum exalcobis; truncus cremabitur, et capud tuum juxta capud Willelmi Waleys quod vovisti furatum fuisse affixo ibi capite Anglici pro eodem, super lanceam fixum erit. Et sic discas alias reddere vota tua.

Hoc autem totum factum est ut impleretur scriptura, Dentem pro dente, suspensionem pro suspendio, adustionem pro adustione, capud pro capite luet homo.

Hec dum complentur in London, conscius ipse sibi Johannes Comes de Asseilla quod de similibus simile fieret judicium fugam querit, sed fugiendo captus est. Comes autem iste de regali sanguine sibi originem vendicavit. Et hesitantibus nonnullis quid de ipso fieret, et quod ve quale subiret judicium, respondit Rex, Si disceptatis pro sanguine, Psalmus vos instruit; Virum sanguinum et dolosum abhominabit Dominus.

England let thee go free, that thou mightest abide in righteousness and dwell in the land? And now hast thou added worse unto worse; thine iniquities have taken hold upon thee, and the evil which thou hast done from thy youth up until now. Thou mayest be no longer steward, but thus thou art judged. First, thou shalt be drawn through the length of the city; then thou shalt be highly exalted upon the gallows; afterward thou shalt give up the ghost in the cutting off of thine head, thy body shall be burned, and thine head shall be set up upon a lance beside the head of William Wallace, which thou didst swear to steal away, and to set the head of an Englishman in his place. And thus do thou learn otherwise to perform thy vows.

Now all this was done that the scripture might be fulfilled: Tooth for tooth, hanging for hanging, burning for burning, head for head shall a man render.¹

While these things are being fulfilled in London, John Earl of Athole, knowing that like judgment was for like things, seeketh flight, but in flying he was taken. Now, that Earl claimed that he was sprung of king's blood. And when some doubted what should be done unto him, and what judgment or of what kind he should undergo, the king answered: If ye dispute among yourselves concerning blood, the Psalm doth you to wit—The Lord will abhor the bloody and deceitful man.²

¹ Exod. xxi. 24, 25.

² Ps. v. 6.

Et ait, Quanto gradus alior tanto lapsus gravior. Non sanguinis lineam set justitie judicium attendite. Qui alios parricidas superexcesserit in sanguine, alcius felonibus pro scelere suspendatur. Item et ducite eum cante usque London, ut videat si cuncta sint prospera circa falsos fratres, et renuncia michi quid agatur. Quo cum pervenisset et in Turri falsis Scotis valediceret, dicunt illi, Heri venisti, et hodie compelleres subire tormentum. Qui ait, Sine modo : Sic enim oportet me luere omnem iniquitatem quam perpetravi. Tunc conversus iudex ad eum dixit, Et si omnes Scoti conspiraverunt contra Regem Anglorum, velis nolis et Scotorum sed non tu, suple si gratus esses eo quod natione Anglicus es, et¹ ex regali sanguine vendicias procreatus. Hoc est ergo in quo non es justificatus ; Anglicos, Scoticos, Regis ministros, jugulasti, incendisti quinimmo Regem quatenus in te est.¹ Quociens prodidisti in Flandria, in Anglia, et in Scocia ? Suscipe ergo bravium cursus tui ; sed regali sanguini tribuemus reverenciam et honorem. Non enim traheris per urbem, sed ascenso equo, ne forte offendas ad lapidem pedem tuum, levaberis in patibulum. Demissus decollaberis ; azephalum corpus tuum vorax incendium adnichilabit, et capud tuum medium inter duorum proditorum capita altrinsecus defixum, quasi de regali sanguine, pontem Londinie decorabit ; Si quando venerint Greci vel Barbari, Cretes

