

II.

SOME EARLY ORKNEY ARMORIALS. BY J. STORER
CLOUSTON, F.S.A. Scot.

The chief sources tapped in this paper are the more ancient tombstones in St Magnus Cathedral, and certain seals attached to early fifteenth-century Orkney documents now in the Danish Record Office at Copenhagen. Of the stones dealt with, all in fact, save one, come from St Magnus. Through the courtesy of the Kirkwall Town Council and Mr G. M. Watson, architect in charge of the restoration, they were examined and rubbings taken in the summer of 1917 while the slabs lay outside the church. Though two or three have been illustrated or described before, they were then *in situ*, in a bad light and not so easy of access, and no actual rubbings were, so far as I know, ever made. I had the further advantage of Archdeacon Craven's company and counsel in my examination, and I should like to express my grateful thanks for his help.

Coming to the seals, I have obtained notes or photographs, and in one case casts, of eight of them from Mr Erslev, curator of the Danish Record Office, and to him my thanks are also very specially due. Three others were attached to Orkney documents which have come into my hands since the publication of the *Records of the Earldom of Orkney*; while another was described there, but certain facts have come to light about it since which seemed to justify some further reference.

For help in examining them I have to express my indebtedness to Mr Rae Macdonald, Mr R. K. Hannay, and Mr A. O. Curle; and in regard to the heraldry generally, I feel under great obligations to Mr F. J. Grant for answering my numerous inquiries.

Figs. 1 and 2 show the two earliest armorial records in the cathedral, and are among the very oldest connected with the islands. The shield in fig. 2 is over a dignified recessed tomb in the south wall of the nave, and that in fig. 1 on a slab which used to lie loose within the tomb but never formed any part of it. Architecturally the tomb can be dated with certainty from the fourteenth century. Sir Henry Dryden put it at the beginning of that century; but Mr G. M. Watson would date it as more probably belonging to the middle or latter half, and the straight sides of the shield in fig. 2 seem distinctly to support his view.

The slab has the appearance of being earlier. The shape of the shield is certainly of an earlier type (though found all through the fourteenth century); the arrangement of the three charges converging to fess point is purely continental—being very common in early Norwegian seals—and

indicates a date before Scottish fashions had affected the islands; and the curious border to the helmet is also suggestive. It can scarcely be mere ornament, since the moulding round the slab is severely plain and is repeated in its severity round the shield, and it would therefore seem to be an attempt to indicate very freely in stone the capeline with an invected edge so conspicuous in the *Armorial de Gelres* (see particularly Nos. 38 and 39 in the plates of facsimiles from that Armorial, vol. xxv. of these *Proceedings*, where two helmets are shown with capelines but without crests). If one takes the long downward point on the sinister side of the shield to be all intended for capeline, the helmet with its round top and sharp little nose becomes then precisely the same shape as those in that roll, and in fact I can see no way of reconciling the shape of this helmet with any known models except on the assumption that the long point is part of the capeline. Since the *Armorial de Gelres* dates from 1334 down to the latter part of that century, and other very early continental rolls of arms show much the same capeline and helmet, one seems to be justified in assigning a similar date to this slab.

Both coats show the same arms, three guttés—reversed in the case of fig. 2¹ (each has been described as having a bordure, but the edging appears to be merely ornamental in fig. 2, and only to indicate the outline of the shield in fig. 1). Dryden supposed these to be the early arms of the Earls of Stratherne, but in this he was certainly mistaken. The first recorded Stratherne arms, at the beginning of the thirteenth century, bore nine billets, not guttés, and they had been permanently altered to two chevrons several generations before the family had any connection with Orkney.

The true ownership of these coats is disclosed by one of the seals attached to the decree of court 12th November 1584, shown in the *Records of the Earldom of Orkney*. This is the seal of Steven Paplay, bearing arms, three guttés with a star at fess point. The Paplays were certainly one of the greatest native families in Orkney till their chief estates passed by marriage to the Irvings, about 1460, and founded the well-known family of Irving of Sabay; and even after that they remained among the leading families in the islands for a considerable period. These arms, moreover, are so unique and distinctive, whether one looks to early Scottish or Norwegian armorials, that beyond any doubt this tomb and slab commemorate two members of the Paplay family.

Before the early part of the fifteenth century, Orkney records are almost non-existent. There are, however, a very few, and from these it is possible to form a pretty good idea of who at least one of these two

¹ They were probably reversed simply because the stone-cutter endeavoured to copy the charges in the earlier shield, two of which look reversed owing to their arrangement.

