

IV.

SOME FURTHER EARLY ORKNEY ARMORIALS.

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II.

The armorials noticed in this second paper are practically all in stone. Only one other early seal has so far been found; while the slabs themselves are, as a rule, of rather later date than those covered by the previous paper. They almost all, however, come from the sixteenth or early seventeenth century, and they include a number which for many years past had been hidden beneath the raised floor of the choir of St Magnus Cathedral and have only recently come to light. Again I have to express my obligations to Mr G. M. Watson and the Kirkwall Town Council for giving me every facility for examining them and taking rubbings. And, as before, I was very fortunate in having the counsel and assistance of Archdeacon Craven. My thanks are also due to Mr A. O. Curle, Mr F. J. Grant, and Professor Hannay for most kindly answering various inquiries.

The first armorial to be noticed is the Cragy coat on the ancient font now in Stromness Episcopal Church (fig. 1). I referred to it in my last paper, but had not at that time taken a rubbing. The only thing to add concerning it is that the two markings in the centre line (above and below the fess) are distinctly, though very slightly, raised, and might possibly have been ermine spots originally, which were chiselled off because there was no space to make anything of them. (It may be remembered that the field really ought to be ermine.) The date is quite likely to be before rather than after 1500.

What I am inclined to think is probably the oldest slab in the present collection is a badly worn tombstone, evidently broken, which was found beneath the floor of the Birsay Parish Kirk,¹ and is now built into the wall of the vestibule (fig. 2). At the foot (which would be about the middle of the slab originally) is a shield with impaled arms:—dexter, a stag's head erased; sinister, a lion rampant. The dexter charge is actually so split up by fissures in the stone that at first sight it is difficult to make anything of it, and in the rubbing one or two of these have been filled in to make it clearer. The general outline and the horns, however, are as they came out when the rubbing was first taken. Over the dexter coat is the initial R of the surname, but

¹ "Near the west corner," *Birsay Church History*, p. 334.

the initial of the Christian name has gone completely. Over the sinister coat are the initials E.G. (or possibly E.C.). Higher up are the remains of an inscription, of which the last word seems to be ". . . ITLAND."

To give this slab even an approximate date is a matter of considerable difficulty. Its superficial appearance of extreme antiquity is undoubtedly due largely to the fact that it was a very bad piece of stone and the surface has split into innumerable fissures. The straight-sided shield is a much safer guide. I know of only one instance of this type of shield appearing on a slab in Orkney in the sixteenth century, and

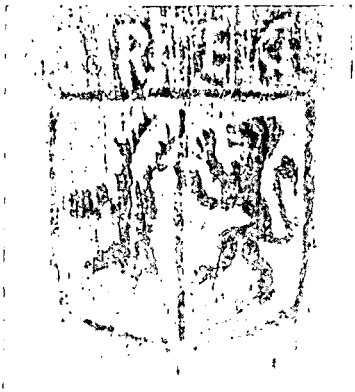


Fig. 2. Coat on slab in Birsay Parish Kirk.

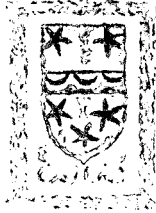


Fig. 1. Craggy Coat, Stromness Episcopal Church.



Fig. 3. Coat on slab in St Magnus Cathedral.

that was the tombstone of Sir Nicol Halro, illustrated in the previous paper, of date about 1540-50 (though even in that case the top has ceased to be straight); and a search through the various illustrations in these *Proceedings*—particularly in Mr Rae Macdonald's two papers¹—seems to show that this applies to Scotland generally, or at any rate to the northern parts. The type was common in the fifteenth century, and became common again in the seventeenth, and on these grounds one would logically date the slab either in the fifteenth or very early sixteenth century, or in the seventeenth.²

At first sight the presence of the inscription, cut in compact, not very ancient looking, incised capitals, suggests the seventeenth de-

¹ *Notes on the Heraldry of Elgin and its Neighbourhood* (vol. xxxiv.), and *The Heraldry in some of the Old Churchyards between Tain and Inverness* (vol. xxxvi.).

² It must be understood that I refer to armorials in stone only. Straight-sided shields appear on seals all through the sixteenth century.

cisively. But the relative positions of the shield in the middle of the slab and the inscription above it are, if not absolutely unique, at least so extremely unusual as to rouse a strong suspicion that the inscription was added later; and this suspicion is deepened by the marked difference between the initials and the lettering of the inscription. Also, the records of Birsay are pretty ample during the seventeenth century, and in that period nobody lived or died in the parish with those initials and of such a position as to have been commemorated by an armorial tombstone like this. On this reasoning, then, the slab should be dated either in the fifteenth century or the early part of the sixteenth; and that, I think, is all it is safe to say.