And he saith : By so much as the place is higher, so much is the fall heavier. Regard not ye the line of blood, but the judgment of justice. He that hath exceeded in blood more than the other murderers of fathers, let him be hanged for his foul deed higher than the felons. Wherefore also lead him carefully unto London, that he may see whether all things be well with the false brethren, and bring me word again what is done. Whither when he was come and bade farewell unto the false Scots in the Tower, they say unto him : Yesterday thou art come hither, and to-day thou shalt be constrained to undergo the torment. He saith : Suffer it to be so now ; for thus it behoveth me to wash away all the iniquity which I have committed.² Then the judge turned unto him and said : Although all the Scots should conspire against the king of the English (and, will thou, nill thou, of the Scots also), yet shouldest not thou forasmuch as thou art an Englishman by nation, and claimest that thou art born of kingly blood. Hereby, therefore thou art not justified ; thou hast slain [and] burned the king's servants, Englishmen [and] Scotchmen ; yea, moreover, the king himself, as far as lay in thee, how often hast thou betrayed, in Flanders, in England, and in Scotland ? Receive thou therefore the prize of thy running ; but unto the kingly blood we will pay worship and honour ; for thou shalt not be drawn through the city, but thou shalt ride upon an horse,

¹ The punctuation is here evidently wrong.

² Matt. iii. 15.

te Arabes, Romani vel Yspani, Franci vel Angli, Scoti vel Picti, de quibus omnibus London, est concursus, et furentur capud tuum, et dicant plebi, Surrexit a mortuis.

lest haply thou dash thy foot against a stone, [and so] shalt thou be lifted up upon the gallows. Thou shalt be let down and beheaded, and the devouring fire shall consume thine headless trunk to nothing, and thine head shall be set up in the midst between the heads of the two traitors, higher than they, as being of kingly blood, and shall adorn London Bridge, lest Greeks or Barbarians, Cretans and Arabians, Romans or Spaniards, Frenchmen or Englishmen, Scots or Picts, whereof all do flow unto London, should come and steal away thine head, and should say unto the people: He is risen from the dead.

Hoc autem totum factum est ut impleretur scriptura, Sicut fecit gladius tuus mulieres absque liberis, sic erit mater tua absque filio inter mulieres hodie.

Now all this was done that the scripture might be fulfilled: As thy sword hath made women childless, so shall thy mother be this day childless among women.¹

Post hoc accessit ad Regem quidam Scotus, Doncanus nomine, offerens ei sex viros in certamine deprehensos, et ait, Domine, hii peccatores evaginaverunt gladium, intenderunt arcum, ut depopularent terram tuam, et trucidarent si resisterent rectos corde.

After this a certain Scot named Duncan drew near unto the king, to offer unto him six men whom he had taken in battle, and he saith: Lord, these wicked ones drew the sword [and] bent their bow, that they might waste thy land and slay the upright in heart, if so be they should withstand them.²

Quibus ego occurrens cum trecentis non multo eo amplius peremi ex eis septingentos viros, hos in acie, hos in fuga, hos in saltu, hos in portu, et plures consequuti sunt in ponto. Istos reservavi ut in quo voluntas regia de hiis decreverit faciendum. Respondit Rex, Gladuis intret per

But I went to meet them with not much more than three hundred men, and destroyed seventy of them, some in the battle and some in the flight, some in the thicket, and some in the port, and many of them wereswallowed up together in the sea. These have I kept as that wherein should be done

¹ 1 Sam. xv. 33.

² Ps. xi. 2.

colla eorum, et arcus eorum potencie confringatur. Qui protinus justiciariis liberantur. Quorum nomina hec fuerunt; Alexander de Bruys, Decanus ecclesie Glasouensis, germanus pseudo Regis, Reginaldus de Craunforde, Malcolmus Makayle, dominus de Kentir, qui apud Kar[e]olum dampnabantur, et Thomas de Bruys, qui tractus et suspensus ac decapitatus est, relicto corpore super furcas, si forte veniret Joseph ab Arimathia ac tolleret et sepeliret illud. Reliqui simpliciter suspenduntur et per accidens decollantur. Tunc conversus iudex ad Alexandrum de Bruys dixit, Tu quis es? Respondit, Membrum et Decanus. . . .

whatsoever the king's will shall command concerning them. Then the king answered: Let the sword enter into their necks, and let the bow of their strength be broken. And forthwith they were delivered unto the Justiciaries. Now these were their names—Alexander Bruce, Dean of the Church of Glasgow, brother of the sham king; Reginald Crauford; Malcolm Makayle, Lord of Cantire, who were condemned at Carlisle; and Thomas Bruce, who was drawn, and hanged, and beheaded, and his body was left upon the gibbet [to see] if haply Joseph of Arimathea would come and take him and bury him. The rest are hanged plainly, and beheaded as it were by the way. Then the judge turned him unto Alexander Bruce, and said: Who art thou? and he answered: [I am] a member and dean

Here apparently two leaves are wanting, and the chronicle is then resumed.