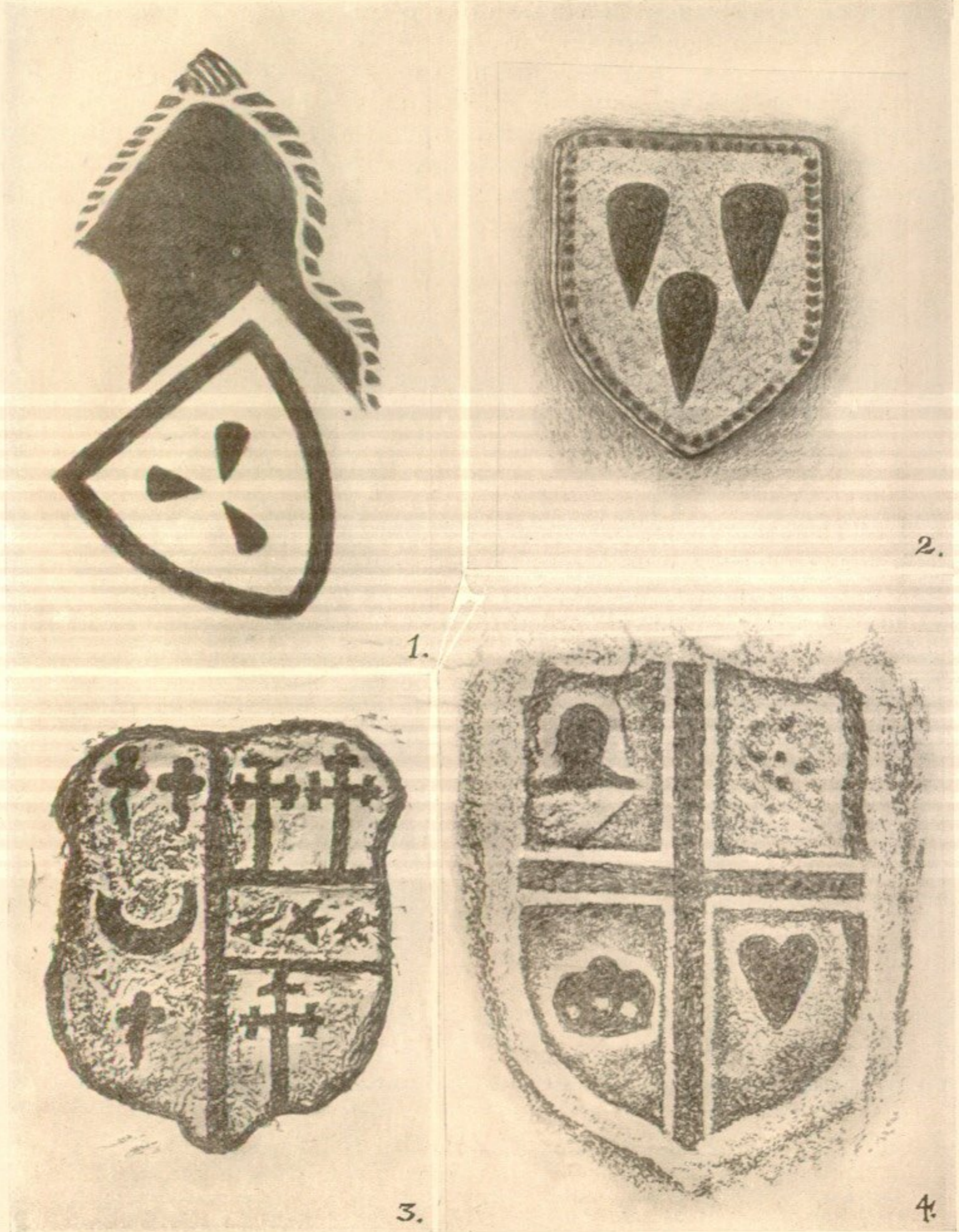


Fig. 1. Arms on Paplay slab.
 Fig. 3. Arms of Flett impaling Tulloch,
 from slab.

Fig. 2. Arms above Paplay tomb.
 Fig. 4. Arms of Sir Nicol Halcro,
 from slab.

(All in St Magnus Cathedral.)

Paplays probably was. Such an imposing tomb would only have been erected over one holding a particularly outstanding position, clerical or lay. The absence of any clerical insignia shows that he was not a churchman. The single outstanding lay office in the Orkneys was that of Lawman,¹ an office always held by a member of one of the principal landed families, and carrying with it the dignity both of judge and *preses* of the landowners. In 1369, in a list of twenty-four arbiters convened to settle the quarrels between the Governor and Bishop, bearing mostly Scottish or Norwegian names, two with recognisable native Orkney surnames are found, one of them being Sigurd of Paplay—obviously a leading personage. In 1338 one Sigurd Sigvatson was Lawman of Orkney, and apparently had not long held the office, since in 1325 Sigvat Kolbeinson was Lawman. If these Sigurds were the same man, we have then a Sigurd of Paplay who held the dignified office of Lawman for over thirty years, and we have a tomb with the Paplay arms dating from the end of this space of time, which obviously commemorates an outstanding lay dignitary.

Again, since Sigvat Kolbeinson and Sigurd Sigvatson were very probably father and son, and the slab can well be dated from somewhere in the first half of the fourteenth century, it seems very likely that the first of these two Lawmen was once laid beneath it.

The early and very fine tombstone, the arms on which are shown in fig. 3, has two coats impaled above a stepped cross fleury, with the initials M.F. in relief within square panels.² The sinister is the well-known arms of Tulloch: on a fess between three cross crosslets fitchée, as many stars. The dexter coat is a horn between three trefoils. M.F. who bore it was certainly a member of a native family, since no such arms are known in association with any Scottish family beginning with F.; nor is it difficult to guess who he must have been. Only two native families were seriously in the running, Flett and Foubister, and only one M.F. is on record at the date to which the stone must be assigned (round about 1500), and that was a Magnus Flett, witness in 1480 and 1482, whom I had already supposed to be the ancestor of the well-known sixteenth-century family of Flett of Hobbister. The natural supposition that these must be his arms is confirmed by Burke's *Armory*, which gives the arms of Flett as, argent, a chevron between three trefoils sable. It may be added that the horn is no doubt a drinking horn. This charge occurs several times on Norwegian seals, and the horn on the slab is not stringed.

¹ There were also the King of Norway's "ballivi," but precisely what the nature of this office was is not known; nor it is certain whether the ballivi were generally Norwegians or Orkneymen.

² This shield was described in *Orkney Armorial*s, but (probably owing to bad light) the initials were read as M.B., and the dexter coat was supposed to be Bothwell. When seen properly, there is no possible doubt as to the letters.

The arms are therefore Flett impaling Tulloch, and it is satisfactory to find this early record of the Flett arms, because on two occasions they have just given posterity the slip. Kolbein Flett attached his seal to the complaint of Orkney (1424 or 1425), but it is now so defaced that only a few letters of the legend and the corner of the shield can be deciphered. And again on a letter dated 12th June 1676, from Alexander Flett of Gruthay (a descendant of the Hobbister Fletts), the remains of a seal can be seen, apparently armorial but injured beyond recognition.

It is also possible to go a step further and make a pretty shrewd guess as to the lady's identity. Sir David Sinclair of Sumburgh, by his will made in 1506, left William Flett of Hobbister and his brother Criste his heirs in all his lands in Orkney (with one or two small exceptions), his "innes" in Kirkwall, and his "little ship." Considering that Sir David had not only sons and daughters but a numerous kin of brothers and cousins, such a bequest implies a very strong cause. An extremely near relationship seems, in fact, certain, and as Sir David was a natural son of William Sinclair, last Earl of Orkney, the most likely hypothesis is that his mother subsequently married a Flett, and that William and Criste were his legitimate half-brothers.

The mother's name is nowhere specifically stated, but in an old inventory of titles of lands acquired by Sir David Sinclair,¹ there is a curious (because apparently superfluous) allusion to lands in Shetland bought from "Begis Tullochis moder faider" (grandfather). Why this reference to Begis Tulloch, one wonders? The very next item relates to lands bought by Sir Fergus Tulloch, which "now is myne." As no other item indicates purchase by Sir David Sinclair (which can be traced in the case of all the other lands), the inference is that he heired these lands from the Tulloch family. Putting these hints together, it seems that in all likelihood Begis Tulloch was the frail lady in question, that she married Magnus Flett after her adventure with the Earl, and became the mother of William Flett of Hobbister, and that the sinister coat on this stone commemorates her to-day.