In early days by far the greater part of Birsay consisted of bishopric lands, and owing to the small amount of private property, there are scarcely any records before the year 1600. The bishopric lands were let to tacksmen whose names have been lost with the bishopric rentals, and one can safely presume that the bearer of the dexter coat was one of the larger of these. That his name was Reid seems an almost equally safe presumption. No other Orkney family are on record beginning with R and having a stag's head erased for arms, and from an early date Reids were people of good position in the Islands, and, as will appear presently, they were certainly an armorial family. In 1509 an Andrew Reid appears as "roithman" among the "worthiest and best in the land," and as he is on no other record, the presumption is that he lived in some more or less out of the way district. He, or perhaps a predecessor, might possibly have been the R in question.

It may be added that if the slab can be dated later, say in the latter half of the sixteenth century, the chances of finding a Reid in Birsay would be increased, for Bishop Reid (1541-58) had the leasing of the bishopric estates in his hands during his episcopate.

With regard to the sinister coat, one can only say that Grays are found connected with Birsay from at least as early as 1574, and that there is no other known Orkney family of that period beginning either with G or C and having a lion rampant for arms.

Apart from this stone, all the slabs of early date to be noticed in this paper come from St Magnus Cathedral. The oldest of them seems in all probability to be the tombstone of "V.P." in the choir of St Magnus (fig. 3). Though it is in very good preservation, there is no sign of date or further inscription, and this fact alone argues a date before the middle of the sixteenth century, for the few other Orkney slabs which either have no lettering at all or initials only, all certainly belong to an earlier period than this; while all inscribed stones so far discovered can be dated later than 1540. On the other hand, the shape of the shield,

with its exaggerated points, makes it unlikely to be earlier than the second or third decade of that century. A date round about 1520-40 would therefore seem to be distinctly indicated.

Whether the contents of the shield are wholly, or even partially, heraldic remains to be considered. In the meantime they may be described as a spear, point upwards, between two keys, all paleways, the keys attached to the head of the spear; in base a dragon and two (dice?), one in either flank. The rim of the shield, the charges, and the initials are cut in very bold, clean relief, and it bears altogether the stamp of a stone-cutter who handled his tools confidently and with a certain flourish. And this is a fact that must not be overlooked in trying to solve the enigma of V.P.'s identity.

Assuming him to have appeared on written record, only two men bearing these initials in the first half of the sixteenth century seem to be possibilities. One was a chaplain, Sir William Perquer or Parquer, twice mentioned as witness (1534 and 1536). The other was "William Thome Peterson," included as one of a court of representative landowners in 1522, and who in all probability can be identified with William of Ness, son of Thomas of Ness and grandson of Peter of Ness, on record in 1508.¹

A solution on what seems to me personally very probable lines was first suggested by Dr Craven, namely, that the keys stand for Peter (*i.e.* Peterson), and that the other objects in the shield symbolise the key of Heaven and the key of Hell. They would thus be the spear and dice of the passion instruments, with the dragon signifying the devil. And the style and spirit in which the thing is cut are very consistent with a symbolical solution.

If this hypothesis be correct, V.P. was then in all probability the above-mentioned William Peterson or William of Ness, the representative of an old native family not of large estate but of good position. An heiress of this family had already brought half the property into the Tulloch family, and Thomas Tulloch "of Ness" was one of the leading people of that period, appending his seal to one or two documents, including a doom of the Lawthing in 1516. The actual surname of Ness vanished by the middle of the sixteenth century and seems to have been replaced by Peterson or Petrie.

On the other hand, a chevron between three keys paleways are the arms of several English families of Parker, and this suggests Sir William Parquer as a possible candidate. The odds, however, are against an Englishman being found in the Orkney church, and then too this shield is very different from the actual arms of Parker, and the spear, dice, and dragon are left unexplained. One might possibly conceive of the passion

¹ See *Records of the Earldom of Orkney*, p. 95 n.

instruments being added to the arms of an ecclesiastic, but why bring in the devil?

There is, of course, the chance that the person commemorated was not on record at all, and may not be either of these. There are, however, no other families connected with Orkney who bore such arms, or to whom such a device would be appropriate, and on the whole the well-known allusion of keys to Peter and the known existence at that time of this William Peterson seem to me to give the likeliest clue.

