

II.

COMMISSION BY KING CHRISTIAN THE FOURTH OF DENMARK TO
MAGNUS SINCLAIR, CAPTAIN OF THE SHIP "LEOPARDEN," 1627.
By GILBERT GOUDIE, F.S.A. Scot.

In a communication to the Society of 13th March last year, printed in the *Proceedings*, vol. xxvii. p. 235, I reported the discovery, among ancient Shetland muniments in my hands, of two documents in cognate, though varying, forms of the old Norse language.

The former of those documents, as then shown, was a mortgage of lands in Shetland, in 1597, by one Andrew Mouat of Hugoland, then residing in Norway, and his wife, a Norwegian lady, named Else Trondsdaughter, who was owner in her own right of the lands in Shetland which were conveyed by the deed. The specific interest connected with that deed, as was pointed out, consisted in the circumstance that the joint granter of it was sister to Anna Trondsdaughter, the Norwegian beauty who fell a victim, like so many others, to the false gallantry of the notorious James Hepburn, Earl of Bothwell, husband of our Queen Mary,—a story which figured in the records of the period in Denmark and Norway, though it has been wholly lost sight of by Scottish historians.¹

The second paper then referred to, which was come upon quite casually in the course of my researches for another purpose, is the subject of the present communication, and is also of some public interest. It is a Danish state document, a Commission to one Magnus Sinclair, a Shetland captain, to cruise, under the protection of the sovereign, in Danish waters.

¹ Though the story of the Lady Anna Throndsdaughter has been lost sight of by Scottish historians, the novelist James Grant, author of *The Romance of War* and other stories, caught a glimpse of it in the papers printed in *Les Affaires du Conte de Boduel*, to which he refers; and, founding upon this, has introduced as a leading figure in his novel of *Bothwell* a Norwegian lady whom he names "Anna Rosenkrantz," with whom Bothwell elopes from Bergen, under promise of marriage, and with whom he resides for a time in the castle of Noltland, in the island of Westray in Orkney, ultimately deserting her. The story ends in a manner somewhat similar to the actual facts in the case of Anna Throndsdaughter and her deceiver.

This Commission, or Royal Warrant, now exhibited, is written on a sheet of strong hand-made paper, water-marked, 16 inches long by about 13 inches in breadth, signed by three officers of the Council of State, in the absence of the King (1627), and sealed with the common seal of State, impressed, through intervening paper, on wax. The commission is expressed in the Danish language then in use, and is in the ordinary Danish handwriting of the period. The writing is distinct enough, but is in a style with which I am not very familiar; and I am indebted to my learned friend Mr Kristian Koren, of Drontheim in Norway, for transcribing it, and also for clearing up for me more than one point of difficulty in the translation.

I. *Transcription.*

Wij Christian den Fjerde med gudtz Naade Danmarekis Norgis Wendis och Gottis Konning, Hertug udj Slesuig Holsten Stormaren och Dyttmersken greffue udj Oldenborg och Delmenhorst, giöre alle wetterligt att wij naadigst haffuer ladet afferdige breffuiszer Mogens Sinclair Captein paa Leoparden, at skulle wdj neruerende sommer, Löbe paa wore och cronens ströme, at wdrette, huis wij hannem Nadigst Lader befalle, og siden till bage igien, thj bede wij wennligen wore kiere wenner Naabor och foruante, Saa och strengeligen buide och befalle alle wore fogder, Embetzmend och alle andre wore wnder-sater, some Hand paa samme Reigsze med for^{ne} schib, och indhaffuende goeds Hennder for at Komē, at j Hannom wbehendrit der med Lader passzere, ey giörendis Hannom der paa forhindring, och dersom Hand aff storm och winder Indtrens wdj nogen eders haffner, y daa for bilig betalling wnndzetter Hannom med folck, fetallie, ancker, Toue och Huis anndet Hand behöffner och eder om till sigendis worder; det wille wij med forbē worre Kiere wenner, Naabor och foruanter, udj slige eller andre maader Igien forschyllde och bekiende, och aff woris egne undehrsatter det saa alluorligen Hafft haffue. Giffuett paa wortt Slott Kjöbenhaffn den 21 Aprilis Anno 1627.

Wnder Wortt Zignett.

Hogbē Hans Maytts forordinerede Regierins Raad wdj Hans Maytts frauerellsze.

CHRISTENN FRIIS.

HANSZ LINDENOV.