On a very time-worn stone in St Magnus is a shield (fig. 4) bearing arms:—quarterly, (1) a mount; (2) (a rose or cinquefoil?); (3) a crown; (4) a heart; over all, dividing the quarters, a plain cross. Of the inscription, the words *vir dns nicolas hacro* can be read, showing the slab to be the tombstone of Sir Nicol Halcro, parson of Orphir, frequently on record (generally as appending his seal, which, however, has in every case been lost) from 11th March 1507-08 to 20th April 1545. As he does not appear in the fairly numerous deeds dated about 1550, this slab would seem to

¹ *Records of the Earldom of Orkney*, Appendix D.

have taken his place in the world about that time, and the shape of the shield certainly suggests no later date.

Sir Nicol was son of David Halcro of Thurregar in South Ronaldsay, mentioned in the Rental of 1492 (the first Halcro to appear on record), and again in 1508, when he was party to a case, and his son Sir Nicol acted as his "umbothsman" or agent. For reasons given later, this David appears likely to have been the ancestor of the Halcros of Aikers.

The first quarter of the shield shows the paternal mount of Halcro, somewhat worn at the edges, and the cross may have been introduced as indicating Sir Nicol's sacred calling. The origin of the other charges raises interesting speculations as to the earlier marriage connections of the family, but there is no evidence sufficient to identify them.

The old tombstone shown in fig. 5 (*a* and *b*) bears two shields, one above the other, the arms evidently of a husband and wife. No doubt exists as to the ownership of the upper coat (fig. 5*a*). The initials are V.H., enough of the inscription round the edge remains to make out the words "HIC JACET HONES . . . VILIELM(VS)," and the arms are exactly those on the tombstone of Sir Hugh Halcro, rector of South Ronaldsay (1554), except that here the lion is on the sinister side and the stars and gutteés on the dexter, while the mount in base is flat underneath instead of suggesting a three-pronged heart. Otherwise the coats are identical, even in the matter of the lion being contournée; and looking to the extraordinary variations the Halcro arms exhibit (see figs. 4, 5*a*, and 15), a near relationship between this William and Sir Hugh must be presumed.

A ray of fresh light is thrown on the Halcro genealogy by these arms. The William once laid beneath them was certainly not William Halcro of Aikers, who died shortly after 30th April 1593. His two wives were Margaret Cragy and Margaret Bruce, while this William's spouse was "I.S.," and her arms are noticed below. Also, William of Aikers bore arms a lion rampant on a mount, on a chief (2 or 3?) gutteés, as shown on his seal appended in 1584. And furthermore, this stone is to all appearances earlier than 1593.

Hitherto it has been assumed, with every show of reason, that William of Aikers was identical with William, son of John, included in the Halcro entail of 1544. But the identity of the arms on this stone with those of Sir Hugh Halcro, one of the two entailers, seems to indicate distinctly that their bearer must actually have been the man. And this is supported by an analysis of dates. John (dead by 1544) can scarcely have been other than John Halcro, chosen arbiter in an important legal case in 1507-1508, and therefore not a youth then. William of Aikers was one of the three commissioners who in 1587 were deputed to "pass throughout the haill lands of Orknay of new agane," and adjust the boundaries

between odal and King's or Bishop's lands, and he therefore cannot have been a very old man at that date, which makes it *a priori* unlikely he was John's son.

But a William Halcro not described as "of Aikers" is on record as a witness in 1555-56, 1556, 1561, and 1564-65, and in 1562-63 was oversman at a division of the Cromarty of Cara estate. This must, then, have been the William, son of John and last-mentioned heir of entail in 1544, to whose memory this stone was laid in St Magnus. On the paternity of William of Aikers, one item in the Halcro inventory seems to throw some light:—"20th April 1558. Renunciation by William Halcro of Aikers to Hugh Halcro of that Ilk of the islands (*sic*) which pertained to Sir Nicol Halcro." It would therefore seem probable that William of Aikers was nephew or son, certainly heir, of that Sir Nicol Halcro, parson of Orphir, whose tombstone has been noticed above.

The second shield on this slab (fig. 5*b*) bears arms:—barry wavy of 8, in chief a seal's head erased. The shape of the head and snout, the absence of ears, and the frequent appearance seals make both on the shores and in the legends of Orkney, leave no doubt as to the species of animal depicted. And taken in this conjunction, there seems equally little doubt that the barry wavy must (as it so often does) typify the sea. The coat, in fact, evidently represents the sea, with the seal's head to enforce the allusion. The initials on either side of it are quite plain—I.S.—and as that part of the inscription giving the wife's name has completely disappeared, they give the only clue to the lady's identity.

These curious arms are quite unknown to Scottish heraldry, so that the search is confined to native Orkney families beginning with S. These are not numerous, and the number who can be described as reasonably likely to have borne arms at that date is extremely small. On general grounds of extent of land owned at an early date, and early appearances as representative men, the ancient family of Skea (also spelt Skae, Skay, or Ska), of Skea in Deerness, would be first favourite; and as a matter of fact there are certain definite reasons against each of the very few other possibilities, which leaves the Skeas practically the only likely family.

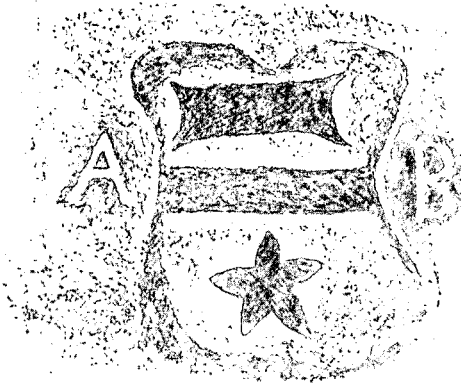
But apart from this general presumption, there is some positive evidence to indicate that these must have been the arms of Skea. In the first place, there actually was a female "I.S." in the family at the very time, and none is on record in any other family. Janet Skea, second wife of John Cromarty of Cara, was left a widow about 1560. She certainly was an heiress, since lands can be traced as having come through her into the hands of the Cromartys, and therefore was the more likely to be armorially commemorated. Furthermore, as has been

seen above, this same William Halcro acted as oversman when the Cromarty property was divided after the death of John Cromarty, her

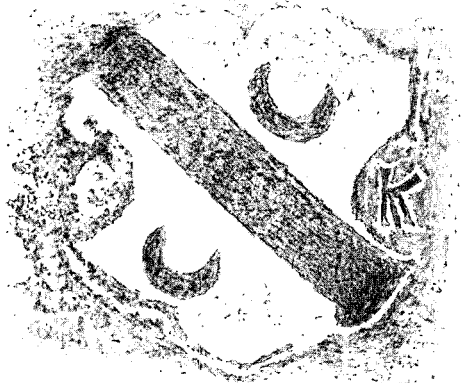


5^a & 5^b

Fig. 5a. Arms of William Halcro.
Fig. 5b. Arms of his wife, probably Janet Skea, on the same slab.