The broken slab shown in fig. 4 was a curiously fortunate discovery. Below the shield are the initials E.S. and the hilt of a two-handed sword, and of the marginal inscription there is left:—

..... LYIS · ANE · HONORABIL · MAN · EDVARD

Comparing the arms on the shield with those on the partially defaced seal of Edward Sinclair of Strome, illustrated in the previous paper

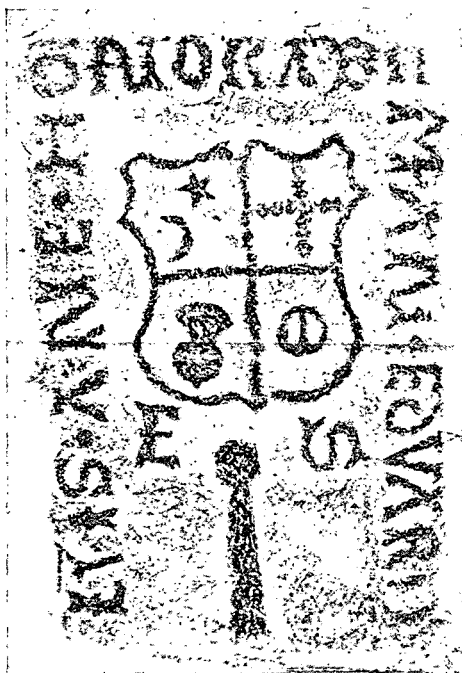


Fig. 4. Coat of Edward Sinclair of Strome.

(fig. 14), in the first place it is at once evident who E.S. was, and in the second place we can now reconstruct the arms on the seal. In fact, the irregular position of the engrailed cross in the second quarter (caused probably by reversal in cutting) clearly shows that the arms on the slab were copied from those on the seal. The reading of them given in the first paper can now be corrected as follows:—quarterly; 1st, a star in sinister chief and an increscent in dexter base; 2nd, a cross engrailed; 3rd, a thistle; 4th, a buckle.

Since the quarters were reversed in error, possibly the charges in the first quarter may have been too, and in this case they might be read as:—a star and a crescent in bend (for on a bend?). This distinctly suggests Scott, and Edward Sinclair of Strome certainly had somewhat distant Scott ancestry. There is

no obvious origin for the 3rd and 4th quarters.

The probable date of this slab will appear presently.

The slab (also broken) shown in fig. 5 has a shield divided per fess, and the lower part per pale. The upper compartment has a cross engrailed; in dexter base is a star between two crosses pattée fitchée, the dexter cross being bendways; and in sinister base are two guttées in fess. On either side are the initials I.S., and of the marginal inscription there remains:—

HIC · JACET · HONORABILIS · VIR · LAVRENTIVS
 ARII · ANNODNI · 1 · 5 · 6 · 4

The Christian name and the engrailed cross leave no doubt that this was the tombstone of Lawrence Sinclair of Sands, burghess of Kirkwall, and this is confirmed by the initials of his wife I.S. (Janet Strang). Along with Edward Sinclair of Strome, Lawrence was one of the warriors respited in 1539 for their work at the Battle of Summerdale, and not only does the date of his death, 1564, coincide with Edward's disappearance from record, but the lettering in the two slabs (particularly the characteristic N) shows that they were the work of the same hand. Practically the same date can therefore safely be assigned to Edward Sinclair's slab. The two were found close together in the choir of St Magnus.

Lawrence Sinclair belonged to one of the chief Shetland families of the name (the Sinclairs of Houss), whose pedigree may be found in Mr Grant's *Shetland Families*. Why he settled in Orkney is not known, but probably it had something to do with his acquisition of Sands. There is only one place of that name in either archipelago, a large township in Deerness in the east mainland of Orkney. It became the chief estate of the Paplays after Paplay passed out of their hands, and the two guttées seem distinctly to indicate that Lawrence inherited a share of Sands through a Paplay ancestress.

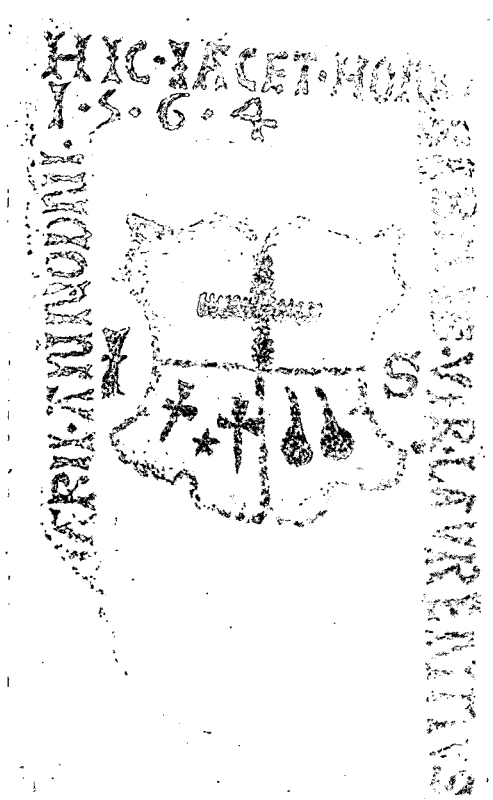


Fig. 5. Coat of Lawrence Sinclair of Sands.