There can be no doubt that the broken sentence at the end—" [I am] a member and Dean"—must have continued "of the Cathedral chapter of Glasgow," or some similar phrase.

If it is really to be regretted that any more of this stuff is lost to us, it is certainly at this point, for if we had a continuation, it would probably have contained some further information beyond what is now known to exist, upon the executions which took place at Ayr, in which Brice Blair suffered, and upon which Blind Harry has founded one of the most inaccurate, but also one of the most popular incidents of his romance. As it is, the matter in question remains, as far as this composition goes, as much in the dark as ever. It may be observed, however, that if there are really only two leaves missing, the amount of this parody which is

lost (if indeed it be not an unfinished fragment), cannot be great, since the last event mentioned in the portion of the chronicle which precedes it is the affair of Stanhope-park in Aug. 1327, and the portion which follows it recommences in the midst of the description of the battle of Halidon Hill, July 19, 1333.

As regards the date of this composition, it seems to me that it is possible to arrive at a pretty certain and exact conclusion. The last event which it mentions, at least as we now have it, is the execution of Thomas and Alexander Bruce and Reginald Crauford. That event, of which we have a close and exact notice in the *Lanercost Chronicle*, took place at Carlisle on Feb. 17, 1307. This parody therefore cannot be earlier than that date. On the other hand, it seems to me that Edward I. would hardly have been written about after his death in the sort of playful tone here adopted. He died at Burgh-on-the-Sands, July 7, 1307. If my impression is just, it must therefore have been written before that time. But I think I can detect a still closer indication. The whole tone is one of perfect, untroubled, and indeed insolent security. Now, King Robert returned from Ireland after Easter, which fell on March 26, and soon after defeated first Aymer de Vallance, and then the Earl of Gloucester, whom he besieged in Ayr. But there was an earlier event than this, which marked the turning of the tide of affairs. This was what is commonly known as the Douglas Larder, which took place on Sunday, March 19. I therefore conjecture that the composition before us must have been drawn up before that event. If so, we are thrown into the 2nd, 3rd, 4th and 5th weeks of Lent, and the tone of the religious services of the period certainly seems a sufficiently probable explanation of the peculiar form of this profane skit.

I am of course quite aware, that it may be argued against this that the *Extracta e variis Chronicis Scotiæ* state Simon Fraser to have been taken prisoner only on the 25th of March, but I feel compelled by all the other authorities which I have consulted to reject that date. My impression is that the date in the *extract*, viz., *Annunciacionis Dominicæ* may have been caused by a copyist's blunder for *Assumptionis*, which would suit that of the execution, and is fairly accordant with the distinct

statement of a MS. quoted in Nicolas' *Carlaverock*, 218, that he was captured on the Friday before the Assumption, viz., Aug. 12, 1306. The execution took place, Sept. 7, 1306 (Matthew of Westminster).

As regards the authorship, it can only be remarked that it was written by some one who was intimately acquainted with the course of affairs, and most probably living in Carlisle or the neighbourhood at the time. The object of the work is a more curious subject. It was evidently written for the amusement of some one who was extremely familiar with the Latin language, and also with the Bible,—in other words, in high social position. Whoever it was, he was also a person of singular brutality and cruelty of disposition, the lowest possible taste, and a turn for pleasantry of a very degraded and degrading kind. This consideration is quite enough to render it out of the question that this wretched stuff was prepared to please the great Edward. It is true that an exclamation of this kind, coupled with a very profane oath, is attributed to him by Walsingham (*Historia Anglicana*, sub anno 1300), but the statement is hardly reconcilable with the letter of the Archbishop of Canterbury describing the very scene (Prynne's *History of the Pope's Usurpations*, iii. 882, 883); and even if it were true, it is a very different thing to a piece of sustained and cold-blooded profanity like the *Passio*. I hope I may not be wronging the memory of his unworthy son, if I express the idea that a conjecture in that direction would not be an improbable one.