6



7

Fig. 6. Arms of "A. B."
Fig. 7. Arms of "(C?) K," his wife, on the same slab.

(Both in St Magnus Cathedral.)

husband; and it is to be noted that she was his second wife, and so not improbably a youngish woman still. Another link between this William and the Cromarty family is seen in his appearance as witness to an agreement between Janet Skea's eldest stepson John (then "of

Cara") and James Tulloch, on 13th April 1561. We therefore know that he was a trusted and intimate friend of the family at the time when Janet Skea was left a widow. So that there the match was, ready to be made; and from his wife's initials we may pretty safely conclude that it was made.

In the absence of any other serious competitors for these arms, these reasons alone leave little doubt that they were the arms of Skea. But it seems highly probable that such a curious and distinctive coat must have had some allusion behind it, and ought to give a further clue. Certainly neither *sæ* (the sea) nor *sel* (a seal) points to any other family, and the not too exacting requirements of canting heraldry might have been satisfied with a play on the words *sæ* and *Skea* (which was always pronounced Skay). Or perhaps the Halero mount may be a better analogy. The first syllable of Halero means "high," as does the first syllable of Holland, the township in which Halero lay, while the "Hill of Halero" is more than once on record, and is an unusual feature in the low-lying island of South Ronaldsay; and personally I cannot help seeing in the heraldic mount of the family some connection with these facts. The "urisland" of Sketoun or Skealand, in which the township of Skea lies, is a blunt sea-girt promontory, facing (as few of the arable districts in Orkney do) the open ocean, and perhaps a similar combination of sound and sense may account for the arms in question.

I may add that it is only in the case of distinctive charges, not of the common type, and apparently allusive of *something*, that I should think of suggesting such a solution. The six fountains of Stourton is a classical and accepted instance of exactly the same thing.

Another old stone in St Magnus contains two shields, one above the other (figs. 6 and 7). From the marked difference in the shape of the shields and the way in which the initial letters are cut, one would say that the lower shield must have been added at a later date. The dates, however, of both would seem to be about the end of the sixteenth or beginning of the seventeenth century. There is no inscription, or any other clue to the identity of either husband or wife apart from the initials.

The upper shield (fig. 6) bears arms—a fess between a cushion in chief and a star in base, with the initials A.B. Considering the large number of Orkney deeds of all kinds extant at this period, one would certainly expect to find the owner of this armorial tombstone on record. Indeed, one would look for more than one appearance of such a gentleman. On this assumption, the only probabilities are two members of the family of Banks, Allester and Alexander, both included in Earl Robert Stewart's testament dative (dated 4th February 1592, and included in the Edinburgh Commissariat Register under date 26th April 1597) as persons in his

service to whom fees were owed by the deceased. And they both occur in several other records of the period.

Allester Banks is known to have married a daughter of William Good or Gude, cooper, since his son John Banks was "oy" and heir to the said William,¹ but of course he may have married a lady beginning with K as well; while Alexander's wife is unknown. The extraordinary thing about the arms is that they are the arms of the Scottish family of Marjoribanks,² while this Orkney family apparently took their name from the old Hall of Banks in Kirkwall, which at one time they owned. One cannot help suspecting that the similarity in sound led either the Banks family or the stone-cutter to "cabbage" the Marjoribank arms.

The arms on the lower shield (fig. 7) are a bend between two crescents, with the initials (C.?) K. These arms bear a strong resemblance to those of Cant; the nearest approximation being to the arms of Alexander Cant—a bend engrailed between two crescents.³ As the Cants were a Kirkwall family of good position, the probabilities seem strong that this is the correct solution. There are two small objections that may be stated, though possibly they are of no great weight. In the first place, I have never found Cant spelt with a K at so late a date. In the second place, the only previous occasion on which the arms of an Orkney Cant are on record is the seal of Sir Charles Cant, parson of Orphir, appended 26th August 1496, and the arms there are, a lion passant with a star in dexter chief.⁴ However, there are certainly no other known arms of any family beginning with K which correspond to those on this slab.

The slab shown in fig. 8 was found beneath the ground in the Orphir churchyard a few years ago and is now preserved within the church. It is obviously of very considerable antiquity. I believe the fourteenth or early fifteenth century is considered the most probable date by those competent to judge. It has not been deemed by most authorities to be heraldic; but as they have failed to suggest any other explanation whatever of its peculiarities, I personally have gradually come round to the opinion always held by Dr Craven that it is an attempt by some stone-cutter ignorant of heraldry to combine a coat of arms (of which he was probably given a most inadequate sketch or description) with the conventional cross and sword design.

It is, of course, the resemblance of the indented upper part of the cross to the engrailed cross of the Sinclairs, the ruling family in Orkney from 1379 to 1471, that affords the strongest grounds for this suggested heraldic

¹ Hossack's *Kirkwall in the Orkneys*, p. 358.

² See *Scottish Armorial Seals*, No. 1867, where the arms of Master Thomas Marjoribanks are precisely the same.

³ *Ibid.*, No. 362. The date of this seal was 1587 (doubtful).

⁴ *Ibid.*, No. 360.

solution. The two curious round projections on the upper edge of the arm are extremely puzzling, but here again I venture to suggest a heraldic possibility; namely, that they were intended for roundels, one in each of

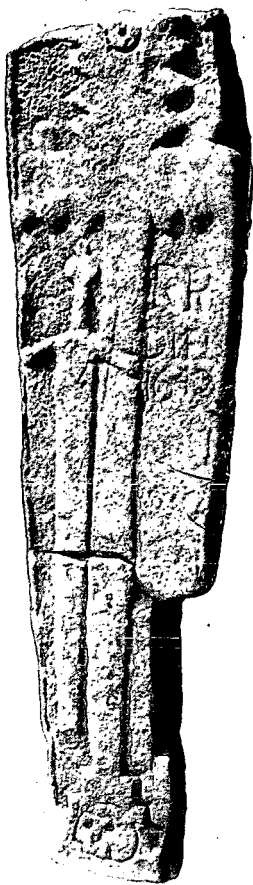


Fig. 8. Slab found in Orphir Churchyard.

the first and second cantons, and were attached to the cross through sheer ignorance and lack of explicit instructions how to carry out the design. However, the reproduction of the slab here may perhaps elicit some better opinion.¹

It may be added that the initials R.R., with the seventeenth-century date and the rude figures cut in the slab at the top and bottom of the cross, are obvious reminiscences of its attendance at a second funeral.