The remaining compartment bears a striking resemblance to the first and fourth quarters in the seal of Patrick Cheyne of Essilmont, appended 1598:—three crosses pattée fitchée (the first and second bendways).¹ This Patrick Cheyne obtained a charter of the Archdeaconry lands in Shetland in 1587, and the family subsequently settled in the islands. No connection with Shetland is known previously, yet it is difficult to think that such a very singular resemblance can be a mere coincidence.

The handsomest slab found in the choir is the tombstone of Lord Adam Stewart (fig. 6). The arms are:—a lion rampant within a tressure flory and counterflory, the tressure being coincident with the rim of the shield; and whatever zoological criticism may be made on the animal, there is no denying his spirited attitude, or the artistic skill with which he is made to fill the field. At the top and sides of the shield are the letters "LAS" (Lord Adam Stewart), and round the margin of the slab runs the following inscription in Gothic lettering:—

adamus · steuardus · filius · illustrisimi · principis · jacobi · quinti ·
scotorum · regis · qui · obit · vicesimo · die · junii · anno · domini ◊ m ◊
v ◊ lxxv ◊

An interesting and unusual feature of the slab is a second inscription along one edge. This reads:—

domina · de · halcro · filia · ejusdem · fieri · fecit · hoc · sepulchrum ·
et (apparently two more words at the end).

Lord Adam Stewart himself is thus shown to have been a natural son of King James V. He was therefore brother of Lord Robert Stewart, at that time feuar and afterwards Earl of Orkney. His daughter, the Lady of Halcro, was clearly Barbara Stewart, brother's daughter of Earl Robert, whose marriage contract with Henry Halcro of that ilk was dated in 1580. Sometime after her marriage she evidently caused this slab to be laid in her father's memory.

One of the largest slabs found in the choir is that once covering the bones of James Menteith of Saltcoats and Patrick Menteith of the Fair Isle. Unfortunately it is too worn for reproduction, but the coat of arms can just be seen to include a bend, and a buckle in sinister chief. The bend would of course be checky, and from the position of the buckle one can pretty safely conclude that there were originally six, three on either side of the bend; so that, like the stone on the house of Howan in Egilsay, illustrated in *Orkney Armorial*, it was intended to represent the quartered arms of Menteith and Stirling. Below the shield is this inscription in incised capitals:—

JACOBVS · DE · SALTCOTS · ET · PATRICIVS · DE · FAIRILI ·
MONTETHS · IA · 1574 · PA · 1597.

¹ *Scottish Armorial Seals*, No. 417.

Round the margin runs a Latin inscription, but only portions of a few words are legible here and there.

James Menteith of Saltcoats appears very seldom in Orkney records, but Patrick was one of Earl Robert Stewart's sheriff deputies and constantly in evidence. The above date on the slab corrects the date of his death (1614) as quoted in *Orkney Armorial*s from a pedigree in the Lyon office. Also, the James of Saltcoats, referred to in the same place as nephew of Patrick, must obviously have been a successor of the James recorded on this slab.

The discovery of this stone has one very curious sequel. In Hossack's *Kirkwall in the Orkneys* (p. 50), the author, after mentioning that many



Fig. 6. Coat of Lord Adam Stewart.

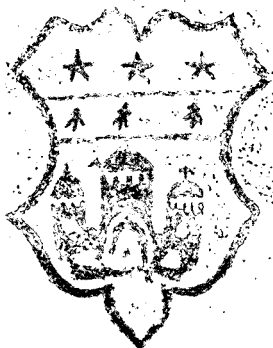


Fig. 7. Coat of William Kincaid.



Fig. 8. Coat of Thomas Reid.

ancient monuments were lost to view owing to the raising of the choir floor, goes on to say, "Perhaps one of the most interesting of these is on the east side of the north-east pillar of the choir. It is inscribed, 'Here lyes Captain Patricio of the Spanish Armada, who was wrecked on the Fair Isle, 1588.'" And he then proceeds to quote from Tudor certain particulars concerning Captain Patricio Antolinez who commanded 243 soldiers on board the *El Gran*, wrecked on the Fair Isle.

