

## Original Document.

ON A REMARKABLE, AND (so far as yet known) UNIQUE SEAL  
OF PATRICK DE DUNBAR (fifth of that name), EARL OF  
MARCH, Appended to a Document in 1334.

By JOSEPH BAIN, F.S.A. Scot.

This beautiful signet came under the observation of the writer accidentally while making notes of the Scotch Documents in the Public Record Office several years ago. The late Mr. Joseph Burt, of the Office, who arranged many of these, had marked the cover, stating that the seal was a fine one, nearly perfect, but not otherwise specifying its nature. Equestrian and other seals of this great family being not uncommon among the public records of England, the writer took no particular note of it till he opened the document not long ago, when he at once saw its value as an illustration of British Heraldry in the days of its purity. On mentioning the discovery to Sir William Dunbar of Mochrum, the representative of the Hereditary Sheriffs of Moray, and suggesting that the seal should be preserved by means of a woodcut, in case of any future casualty, that gentleman cordially approved that this relic of his ancestor should be so treated, and the consent of the Deputy Keeper of the Public Records was at once given to its being engraved. The document runs as follows, the contractions of the original being extended.

A toutz ceux qi cestes lettres verrount ou orrount Patrik de Dunbar Counte de la Marche Salutz en dieu. Sachetz nous avoir rescieu des Tresorier e Chaumberleyns del Eschequier nostre Seigneur le Roi Dengleterre le jour de la confeccion de cestes [erasure here] centz marcs desterlings en partie du paiement de sys centz marcs queux nostre Seigneur le Roi nous graunta de son doun. En tesmoignance de queu chose a cestes lettres avoms mys nostre Seal. Donn a Everwyk le xiii<sup>me</sup> jour de Maii Lan du regne nostre dit Seigneur le Roi Edward tiers apres le conquest utisme<sup>1</sup>

[Tag with seal appended.]

[Abstract.]

Patrick of Dunbar, Earl of the March, acknowledges receipt from the Treasurer and Chamberlains of the Exchequer of the King of England, the day of the execution thereof, of 100 marks sterling in part payment of 600 marks granted to him by his Lord the King. Appends his seal. Done at York the 13th May, 8 Edward III. [1334.]

<sup>1</sup> Exch. Tr. of Rec. Misc. 37.



Seal of Patrick, Earl of March.

The history of this family, styled by competent authority "the noblest and most ancient in Scotland," which, with more than the ordinary proofs of such high distinction, can trace its descent from the earliest royal houses of England and Scotland at the dawn of authentic record, has yet to be written. A gallant member of it, who has turned his sword into a more peaceful implement, has for some years devoted his time to collections from original sources regarding his ancient house, and ere long, it may be hoped, will place its annals on record, to take their place with the interesting Scottish family histories, of so many of which Mr. Fraser is the responsible editor. Three great families appear in the English Records, bearing the title of Earls or Counts of the Marche,—the royally descended Lusignans, whose line ended in the Kings of Jerusalem and Cyprus—the Mortimers, who merged in the royal family of England—and the Dunbars, whose earliest chiefs with simple dignity merely styled themselves earls, with the addition of their christian names, their later heads taking the style of Dunbar or Lothian; while the fourth Patrick, father of the earl whose seal is the subject of these remarks, was the first to take the style of Earl of the March, afterwards borne by his son, grandson, and great-grandson, till the unrighteous forfeiture of the family in 1434 by James I.

In the Treasury of Durham Cathedral there is an unrivalled series of charters and seals of the first earls of the family. Many of these have been photographed by the autotype process, but this, while admirably suited to the large equestrian seals, would have failed to convey the delicacy of the details of Earl Patrick's signet. Much has been said in some heraldic works of the beauty of the seals of the Lindsays, Douglasses, and others; but the writer questions if any of them equals, certainly none surpasses, that under notice. The shield couchée shews the Northumbrian Lion rampant, within a bordure charged with thirteen roses; and small though the scale is, the shape of the flowers can be distinctly seen. The supporters are two savage men; not the usual lions rampant carried by the family. Above the left upper corner of the shield is the helmet affrontée, barred. On this is placed a tower with embrasures, in which the demi-figure of a woman with flowing hair appears, holding in each hand an open crown. At the base of the tower two lions look out, as if on guard, one on each side. At the foot of the seal below the shield, a wyvern or dragon is shewn. The legend is nearly perfect, only a small portion with the earl's christian name being broken off. "Sigillum ..... Comitiss de Marchia." The execution of the details, and the admirable balance of the composition, afford evidence that the artist who designed this seal was a master of his craft. Apart from this, the great heraldic value of the seal consists in the fact that it is, if one may trust high authorities, the earliest example of a crest associated with the family arms in the United Kingdom. Mr. Seton, our latest Scottish writer, who is evidently familiar with English treatises on the subject, speaks decidedly on the point. He says,<sup>1</sup> "Ancient crests, both in England and Scotland, usually consisted of plumes of feathers or animals' heads, composed of stuffed leather, light wood, or metal—such unsuitable figures as rocks, rainbows, and terrestrial globes never having been used when the 'noble science' was in its purity. On Scottish