Coming now to the early seals, three are still extant on an acknowledgment by Bishop Thomas Tulloch that he has received Orkney in fief, dated 10th July 1422;² namely, the seals of the bishop and his two sureties, Nicolas of Tholach and John of Folerton, and I have received from Mr Erslev a photograph of the first and notes of the two others. At the foot of the episcopal seal are two small shields each bearing arms, three cross crosslets fitchée. The second seal bears arms, three cross crosslets fitchée with a star at fess point, and the legend reads "s nicolawi de twloc." It will be observed that in neither of these two early Tulloch seals is the fess with the stars present. Bishop Thomas Tulloch's connection with Orkney is well known, and Nicolas Tulloch is no doubt the same as Nicol Tulloch, lawrikman in 1443 (or 1446), the presumable ancestor of the old Orkney family of Tulloch of Lambholm, from whom were descended the Tullochs of Quholm and of Rothiesholm. From his appearance in Orkney as the

founder of a landed family contemporaneously with the coming of Bishop Thomas, a near relationship between them seems evident.

¹ Cf. the ancient slab at Kilmadock, with a sword and dagger at either side of a stepped cross, and the identical device used as the arms of the Dog or Doig family on several later stones in the same churchyard, shown in Dr Christison's paper in these *Proceedings*, vol. xxxvi. Looking at the old slab alone, the device is apparently non-heraldic, but read in the light of the Dog arms, it seems evidently to have been a combination of a coat of arms with the standard cross and sword design.

² *Records of Earldom of Orkney*, No. xv.

The third seal bears, on a fess between three otters' heads erased as many cross crosslets fitchée, with the legend "S. johes de fowlertvntt" (*sic* in notes sent me, but the spelling seems somewhat strange). Fullertons are found in Orkney in the seventeenth century, but there is no evidence by which they can be traced further back.

Appended to an acknowledgment by David Menzies of Weem of his appointment as administrator or Foud of Orkney, dated at Copenhagen 15th July 1423,¹ are again three extant seals, those of Menzies himself and his two sureties, Bishop Tulloch and Walter Fraser, the bishop's being the same as described above.

Fig. 9 shows the seal of that discreditable person David Menzies, though it must be admitted that he had a very nice taste in seals. It is

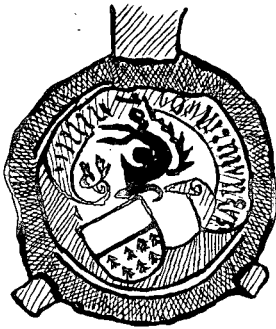


Fig. 9. Seal of David Menzies of Weem.

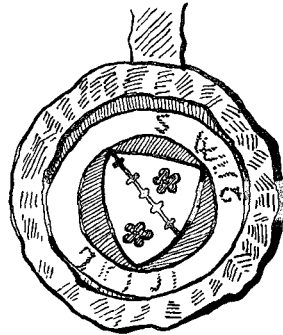


Fig. 10. Seal of Walter Fraser.

indeed as artistic a design as one will often meet with. The arms on the shield are, ermine, a chief. On the helmet, and apparently forming part of it, is a squirrel for crest. The artist, in fact, has ingeniously combined helm and squirrel into one graceful but, one would think, somewhat impracticable whole. Of the legend one can read from the photograph the last word "Menzes" quite distinctly, and the rest looks as though it were in good condition.

Walter Fraser's seal is shown in fig. 10, bearing arms, a ribbon (or bendlet?) engrailed between two fraises. Of the legend only a few odd letters are visible in the photograph, but one can clearly see the beginning of Walter or Wat. There can be no doubt that this must have been the same Walter Fraser or Fresell who just about this time bought the estate of Tolhop, apparently in equal shares with Thomas Sinclair, from John of Kirkness, Lawman of Orkney. From these two purchasers were descended the families of Fraser of Tolhop and Sinclair of Tolhop who

¹ *Records of Earldom of Orkney*, No. xvii.

are constantly on record in the sixteenth century, their various inter-dealings finally ending in the acquisition by the Sinclairs of the greater part of the Fraser property. Some clue to the paternity of this Walter Fraser may possibly be afforded by the resemblance between his arms and those on the seal of James Fraser of Fren draught, appended in 1402, a bend sinister engrailed between three fraises.¹ Also, a relationship with Thomas Sinclair who went shares with him in Tolhop is to be presumed, and Thomas is stated to have been the son of David Sinclair, and was in all probability identical with Thomas Sinclair, Warden of Orkney in 1435, whose seal bore arms a cross engrailed with a cinque-foil in dexter base.²

To the Complaint of Orkney against the misrule of David Menzies, of date either 1424 or 1425 (probably the latter year),³ five seals were attached: the common seal of Orkney, and the seals of William Thurgilsson, Lawman, Kolbein Flett, John Magnusson, and William Irving. The second is still in fair condition, and something can be made out of the first and last, but the other two are defaced beyond recognition. However, they certainly both bore shields, and enough can be made out of both legends to identify the seals.



Fig. 11. Common Seal of Orkney.

Fig. 11 shows the common seal of Orkney as reconstructed by Mr Thiset, the Danish Herald, from the remains of

the seals attached to this deed and the Appeal of the People of Orkney to the Queen of Norway, dated at Kirkwall 28th March 1425.⁴ It shows a shield bearing the arms of Norway, a lion rampant crowned holding a battle-axe, supported by two gentlemen whose countenances suggest that they were selected for the job on account of its comparative simplicity.

The second seal, that of William Thurgilsson, Lawman, bears arms, a stag's head cabossed (fig. 12). Of the legend two letters are missing, one is damaged beyond recognition, and two or three others are broken, but it can be reconstructed, I think beyond any doubt, as + (S'T)HVGGI KL

¹ *Scottish Armorial Seals*, No. 1007.

² *Ibid.*, No. 2475.

³ *Records of Earldom of Orkney*, No. xviii. In a note, reasons were given for assigning the date 1424 to this document, but it has since struck me that it is in all probability identical with the "written instructions sealed with the seals of our Lawman and other honest men," referred to in No. xix. as being dispatched to the Queen of Norway along with that missive. As No. xix. bears date 28th March 1425, the same date should therefore be probably assigned to the Complaint.