It is somewhat singular that Dryden, who saw the slabs before the floor was raised and gave a general description of them, made no mention of this interesting stone. And it is still more singular that this stone was certainly not in the choir when the floor was recently removed. In fact, no slab at all was found beside the north-east pillar. But close to the south-east pillar lay this Menteith stone, in a very worn state, but with the words "Patricius" and "Fairili"

tolerably legible; and the only possible explanation of Hossack's statement seems to be that some ancient inhabitant with more imagination than experience of deciphering inscriptions, fastened upon "Patricius" and "Fairili," presumed that "Jacobus de Saltcots" should naturally be read "Here lyes, etc," arranged one of the dates to fit the Armada year, and eventually communicated this interesting note of the buried monument to the learned historian of Kirkwall.

If, however, Mr Hossack was somewhat incorrectly instructed in this matter, he gives all the particulars necessary for identifying the next slab (fig. 7), which likewise was found in the choir. This has a shield with arms:—a fess ermine between three stars in chief and a castle triple-towered in base—the arms of Kincaid. Above it is a crowned hammer, badge of the blacksmith's trade, and below it the initials V.K. in incised capitals, joined by a twisted device. There is no marginal description, but near the foot of the slab are the words "memento mori" in raised Gothic letters within a sunk panel.

The V.K. in question, smith to trade, is easily recognised as William Kincaid, who, along with his brother John, came from Abbotshaugh near Falkirk to take service with the Stewart earls as skilled blacksmiths. William owned a house in Kirkwall and died in 1594.¹

The slab illustrated in fig. 8 was also found in the choir. The arms on the shield are a stag's head erased, with the initials V.R. above and T.R. below. Below that again is the date "4 · MAII · 1603," and beneath that a rudely incised skull and bone. Round the margin is an inscription in incised capitals. So far as I can read it, it runs:—

HIC · TEGITVR · TOMAS · REID · CVI · FLOS · IVVENTVTIS ·
SPEM · PRO · · · · M · FERENS · MORTE · · · · ·

Beyond the fact thus recorded, that the slab was laid over Thomas Reid, cut off in the flower of his youth, there is no other record either of him or of V.R. It may be mentioned, however, that a Wat Reid appears as witness at Kirkwall in 1542, and may possibly have been the V.R. in question.

The shield shown in fig. 9 occurs on a broken fragment of stone (no doubt part of a slab), presumably once in the nave of St Magnus, and, like the V.P. shield, it presents an interesting little conundrum. The arms are a chevron between two plain crosses in chief and an object which looks more like a leather-worker's knife than anything else I can think of. At the same time, it is certainly not quite the usual pattern, and also there seems to have been some sort of a pro-

¹ See *Kirkwall in the Orkneys*, p. 222, where these and other particulars are given.

jection on the dexter side of the upright or handle (opposite the well-marked projection on the sinister side), too faint to come out in the rubbing and too vague to enable one to judge of its nature. On the chevron is incised a lozenge with a small cross within it, but this scarcely looks like a heraldic charge. Possibly those more learned in such matters may recognise it as some species of symbol. The top of what seems to be either the letter I or the figure 1 can be seen below on the dexter side. The shape of the shield makes the end of the sixteenth century or the early years of the seventeenth a very probable date; and those are all the clues apparent in the stone itself.

There is, however, a small seal on a letter dated from Essenquoy (in St Andrews Parish), 25th November 1667, which may possibly throw some light on the matter. The letter was written by Thomas Baikie, younger of Tankerness, then living at Essenquoy, the initials T.B.

are on the seal, and the arms are:—on a chevron between three plain crosses (though one at least rather suggests a cross pattée), a bird's head—either eagle or parrot. The resemblance to the arms on the stone is at least sufficient to suggest a connection between them; especially looking to the fact that no arms in the least like either of them are known elsewhere in Orkney.

These arms used by Thomas Baikie have a marked resemblance to those of Barclay (a chevron between three crosses pattée) and a connection is suggested between this coincidence and a hitherto very puzzling circumstance; the fact, namely, that a certain Marable Baikie, wife of Steven Paplay, found round about 1600, is twice, at least, referred to as Marable *Barclay*. Recalling the incident of the Banks and Marjoribanks arms referred to in the last paper, it certainly looks as though the Baikies had at one time adopted the Barclay arms owing to the similarity in sound between the names, and afterwards altered them into those recorded in the Lyon Register.¹

As this seal is the first recorded instance of Baikie arms, and as Thomas Baikie, father of James, first of Tankerness, and grandfather of Thomas, younger, was a leading citizen of Kirkwall and died in 1611, a

¹ Argent, on a chevron gules between three flames of fire proper, a lion rampant accompanied by two estoiles of the field (registered 1686). These seem very possibly canting arms, the three flames being intended for "bekins" (beacons). The lion and estoiles seem evidently borrowed from the arms of Moncrieffe. Elizabeth Moncrieffe was wife of Arthur Baikie, second of Tankerness.