FRANTZ RANTZOW.

Eg. h. h.

m. p.



(On the back in a later hand, the single word) Leoparden.

II. *Translation.*

We Christian the Fourth, by the Grace of God King of Denmark, and of the Vandals and Goths, Duke of Slesvig Holstein, Stormaren and the Ditmarches, Count of Oldenburg and Delmenhorst, make known to all that we have graciously been pleased to dispatch the bearer of this letter, Magnus Sinclair, Captain of the Leopard, that he may during the ensuing summer sail in our own and the crown's seas, to perform which we graciously commit to him, and again to return. For which purpose we cordially request our dear friends, neighbours, and kinsmen, and in like manner urgently require and command all our justices ["Fouds"], magistrates, and all our other subjects among whom he may happen to come in the course of his voyage with the beforenamed ship, and the goods contained [in her], that ye allow him to pass therewith without hindrance, and if he by storm and winds be driven into any of your harbours, that ye at a reasonable cost supply him with men, victuals, anchors, cordage, and whatever else he may need and inform you of. All which we will compensate and make good to our beforenamed dear friends, neighbours, and kinsfolk in the same or some other way, and earnestly require at the hands of our own subjects. Given at our Palace at Copenhagen the 21 April in the year 1627.

Under our Seal.

His beforenamed Majesty's specially ordained Council of State in his Majesty's absence.

CHRISTENN FRIIS.

HANSZ LINDENOV.
Own hand.

FRANTZ RANTZOW.
With my own hand.

(L.S.)

(Dorso) Leoparden.

In the original document the name Mogens (or Magnus) Sinclair is written over a previously deleted name, which seems to read "Mogens Davidszen." It is possible that Magnus Sinclair and Magnus Davidson (*i.e.*, Magnus the son of David) might be meant for one and the same person, merely differently expressed, the latter, the patronymic form, being still common over the Scandinavian north, or at anyrate only, as in Shetland, discontinued within the present century.

Who, then, was this Magnus Sinclair, a foreigner, in Denmark, specially commissioned in this way? And what can we precisely say was the nature of his Commission?

These interrogations are not, in any very conclusive way, answered by the document. Sinclair is simply described as "the bearer of this letter" and as "Captain" of the ship "Leoparden" (The Leopard). Many persons of the name of Sinclair were at this time, as well as earlier and later, in the service of the Kings of Denmark and of Sweden, and are also mentioned in the records of Norway. Michell, in his *History of the Scottish Expedition to Norway in 1612*, refers to this very fully, quoting several names well known in those countries; among these a Danish nobleman, Anders (Andrew) Sinclair, who emigrated from Scotland in 1607;¹ a "Captain Sinclair," referred to in 1645, possibly the very person we are considering; and also a David Sinclair who, in 1669, was appointed Foud or Bailie of Eger, in Norway, by King Frederick III. The indications are not, however, sufficiently clear to lead to identification; but that Magnus Sinclair was a Shetlander, of one of the numerous families of that name in the islands, is beyond a doubt, the document having been preserved, as a family paper, among the deeds and documents of the Sinclairs of Houss, latterly "of Scalloway," though its nature or import, or even its existence, does not appear to have been known in recent generations. The name of Magnus does not, however, appear in the genealogical line of this family later than the Magnus Sinclair who was laird of Houss in the latter half of the 16th century, and who may not improbably have been the father, or grandfather, of the present wanderer who sought fortune under the flag, not of perfidious Albion, but of the King of Denmark, whose predecessors were the liege lords of his ancestors.

The ship commanded by Sinclair was not one hailing from Shetland, or of Scottish origin, as may be inferred from its name "Leoparden."

¹ Mr Æneas J. G. Mackay, LL.D., has kindly called my attention to what seems to be a reference to this Andrew, in a Memorandum, of date about 1611, contained in *Aarsberetninger fra det Kongelige Geheimearchiv*, 6th volume, concerning, *inter alios*, one Captain Andreas Sinckler, who was in command of a company, 400 men strong. Persons of the names of Rantzow and Lindenow also appear in this great Danish compilation of ancient documents, and as the dates are not far distant from that of the Commission at present under notice, it is not improbable that Frantz Rantzow and Hansz Lindenow, who sign it, may be connections. I am indebted to Sheriff Mackay for these references, and for other important hints.