⁴ *Records of Earldom of Orkney*, No. xix.

VA(D)R QUNDAM,¹ *i.e.* S. Thurgili Klustader quondam (certainly no possible alternative reading is apparent, though I have consulted a number of expert opinions). The seal, therefore, must date from about 1390, and in the shape of the shield, character of the lettering, beaded circle, and general character it corresponds with Norwegian seals of that period. It may be added that this use of a father's seal with the explanatory "quondam" cut at a later date is extremely exceptional, but at least one other instance is to be seen in *Norske Sigiller*, No. 20.

Klustader appears in early sixteenth-century records as Cloustath, and finally as Clouston. This William son of Thorgils was probably grandfather of William of Cloustath found as "rothman" (one of the representative landowners who formed the head courts) from 1500 to 1522. In later centuries these arms were borne by the Cloustones in the form of azure, three stags' heads cabossed argent.

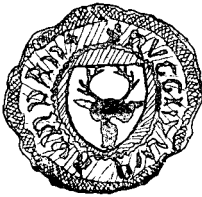


Fig. 12. Seal of William Thurgilsson, Lawman of Orkney.

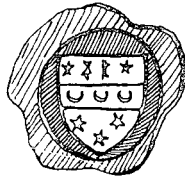


Fig. 13. Seal of John Cragy, Lawman of Orkney.

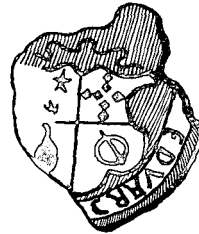


Fig. 14. Seal of Edward Sinclair of Stromie.

The fifth seal, that of William Irving, is too much broken for reproduction, but enough remains to enable the arms to be read as, three holly leaves banded. The legend seems fairly distinct in the photograph. In all probability this William Irving was father, or possibly grandfather, of Criste Irving who about 1460 married the heiress Edane Paplay. They then exchanged her estates of Paplay, Hurteso, and Okillsetter with Earl William Sinclair, getting in exchange Sabay and other lands, and down to about 1625 their descendants, the Irvings of Sabay, remained one of the chief landed families in the islands, one of them holding the office of Lawman in the sixteenth century.

The seal of John Cragy of Brough, Lawman of Orkney, appended 29th May 1509 (fig. 13) was described in *The Records of the Earldom of Orkney* as "On a fess between six stars (three in chief and three in base)

¹ It may be mentioned that the contraction stop (after I) placed down in the line, the chair-backed K, and the double G instead of RG, are all features found in the Norwegian seal legends of that period; also that a minute inspection of the last word reveals one or two indications of having been cut by another hand.

three crescents," but since then a minute examination has made it apparent that the star in middle chief is really two ermine spots, evidently introduced there as being the only available space for indicating the usual Cragy ermine field. The arms therefore are: ermine, on a fess between two stars in chief and three in base, three crescents; and it is interesting to find that these now become the same as the arms on the old font found in Birsay and at present in the Episcopal Church, Stromness, except that on the font the ermine is omitted.¹

The five stars are a somewhat puzzling addition to the Cragy arms. This family of Brough was one of the chief odal families in Orkney for at least six generations, three of them in succession holding the office of Lawman from the middle of the fifteenth century to the end of the first decade in the sixteenth, but this seal and the font are their only armorial records extant up to the sale of their estate of Brough to Mr Magnus Halero in 1556. In the seventeenth century cadet branches flourished exceedingly, the Craigies of Gairsay being particularly well known, and their arms are fairly frequently found, but in no instance is there any sign of these stars, and so far I have come across nothing that throws any light on their origin.

An interesting find is the seal of Edward Sinclair of Strome (fig. 14), appended to a charter of 22nd September 1544. He and his brother James (afterwards Sir James Sinclair of Sanday, Knight) were the instigators of the outbreak of rebellion in the islands against the royal authority in 1528, and leaders of the Orkney army which annihilated the force sent against them at the Battle of Summerdale in 1529. They were both apparently natural sons of Sir William Sinclair of Warsetter, grandson of the last Earl William Sinclair. After the death of Sir James, Edward of Strome and thirty others obtained a "Respite" for their exploits on 19th September 1539, and he continued to play a leading part in the islands for many years. The families of Sinclair of Brough in Shetland, and of Ness, Campston, Essenquoy, Flottay, Gyre, Greenwall, Damsay, Ryssay, and Smoogro in Orkney were all descended from him,—a goodly crop.

This seal bears arms:—quarterly, first, (three?) stars; second, a cross lozengy (evidently for engrailed); third, (a guttée?); fourth, a buckle; and of the legend the word "EDVARD" still remains. The unorthodox position of the paternal arms in the second quarter may possibly be accounted for by the seal being reversed in cutting. What families the other quarters represent, there is no sufficient evidence to say. His father's seal bore a simple cross engrailed, as did his son's, Oliver Sinclair of Essenquoy, and these quarterings do not appear to have been based on any recognised heraldic usage.

¹ See *History of the Church in Orkney*, vol. i. p. 114.

To a charter of 16th May 1568, two seals still remain attached. One of these is that of Mr Magnus Halcro of Brough (fig. 15), bearing arms:—quarterly: first, a mount of two tops; second, a crescent; third, (a clarion?); fourth, a buckle; over all, dividing the quarters, a cross engrailed. Of the legend, the letters MA at the beginning and CLERVS at the end are visible, and one seems to read TE about the middle (but these last two letters are uncertain).

Mr Magnus Halcro, Sub-Chantor of Orkney, was one of the four natural sons of Mr Malcolm Halcro, Provost of the Cathedral and Archdeacon of Shetland, legitimatised in 1545. His father was one of the two entailers of the Halcro estate and brother of that Sir Hugh whose arms have been referred to previously. In 1556 Mr Magnus bought the estate of Brough in Rousay, and about 1563, immediately after the Reformation, he married Margaret Sinclair, daughter and heiress of Sir James

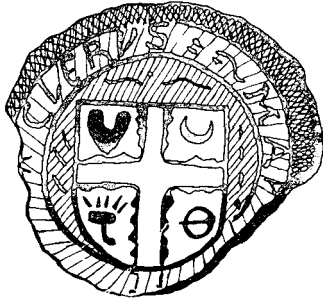


Fig. 15. Seal of Mr Magnus Halcro.

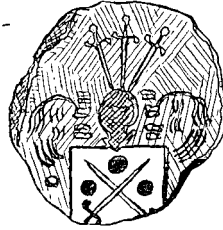


Fig. 16. Seal on seventeenth-century letter. (Shown twice real size.)