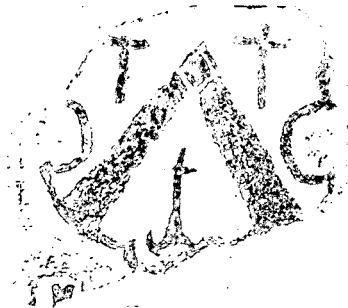


Fig. 9. Slab with undetermined arms.

date which would suit the stone very well, the resemblance between the two shields is distinctly suggestive.

The slab shown in fig. 10 (found in the nave of St Magnus) is interesting as showing an example of trade implements treated heraldically.

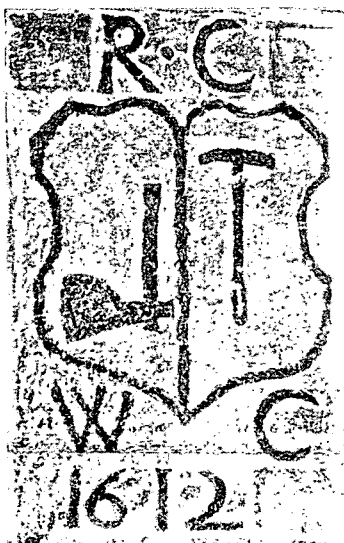


Fig. 10. Slab, probably of William and Robert Couper.

Though this was common enough elsewhere, this slab is almost, if not quite, the only Orkney instance in which the pseudo charges consist solely of such implements. The shield is parted per pale, with an axe in the dexter half and a hammer in the sinister. Above it are the initials R.C., and below it W.C. Then comes the date 1612, and lower down a later inscription: "I.C. MARCH 16 ANNO 1705. (M)EMNTO MORI"; and then a death's head.

The family commemorated is in all probability that of Couper. A William Couper, carpenter, is mentioned as a householder of Kirkwall in 1561, and a witness in 1573; and a Robert Couper wadset his house in Kirkwall in 1590. These seem evidently the W.C. and the R.C. of the slab, and I.C. was no doubt a descendant.

Of the same date as the last is another slab in the nave (of which I did not take a rubbing). It has a shield of arms:—a chevron between three water bougets. The sides have been trimmed off, evidently to make it fit a space in the floor, and some letters of the inscription are missing. This reads:—

HEIR · LYIS · AN(E) · (G)ODLIE · AND ·
VERTOVVS · IS(O)BEL · CALCRI(T?).
(S)POVS · TO · VILLIAM · BANNA(N)T-
YNE · OF · GARSAY · 1612.

William Bannantyne is very frequently on record in the latter part of the sixteenth century. Among other lands, he got a feu charter of the island of Gairsay. I can find no other record of his wife. The lettering is so fresh looking as to suggest that it has been rechiselled, and possibly the curious name Calcri(t?) is merely the result of this. Could it have been Gilchrist?

This exhausts the earlier slabs so far discovered, but there are three of a later date, hitherto unnoticed, which may be referred to briefly.

In the floor of the Birsay Parish Church is a stone with an illegible

inscription and a very rude coat of impaled arms.¹ The date 1645 and the letters N N are at the foot, and as these initials at once suggest the family of Nisbet of Swannay in Birsay parish, whose armorial seal I have found on a later seventeenth century letter, it is probable that three objects like socks with the feet uppermost, in the dexter coat, are intended for boars' heads, and certain ambiguous lines between them for a chevron. The sinister half of the shield is blank.

In the nave of St Magnus was a slab with a shield of arms:—a (garb?) between three bundles of as many holly leaves each. In chief and flanks are the letters C.R.I. (Captain Robert Irving). Over it is a helmet with mantling but no crest. An inscription in raised capitals relates that the deceased married Barbara Williamson on the 10th of June 1654 and left (Marion?), Margaret, and Mary Irvings, their children.

From the Orkney Commissariat records one learns that Captain Robert Irving died in February 1679, and that his testament dative was given up by his widow Barbara Williamsone. He is frequently mentioned in seventeenth-century records, but I have not been able to trace a relationship to any of the Orkney families of the name.