The most curious circumstance with regard to this composition is that it is several times quoted in the penultimate chapter of Matthew of Westminster. It does not seem to me that this admits of the least doubt. The first passage is this:—

quæ transgressa maritali thoro, exarserat in [speciem et] concupiscentiam fatui coronati. [Et mutavit nomen ejus impositum in baptisinate], nominans illum David. Cumque domum redisset, fertur uxori suæ dixisse: Heri vocabamur ego Comes et tu Comitissa, hodie vero ego rex et tu regina vocamur. Cui illa: [Timeo quod rex

who had transgressed against the bed of her husband, and burnt for the beauty and lust of the crowned fool, and changed the name that had been given him in baptism, calling him David. And when he was come home, he is said to have said unto his own wife: Yesterday we were called Earl and Countess, but this day we

estivalis sis, forsitan hyemalis not
eris.] Timeo autem ne tanquam flos
agri, qui hodie est, et cras in clibanum
mittitur, sic effloreas, ac ne pro per-
jurio fidei, per vocabulum regium,
Comitatum simul perdas et regnum,
Qui se irrisum à muliere existimans,
voluit eam gladio peremisse.

are called King and Queen. And she
said unto him : I fear me that thou
art a summer king, perchance thou
shalt not be a winter one. But I fear
lest thou flourish as the grass of the
field, which to-day is, and to-morrow
is cast into the oven, and lest for thy
perjured faith, by the name of king
thou lose the earldom and the king-
dom together. And thinking himself
mocked of a woman, he would have
destroyed her with the sword.

From this comparatively respectable edition, it may be conjectured that when the Countess of Buchan crowned Robert, the second time, at Scone, on March 27, 1306, she probably made, and not unnaturally, some speech in which she compared his crowning to the crowning of David in Hebron. That this was so, is the more probable, because Matthew of Westminster, a few sentences before, goes out of his way, as though for the sake of protest, to compare the ceremony to the crowning of Adonijah. I imagine the parodist to have got hold of the fact, and altered David into "Daffy," for the sake of calling him the crowned idiot. What is really rather amusing is that, through the perfidy of Matthew of Westminster, no less venerable and pious a writer than Dr Lingard is made to figure in the train of this foul jester. "When his wife," says Lingard, "was informed of the coronation, she ventured to express a hope that he, who was a king in summer, might not prove an exile in winter." Lord Hailes, with his usual acumen, saw that the story was fabulous, but he did not know where to look for the original fable, which I have now the honour of laying before you.

The following passages also appear to me to be clearly quotations :—

Execution after the Rout of Methven.

In prælio autem supradicto capti sunt hi viri, Thomas filius Ranulphi, David Inkemartyn, Johannes de Sumervile, milites Hutting Marescallus et vexillifer pseudo regis, et Hugo capellanus. Qui nihilominus, cum prædictis, et cum multis aliis, quorum nomina hic non necitantur ne pagina his vilescat, patibulo ante cæteros prinutus est affixus, quasi diceret : Ego presbyter tale vobis præbeo iter.

Nigel Bruce's Execution.

Nigellus de Brus, miles pulcherrimæ juventutis, pro eo quod consenserat factionibus fratris sui, et cæteri qui cum eo capti fuerant tracti sunt atque suspensi, et ultimo decollati.

The Countess of Buchan.

Capitur etiam et illa impiissima conjuratrix de Bowhan, de qua consultus rex, ait : Quia gladio non percussit, gladio non peribit. Verum propter illicitam coronacionem quam fecit, in domicilio lapideo et ferreo, in modum corone fabricato, firmissime obstruatur, et apud Bervicum sub dio forinsecus suspendatur, ut sit data, in vita et post mortem, speculum viatoribus et opprobrium sempiternum.