The document itself, in the reserved terms in which it is expressed, would seem to indicate little beyond merely mercantile pursuits in the objects of the cruise, for a temporary period, in Danish waters; but the fact of the special and formal intervention of the royal authority, the instructions to subjects everywhere to come to the rescue, at all times when requisite, with men and equipments, and the pledging of the crown to make good the cost of any such aid, can scarcely be interpreted as implying other than service to the State in the cruising of "The Leopard."

Letters of marque issued to private adventurers, or "privateers," authorising them to make war upon, or seize, the property of another nation, were recognised by all the European powers until abolished by the treaty of Paris in 1856. Without such authority these adventurers were themselves liable to be seized as pirates. No such express authority is here given, but the possession of a warrant from the Crown of Denmark could be read as sufficiently elastic to sanction efforts offensive and defensive, either against pirates or, if occasion served, in acts of piracy pure and simple.

At this time, and indeed for centuries, the North Sea was infested by pirates, from whom the shipping in the north of Scotland, especially in Orkney and Shetland, and on the coasts of Norway and Denmark, suffered greatly. Cases of such piratical seizures are of constant occurrence in the judicial records of the Privy Council, with representations by the Scottish Government to the English authorities and to Continental States and municipal governments; and the value of the services of Sinclair, an expert seaman, intimately acquainted with the coasts of the North Sea, both on its eastern and western shores, can be readily apprehended. This view of the nature of the commission to Captain Sinclair is, I confess, a reading between the lines of the document, but it is a view strongly held by my friend Mr Koren, State Archivist at Drontheim, to whom I have already referred.

While these conclusions present themselves in a critical survey of the document, its character and import cannot be satisfactorily viewed apart from a consideration of the political circumstances of Denmark at the time.

Christian the Fourth, in whose name the letter of Commission is issued, has been regarded as the greatest of the Oldenburg princes; but, great though his talents were, and supreme his devotion to the best interests of the country, his long reign, which extended from 1588 to 1648, cannot be regarded otherwise than as a disastrous one for Denmark. He was frequently involved in war with Sweden and with Germany, and at the date of the letter the nation was plunged in the great struggle between the Catholic and the Protestant powers of Northern Europe known as the Thirty Years' War. After laying waste the Protestant States of Southern Germany, the Imperialist generals Tilly and the celebrated Wallenstein had carried the war north into Pomerania. King Christian, at this critical juncture, yielded to the appeal of the Protestant princes, and in 1625 led a Danish army against the invaders. For three years he prosecuted the war with energy. Meanwhile the enemy entered Denmark by Slesvig and Holstein, committing depredations and slaughter in every quarter; and Christian, obliged to withdraw from the war in 1629, returned in perplexity to his own country, which was then in a miserably exhausted condition, leaving to Gustavus Adolphus of Sweden the glory of leading the princes of Germany to victory over the forces of the Emperor.

It was while King Christian was absent in the German war in this way that the Commission to Captain Sinclair was issued—"Given at our Palace, Copenhagen, the 27th April, anno 1627. His Majesty's specially ordained Council of State in His Majesty's absence." In the circumstances of the time a tried sea-dog like Sinclair, familiar with every port and creek of the North Sea, would readily be entrusted with a ship under the Danish flag, equipped for trading purposes, or for trading and warlike purposes combined. Englishmen and Scotsmen were indeed in those times largely employed in the service of the Scandinavian kings, as has been already mentioned. It was in 1612 that the ill-fated Scottish expedition under Lieut.-Colonel Alexander Ramsay and Captain George Sinclair, for the aid of the King of Sweden in the war with Denmark, landed in Norway, and were cut to pieces in Gudbrandsdal by the Norwegian peasants. Gustavus Adolphus is said to have had some thousands of English

and Scottish adventurers under him in the German wars; and the likelihood of Sinclair's being employed in the Danish service would probably be accelerated by the fact of his being a Shetlander. It was at the time in question not much more than a century since the Islands, by the deed of pawn in 1468, had ceased to be directly administered from Denmark as a dependency of the Dano-Norwegian crown; and, as I have frequently had occasion to point out, from illustrations supplied by contemporary documents, the closeness of that ancient intimacy was very slowly relaxed. It may be, however, that this Commission to Captain Magnus Sinclair may be the last recorded instance of a Shetlander occupying a position of trust, by direct appointment of the sovereign, in either Denmark or Norway. He would appear to have returned to his native country, and to have left the Commission as a personal relic to be preserved by his family.