In the old kirkyard at Osmundwall in Walls is a tombstone with an impaled coat of arms:—dexter, three boars' heads erased, with one star visible in sinister base; sinister, a chevron (uncharged) between three flames of fire. Of the inscription one can read:—

..... THE CORPS OF KATHERINE
BAIKIE LAWFVLL SPOVS TO WILLIAM
CRVCKSHANK. SHE LIVED A WIDOW
(20?) YEARS & DIED THE 6^t DAY
OF MARCH AGED 71.

This was do doubt one of the Cruikshanks who, in the eighteenth century, owned property in Hoy, in the same island. A date about the middle of that century would suit the general style of the slab.

The single seal in the present collection is that of Master William Mudie of Breckness, appended along with the chapter seal of Orkney to a charter of 1589.² It has a shield with arms:—a chevron between three pheons points upwards, with what has presumably been a hunting-horn stringed in chief. This last charge, however, is now quite flattened out. No ermine spots can be seen on the chevron. Above the shield to the dexter is the initial W, but the M has disappeared. The legend is quite obliterated.

At the end of my last paper I ventured to suggest a few conclusions

¹ It was found under the floor near the pulpit (*Birsay Church History*, p. 334).

² Hedde of Cletts charters.

regarding the use of arms by the native families of Orkney, that seemed to emerge from the collation of such evidence as was available. A little more evidence can be added now by considering a few cases where apparently arms were not borne at an early date.

One of the most instructive of these is illustrated by a certain slab found in the nave of St Magnus. At the top are the initials A.Y. < G.Y. Then comes a shield, not charged with arms, but having instead the initials E.Y. in chief and the date 1663 in base. Below that is the date 1652, and then a scroll ornament, a skull, and cross bones. The lines are incised throughout.

The Orkney families beginning with Y are very few. The people are not Youngs, and no Yorstons or Yules are found in or near Kirkwall at that date and with those initials. But there was a group of Yenstays exactly fitting them. In 1625 Elene Yenstay granted two charters of sale of her lands, in one case as only daughter and heir of her father the deceased Gilbert Yenstay, in the other as nearest heir of her father's brother, the deceased Andrew Yenstay. These are evidently the E.Y., G.Y., and A.Y. of the slab, and it may be assumed with considerable confidence that the second date 1652 is a mistake for 1625, the year in which Elene sold the lands; the sale probably following immediately upon the death of her father—and possibly of her uncle also.

While the mere absence of arms is, of course, no evidence that a family did not bear them, yet when a shield is introduced and then occupied only by initials and date, it seems most unlikely that arms existed; so that one can pretty safely put down the Yenstays as non-armorial. Yet, though their property was not large, they were Yenstays of Yenstay and a markedly representative landed family from the beginning of the sixteenth century. Both John and Ola Yenstay are found as roithmen in 1516, and Andrew was frequently on head court assizes from 1558 to 1580; and they were also twice intermarried with their neighbours the important family of Irving of Sabay. One would certainly expect a family of such undoubted landed gentility to have borne arms in Scotland.

Another case is that of the Richans, who are found from at least as early as 1492 as portioners of Hobbister, owning an estate of the smaller type much like the Yenstays, and being represented by William Richan on two head court assizes in 1564 and 1573. In the seventeenth century Robert Richan of this family became a man of wealth, acquired the estate of Linklater and other lands, and married Isobel Bellenden, daughter of Bellenden of Stenness. Their tombstone in St Magnus is described and illustrated in *Orkney Armorials* and shows a coat of arms:—quarterly; 1st, a stag's head erased; 2nd, 3rd, and 4th, a kind of

double cross crosslet (as it stands, it is no heraldic figure at all, but is evidently intended for a cross crosslet).

At first sight we have here the Richan arms, but a little consideration brings out the surprising fact that these are merely the four charges in the Bellenden arms rearranged. (The Bellendens bore a stag's head erased between three cross crosslets fitchée.) There is no other record of any Richan arms, though they remained one of the chief land-owning families in the islands well into the nineteenth century, and under all the circumstances it is quite impossible to believe that the coat on the slab is anything more than a variation of the arms of Isobel Bellenden. The mere fact that her arms are not present too (as was customary at that time on Orkney tombstones) would go far to confirm this, were confirmation needed.

A third instructive case is that of Fea, a family who obtained a feu charter of the estate of Clestrain in Stronsay in 1592, and from that time on were one of the leading landed families; while, if—as seems highly probable—they were originally the Paulsons,¹ they were in 1500 related to the house of Sinclair and held extensive tacks of earldom lands in Sanday. Assuredly, one would say, this family must have been armigers, and yet the evidence seems to negative this assumption pretty decisively.