The Dress of the Bishops.

Isti ergo perjurati Prælati in arctissimis carceribus, forma et habitu quibus fugiendo capti fuerant, retruduntur, quousque per Apostolicam sedem dispositum eit, quid de his fuerit faciendum.

The Wager of Herbert de Morham.

Quidam Scoticus miles, in Turri Londinensi vinculatus caput proprium regi dedit, quocunque die captus fuerit [Symon Freysel], amputandum. Nomen autem hujus Herebertus de Norham Posthæc Symon Freysel ad Turrim Londinensem mittebatur, ut illo viso, voti præstiti Scotus alius recordaretur.

Execution of Simon Fraser.

Sic damnatur. A Turri Londinensi per viculos et plateas distractus ut proditor, suspensus eminus quia latro, truncatus capite ut homicida, refixus equaleo per dies 20, igne quoque finaliter est combustus. Hujus autem caput super pontem Londinensem juxta caput Gulihelmi Waleis super lanceam est affixum.

Execution of the Earl of Athole.

Comes autem iste de stripe regali sibi originem vindicavit. Idcirco quidam Palatini, ipsum cum iniquis judicandum indecens indecorumque censebant. Quibus rex non sanguinis lineam sed justitiæ judicium attendens, dicebat : Quanto gradus altior, tanto lapsus gravior esse constat. Sed cæteris parricidis generosior in sanguine, altius cæteris suspendatur pro scelere. Nec vos latet quoties voluit prodidisse nos in Angliâ, in Scotiâ, et in Flandriâ. Habete

illum vos ut Londini justissime judicetur. Quo cum pervenisset quia de regali sanguine fuerat oriundus, non est tractus, sed ascenso equo, in equuleo quinquagina pedum suspensus est. Postea semivivus demissus ut majores cruciatus [sustineret], crudelissime decollatur. Truncus vero illius, præaccenso in conspectu ejus vehementi igne, una cum carne et ossibus, in favillas et cineres, funditus conflagrantur. Caput autem istius, inter alia proditorum capita, super pontem Londin, in superlativo gradu, quia de regali stemmate, est affixum.

It may, of course, be suggested that the parody was based on Matthew of Westminster, and not *vice versa*. There are, however, several circumstances which point pretty clearly in the opposite direction, although they may not perhaps be regarded as absolutely conclusive.

(a) The consideration already proposed for fixing the time and place of the composition of the parody.

(b) The speech attributed to the King of Scots is distinctly marked by Matthew of Westminster as a quotation—"fertur dixisse," not "dixit."

(c) The language is actually appropriated, but slightly pared or modified, so as to lose the character of profanity.

(d) There are facts in the parody, such as the details of the shape of the cage, or the execution of the Bruces and Crawford at Carlisle, which could not have been got from Matthew of Westminster.

(e) Matthew of Westminster, in adding, makes at least one mistake, viz., the Queen of Scots having been sent by her husband to her father.

(f) The scriptural quotations found in both are certainly at home in the parody and very awkward in the history, and the same may be said about the remark as to Hew the chaplain.

(g) In the parody the sequence of the events is taken very much at haphazard; in the history there is an attempt to arrange them chronologically. If the parody had been taken from the history, it would seem more probable that the sequence in the history would have been followed.

(h) The present tense, as regards the imprisonment of the Bishops and Abbat, who were released in 1314.

Lord Hailes and Dr Lingard both decried the notion that the Countess of Buchan was hung up to public view in a cage outside the walls of Berwick Castle, although, after the description by Matthew of Westminster, such doubts certainly seem rather astonishing. That it was so, was clear enough from other sources; but if the least doubt could have remained, it will be removed by the minute description here given.