Sinclair of Sanday and Lady Barbara Stewart; Margaret having previously divorced her first husband, James Tulloch, of the Lambholm family. Evidently, then, the engrailed cross represents his wife's share in this somewhat curious coat. In the first quarter one recognises the paternal mount (if one knows the arms actually were a mount and not a heart), and what appears to be a clarion in the third probably has allusion to his office of Sub-Chantor; while the crescent and buckle are presumably reminiscences of earlier alliances.

The connection of this couple with the estate of Brough turned out to be somewhat unlucky. In 1584 Earl Robert Stewart seized it from their daughters on the ground of arrears of duties, while Mr Magnus's three natural sons were escheated for bastardy. Then, by one of those curious processes of juggling one often notices at the period, in which an estate seems to be put in one man's pocket and immediately afterwards reappears under another man's hat, Brough returned to the Halcros of that ilk, and was certainly in their hands during the first part of the next century.

The second seal still attached to this same deed is that of William Mudy of Breckness, ancestor of the well-known Moodie of Melsetter family. Unfortunately, the charges are too faint for reproduction, but they can just be made out: a chevron between three pheons, points upwards, and in chief a hunting horn stringed. These are the arms always afterwards associated with the Orkney Moodies; assuming the chevron to have been charged with ermine spots. They are now, however, quite obliterated.

The last seal to be noticed is in the nature of a riddle, and its chief interest lies in the fact that a correct solution will throw a little more light on native Orkney heraldry, for it bears a unique coat, unknown elsewhere.

It is a small seal (fig. 16) on a letter, written about 1670, in the Kirkwall Record Room. In spite of its late date, it is included here, since it seems to throw some light on two obscure early armorials, and probably records the arms of a very ancient Orkney family. They are: two swords, points upwards in saltire, between three roundels, one in chief and two in flanks (with possibly a fourth in base, where the seal is broken off). On the helmet appears for crest three swords in pale, points downwards.

These are no known Scottish arms and crest, and in addition to this reason for supposing them to be of native Orkney origin, there is a very striking identity between the crest and the three swords, also in pale and points downwards, on an ancient slab now in the Græmeshall Chapel.¹ Again, in his *Orkney Armorials*, Mr Norton-Smith describes and illustrates an ancient stone in St Magnus (which unfortunately I have been unable to find) of which the only distinct charges are three swords in chief, in pale. This time the points are upwards, yet the device of three swords in pale is in itself so unusual that the probabilities seem strongly in favour of a connection between the three instances.

One would further be inclined to guess that the three swords were the original device, that the roundels were introduced later, and that in the small seal want of space, and the loose heraldry in vogue at that time, led to the three swords being used as crest. Certainly the absence of a crest in the Paplay helmet makes it seem improbable that these swords were an ancient Orkney *crest*, especially looking to the two slabs. But however that may be, we seem to be on the track of some early and hitherto unknown Orkney arms.

Unfortunately, the letter to which the seal was affixed affords no clue, for only a fragment remains, and the handwriting cannot be identified, though even if it could, it might not be a guide, for the seals on these letters were constantly borrowed. One can only look round at the people in Orkney at that time most likely to have had such a seal, and yet whose

¹ *History of the Church in Orkney*, vol. i. p. 104.

arms are not known. These are comparatively few, but one of the very likeliest happens to bear a name that strongly suggests he was the missing owner.

Mitchell Rendell of Breck (in Westray) was then one of the leading Orkney lairds, a near relation of Arthur Baikie to whom the letter was addressed, and no doubt descended from the ancient family of Rendall or Randale of that Ilk. Henry Randall appended his seal as Lawman of Orkney in 1438 and 1446, and at the beginning of the sixteenth century the family were still one of the most important in the islands, John Rendall of that Ilk being one of those respited for his work at Summerdale Battle, and a witness to Bishop Reid's foundation in the Cathedral. Not only do the roundells suggest a pretty obvious allusion to this family, but one of the old Norse poetical words for a sword was *randáll*. If this double allusion—two *randálls* between three *roundells*—does not refer to the name Rendall, one can only say that it is a very curious coincidence.

Looking over this collection of early Orkney armorials, there is one feature manifest in several of the coats, and perhaps to be suspected in others, and that is the extreme latitude which their designers permitted themselves in the matter of introducing charges other than the simple paternal arms. There is no sign of this habit in the earlier shields, but in the sixteenth century a craze for collecting quarterings seems to have set in, without reference apparently to any system whatever, the only point (so far as one can see) being to introduce as many as possible; and these moreover seem, in many cases anyhow, not to have been entire coats, but mere pickings—a buckle from this coat, a crescent from that, and so on.

For instance, the three Halcro coats figured in this paper contain the following remarkable assortment of separate charges, apart from the Halcro mount common to them all: one heart, one rose or cinquefoil, one crescent, one crown, two *guttées*, two stars, one clarion, one lion, one buckle, one cross engrailed, one cross plain. It is a most extraordinary collection to be culled from three contemporary coats, especially when one remembers that one of the armigers who used the *guttée*-star-lion collection was paternal uncle to the armiger who displayed the crescent-clarion-buckle-engrailed-cross assortment. No conceivable system could account for these two coats, and in confirmation of this it may be added that in an early seventeenth-century MS. at the Lyon office, the arms recognised as those of Halcro were simply: argent, a mount vert.

Nor was this habit confined to the Halcros by any means. The coat of Edward Sinclair of Strome has already been noticed, and with it may be compared the arms of his grandson Edward Sinclair of Essenquoy on an early seventeenth-century panel.¹ One might be surprised elsewhere, but

¹ *Orkney Armorials*, p. 126, and pl. 34.

takes it as a matter of course in Orkney, to find that stars, guttée, and buckle have all gone out of favour and been replaced by the following combination: quarterly first and fourth, a lymphad; third, three escallops, 1 and 2; fourth, a coronet between three cinquefoils; over all a cross engrailed coupé (though possibly intended to divide the quarters).

These charges can fortunately be traced and may serve to throw some light on the method of collection in vogue. One and four was the ancient arms of the earldom, which this cadet branch (originally on the wrong side of the blanket) had no right to bear. In fact, the seals of Edward's father, grandfather, and great-grandfather are all extant and all without the lymphad. Three was the arms of his wife, which should of course have been impaled not quartered. Two evidently represented the escallops of his Dischington grandmother, divorced from their bend and rearranged, and even if they had been kept on their bend he had no recognised right to quarter them. Finally, on top of them all (or perhaps dividing them) was placed the only proper charge.