A considerable number of seventeenth-century letters from various members of the Fea family are extant, all with non-armorial seals. Then in the early part of the eighteenth century three separate instances of arms purporting to be the Feas are on record, one being a painting (now in the possession of Mrs Bailey, Kirkwall) showing two shields, of which the dexter is Baikie.² The sinister has the supposititious Fea arms:—azure, three stars in fess argent between as many covered cups or. Below is the inscription:—"The Bakies and Feaes arms," but beneath "Feaes" can be distinctly read the word "Shawes," which was therefore the original inscription. The arms actually are those of Shaw of Sornbeg, except that there all the charges are argent; while in the ordinary Shaw arms the cups are or, as above, only there are no stars.

In view of the identity of such comparatively uncommon charges, and practical identity of tinctures; in view, too, of the actual name

¹ See *Records of the Earldom of Orkney*, p. 206.

² *The Real Captain Cleveland*, p. 228. The other two instances referred to there are a tombstone in Shetland dated 1758, and the seal of William Fea of Milnfield. He is mentioned as flourishing in 1725. Regarding the painting, it is stated that it represents the arms of the Rev. Thomas Baikie and Elizabeth Fea, who were married 1697. I can find no reference to any marriage of Baikies and Shaws, or any mention of Shaws in Orkney. There is nothing on the painting, or on the back of it, to show a connection with any particular people.

Shaw originally in the painting, and of the earlier non-armorial Fea seals, it seems pretty evident that the Feas were a non-armorial family till—for whatever reason—they adopted the Shaw arms.

Taking all these cases, together with those included in the previous paper, my own impression is strengthened that arms-bearing in Orkney was on something like the same basis as in Norway; an arbitrary system under which some landowners were "af vaaben" and others were not; the privilege being originally associated with a certain position in the Kings or Earl's "hird," and always having remained the subject of special grant or of some kind of sanction.

In Scotland the terms "gentleman" and "freeholder" are used synonymously in old statutes, and each member of this class seems to have been expected, as a matter of obligation as much as of privilege, to have the "seale of his armes" ready for use when required. At least, this seems to be the only possible reading of the Act of Parliament, 6th March 1429 (vol. ii. 17).¹ But what were styled in sixteenth-century Scottish documents, the "gentlemen uthellers" of Orkney were evidently differently situated. "Gentlemen" and "armiger" were not synonymous terms in the isles, and the explanation would seem to lie in a study of the Continental custom, particularly of the custom in Norway.

So far as it goes, the evidence indicates, in the first place, that the number of native arms-bearing families in the islands was very limited; and, in the second place, that it is impossible to presume that any given family was or was not among this number until evidence is adduced. Without evidence either way, it would always seem to be long odds "on the field."

Referring for a moment, in conclusion, to my previous paper, I should like to note an interesting corroboration of my reading of the legend on the seal of William Thorgilsson, Lawman of Orkney (fig. 12). The last word "quondam" seemed almost too unusual to be correct (though I could read it as nothing else), but lately on going through the early

¹ "Item, it is statute and ordained, . . . that all Freeholders dwelland within ony Schireffedomes compeir at the head courtes in their proper persones with their seales; bot gif it happen them to be absent upon a reasonable cause. And gif onie be absent in that case, that he sende for him a sufficient Gentleman, his attorney, with the seale of his Armes. . . . And gif it happenis that the court be waik, and not sufficient in the Ryal within the Schireffedome, the Gentles of the Regalitie sall compeir at the warning of the schireffe. . . ."

With this may be compared the following extract from Acta Parl., i. 575, B, 1400/01. The act related to inquisition for retours held by Sheriffs in full court and ordained, *inter alia*, that the retours should be sealed with the seals of "fide digne" on the inquisition and with the seal of the Sheriff. "It is statute also that each baron or other person holding of the King (*i.e.* every freeholder) must have his proper seal to serve the King, as of right he is bound. And he who has not (a seal) is to fall in the King's americiament without remission, by dittay before the Justiciar. And that they are to be seals and not signets, as hitherto has been the custom."

Swedish seals in *Svenska Sigiller*, it became apparent that it was not at all uncommon in that part of Scandinavia, being applied in a number of instances to the father of the owner of the seal (*e.g.* CLIPEVS · ERICI · PETRI · QVONDAM · FILII—the shield of Eric, son of the deceased Peter). From this origin was evidently borrowed the idea of obliterating the last word (possibly a designation of some kind) and adding “quondam” to the name of the late owner when a son was using the seal; a fresh matrix probably being difficult to obtain locally.