The mention of Sheen as the place where the Bishops and Abbat had taken the oath of fealty is certainly very singular. There is in Palgrave a long account of the repeated swearing of fealty to King Edward by both the bishops, but it never appears to have been at Sheen. Under the circumstances, it may be suggested that the present state of the text is due to the error of a copyist, possibly writing to dictation. In this case the words "prope London," may be regarded as a gloss, and "apud Sheen" as occupying the place of some such word as "sœpissime."

The name of Thomas de Roys is evidently also a copyist's error for de Boys, which is given correctly in Matthew of Westminster, who, on the other hand, at least in the common text, has de Norham by mistake for de Morham. The history of these persons could no doubt be much illustrated by farther investigation, but it is needless here to go into a biographical study. The following notes, however, which were the first that occurred to me, are perhaps not without interest:—

On June 29, 1294, King Edward summoned Thomas de Morham and others to be in London on the ensuing Sept. 1 (*Rymer*, ii. 643, 644).

Sir Thomas Morham, then called King Edward's enemy, was brought before him at Aberdeen, in the middle of July 1296 (*Stevenson's Historical Documents*, ii. 29), but he evidently submitted, and was pardoned, for Thomas de Boys, and Thomas de Morham, both swore fealty to King Edward at Berwick on Aug. 28, the same year (*Ragman Roll*, 134, 142).

On Oct. 12, 1297, we have the mandate of the king, committing him to the custody of the constable of the Tower (*H. D.*, ii. 235).

His son Herbert was captured in arms at Dunbar at the end of April 1296 (*H. D.*, ii. 50), and was in prison in Rockingham Castle at least till April 14, 1297.

On July 30, in that year, he was released, on condition of going to France, his sureties being John Comyn of Badenoch and David Graham (*Rymer*, ii. 775, 776); but it is possible that he only returned to Scotland, and threw himself into the arms of the Nationalist party. At least on Oct. 25, 1299, the Countess of Fife declares that he had devastated her property to such an extent that she could not meet her debts (*H. D.*, ii. 399, 400).

In Sept. 1301 he was, with Simon Fraser and others, close to the south-west borders, and seems to have joined in the attack on Lochmaben on Sept. 7 (*H. D.*, ii. 431-435).

He was a prisoner before Feb. 20, 1304, for on that day he and his father were specially excepted in a proposal for an exchange of prisoners of war (*Palgrave's Documents and Records*, 281).

But Thomas de Boys was still uncaptured at that date, as he is one of the four persons excepted from the proposed terms of peace, the others being the High Steward, John de Soules, and Simon Fraser. He is similarly excepted, along with Simon Fraser and David Graham, in a similar but undated document about the same time (*Palgrave*, 278).

It thus appears that Herbert de Morham had been a prisoner for at least two years and a half before his execution, and it is impossible but to suppose that it was not originally intended to put him to death, but that he was sacrificed to the anger which clouded the end of King Edward's career. It is a pleasure to think that his father, Thomas de Morham, lived to see his native land once more. There can be little doubt that he is the person called in the printed *Fœdera* (*Rymer*, ed. 1727, iii. 501, 502), Thomas de Morrain, who was released from the Tower by an order of Nov. 20, 1314, that he might be returned to Scotland and liberated. There are grounds for hoping that his declining years were soothed by the affection of a daughter, Eufemia, married to John Gyffard, and by the presence of a grandchild, Hew Gyffard, her son (*Liber Cartarum S. Crucis*, 92). He was dead before Aug. 16, 1327, when he is mentioned with respectful gratitude by William, Bishop of St Andrews, as a deceased benefactor of that church (*Liber Cartarum S. Crucis*, 78, 79).

The speech put in the mouth of Thomas de Boys, as addressed to

Herbert de Morham, is not from Scripture, but from a portion (i. 41) of St Ambrose's Book on Offices, which is used in the Breviary on Aug. 13, and relates that when St Lawrence saw St Xystos being led to execution, he said to him—

Quo progredieris sine filio, pater?
quo, sacerdos sancte, sine Diacono
properas? Nunquam sacrificium sine
ministro offerre consueveras.

Father, whither goest thou without
thy son? Holy Priest, whither dost
thou fare without a Deacon? It hath
never been thine use to offer sacrifice
without a minister.