It must be remembered, however, that when we get back to the beginning of the sixteenth century and earlier than that, the heraldry becomes simple and straightforward and above suspicion. And this much can be said for the later variety, that whatever purely heraldic deterioration it may imply, it has the merit of suggesting a number of clues to marriage relationships and maternal descents. The genealogist certainly does not grudge the Halcros, for instance, one of their charges; he only wishes they had labelled them with the owner's name.

Another interesting feature of this collection of armorials, modest though it be, is the light it throws on the usage of arms by the Norse odal families; and as heraldry is so generally associated with feudalism, it may be worth while referring to it briefly.

Omitting for the moment the Scottish families settled at an early date in the islands, the native Orkney arms noticed in this paper are those of Paplay, Flett, Halcro, Skea, and Clouston, and very possibly of Rendall. If one adds to them the two seals appended by members of the Ireland family (one in 1369 and the other in 1584, both bearing a cross) and the seal of William Halcro of Aikers appended in 1584, which were described in the *Records of the Earldom of Orkney*, all the armorial records of these purely odal and Norse families prior to the seventeenth century are included. It may also be mentioned that seals, now lost, are known to have been appended by Sigurd of Paplay in 1369, Peter of Paplay in 1422, Angus of Kirkness in 1426, and several members of the Halcro family in the sixteenth century, besides the instances of Kolbein Flett and Henry Rendall already mentioned.

In addition, three other apparently native families are known to have

borne arms in this period, the Magnusons or Mansons, Haraldsons, and Scollays; but the armigers were all leading citizens of Kirkwall, bailies or provosts, and apparently these families owned little odal property (so far at least as can be traced), and so it is perhaps safer to classify them separately.

Apart from them, the special feature of the other cases is the remarkable coincidence between a list of these families, known to have borne arms, or appended lost seals, at an early date, and a list of the families who by a very careful analysis of the earliest available records can be proved to have owned distinctly larger estates than the rest even of what were styled the "gentlemen uthellers." The existence of such larger land-owning families was alluded to before in the Introduction to the *Records*, and the gradual discovery of one coat of arms after another all confined to such families is decidedly suggestive. Making all allowances for the insufficient and fluky nature both of the land records and the armorial records available, which makes it impossible to say that either list is anything like a complete one, it nevertheless does seem as though the actual usage of arms must have been limited.

And by the words "actual usage" I am thinking of the curious paucity of seals in Orkney. For instance, in a Court of Arbitration held at Kirkwall in 1507-08, where the twelve arbiters were a selection of representative men of the time, we find ten of them with "na selis of thare awne present," though several are known to have been heads or leading members of arms-bearing families. And again, it has already been seen that the assizemen in 1584 had to have their seals specially made for them. This remarkable fact was alluded to in a note in the *Records*, and the explanation was suggested that some legislative enactment limited their use to certain seals which became, as it were, "legal tender"; but a simpler and, I think, more likely solution has since suggested itself.

All early Orkney deeds (with hardly an exception) were dated from Kirkwall, and Kirkwall in those days was a very important centre to find in such an out-of-the-way archipelago. It was the only town, a long-established town, and the seat both of an Earl and of a Bishop. A number of dignitaries, clerical and lay, could always be found there, armed with seals, and hence though seals elsewhere may possibly have been more numerous at an unrecorded date, they became unnecessary and ceased to be possessed by the average landowner. Anyhow, that seems a fairly plausible explanation; and some explanation is certainly required of such an odd circumstance as finding men like William Flett of Hobbister and John Irving of Sabay in 1507, and John Sinclair of Tolhop and Oliver Sinclair of Essenquoy in 1584, in the one case without seals,

and in the other having to get them manufactured, when the occasion in both instances was clearly one where seals would be required.

In Norway the case was very different. There, the collection of over 900 seals previous to 1378, reproduced in *Norske Sigiller*, shows the existence of many quasi-armorial devices (chiefly *fleur-de-lys*, or swords, or axes, and frequently borne on shields), the result—I think beyond doubt—of the extraordinary number of seals which it was the custom to append to every type of Norwegian document.

This dubious variety had, however, given place by the fifteenth century to frankly non-armorial seals, and it is a point to be noted that, from the latter part of the thirteenth century, the only true arms-bearing class in Norway was a strictly limited body. It consisted of the barons, knights, and “svende af vaaben” (armigers), who totalled in all about 300 in the year 1309, and formed the upper rank of the king’s “hird” (*i.e.* the whole body of his vassals, officials, and men-at-arms). By that period the whole conception of nobility had become confined to the hird, and the use of arms (or, at least, the admitted right to use them) to its upper rank.¹

In Orkney, the ancient earls also had their hird, which included certain greater vassals, or “gœðings,” and—as in Norway—the jarl’s “sveitarhöfðingjar” (captains of companies);² and in all probability one should look in this direction for the source of the early native armorials.

Towards the end of the sixteenth century, when Earl Robert Stewart strove hard to feudalise Orkney and made many of the “gentlemen uthellars” attend the head courts as vassals owing suit and presence, it is likely enough that he enforced the Scottish enactment enjoining all freeholders to bring the “seals of their arms,” and new coats may have been devised at that time, or old coats revived.

One certainly finds a number of unexpected instances of arms-bearing and some unknown coats in the small seals affixed to seventeenth-century letters, and upon a few tombs of the same period. Unfortunately, however, about the end of that century a craze for sentimental or pictorial seals set in:—hearts pierced with arrows, groups of classical figures, little birds in a nest, or a hunting scene with hounds, fox, and horseman winding a horn. Even tombstones ceased to be armorial in the eighteenth century, so that a gap was caused in the tradition of arms, which in most cases it is now very hard to bridge.

In conclusion, I should like to express my great indebtedness to Mr A. O. Curle for his help in preparing the illustrations for this paper. Those of the slabs are all from rubbings, with the exception of fig. 8,

¹ See *Udsigt over den Norske Rets Historie* (Taranger), part ii. pp. 138-155, “Adelen.”

² See *Orkneyinga Saga* (Rolls edition), p. 227. These might either have been identical with the earl’s gœðings, or (on the analogy of Norway) have included other leaders of the hird.

which is from a photograph by Mr Kent. Of the seals, fig. 11 is from a photograph, and fig. 16 from a sketch. The others have been traced from the seals themselves, from casts, or from photographs by the use of very thin oiled paper, and are designed to show as exactly and distinctly as possible what is actually visible. They are intended, in fact, as works of reference, not of art.