<sup>1</sup> *Scottish Heraldry*, p. 222.

seals, prior to the middle of the fourteenth century, we find no examples of crests *associated with escutcheons*. Occasionally, however, they are displayed on the helmets of equestrian figures, as on the seals of Patrick Dunbar, seventh Earl of March (1251)—a cross in a crescent; and John Cumin (1292)—a crescent and star," &c. And again,<sup>1</sup> "The earliest Scottish example that we have been able to discover of a crest associated with the family arms, occurs on the seal of David Lindsay, Lord of Crauford (1345), viz., a key erect." [The *original* of this interesting seal, of which Mr. Seton gives an engraving, is, however, *non-existent*, and his woodcut is merely taken from a sketch in a MS. volume of General Hutton's collections entitled *Sigilla*, in the library of the Scottish Antiquaries.] "With the exception of the seal of Ranulph Nevile, Lord of Raby (1353), in which a bull's head appears as a crest, the earliest example of a heraldic crest in Mr. Laing's *Catalogue* [of Scottish seals] is the plume of feathers which appears on the seal of William, first Earl of Douglas (c. 1356)." From that date they began to be more common, there being at least twenty-four examples in Laing's *Catalogue* up to the beginning of the fifteenth century.

The seal of Earl Patrick is thus at least twenty-one years earlier in date than that of William Earl of Douglas, hitherto supposed to be the earliest *actual* instance in Scotland.

Mr. Seton elsewhere points out<sup>2</sup> that the Royal Crest of England appears for the first time on the Great Seal of Edward III, who came to the throne in 1327. And on the authority of Dallaway,<sup>3</sup> he says that Edward III, in 1333, granted a crest to William Montacute, Earl of Salisbury, and by a subsequent concession, made it hereditary. With such a concurrence of authority on the point, it may well be matter of just pride to the descendants of the great Northumbrian chief, the first Gospatric, that they can point to the unerring testimony which this beautiful seal bears, at once to the taste in heraldry, and the importance of the fifth Patrick, their more immediate ancestor. The most remarkable feature in the design is the crest. In this respect, among the Dunbar seals, the present is absolutely unique. The usual and well-known crest of the successors of Earl Patrick—the bridled horse's head and neck—an emblem, according to Nisbet,<sup>4</sup> of their office as wardens of the marches, and their readiness to apprehend evil doers on the border, is that generally associated with the Earls of March, and was adopted by their successors in office, the Hepburns of Hailes, Earls of Bothwell.<sup>5</sup> The wife of this Patrick was Agnes, the only daughter of the renowned Thomas, son of Ranulf (his true surname), Earl of Moray, and under her sobriquet of 'Black Agnes,' the heroine in Scottish history of the defence

<sup>1</sup> *Scottish Heraldry*, p. 224.

<sup>2</sup> *Ib.*, p. 217.

<sup>3</sup> *Inquiries*, p. 388, note.

<sup>4</sup> *Heraldry*, vol. i, p. 156, and ii, part iv, p. 19.

<sup>5</sup> Since this paper was written another seal of this earl has been observed by Mr. A. H. Dunbar, Jun. of Nathfield, in the Record Office. It is the first of the seals of the six Scottish Magnates appended to the Instrument by which they, in behalf of their country, ratified the treaty for the ransom of David II, at Berwick.

on-Tweed, on the 5th October, 1357. The shield is couchée with the lion and bordure of eleven roses. The supporters are two men in plain doublets, and a tall feather in each of their caps; the crest is a *horse's head and neck bridled*, rising from a coronet placed on the helmet mantled. The seal is a fine one, though broken, and the design not quite so elegant as that which heads this article. It is the first example known of the horse's head crest.

of Dunbar Castle against the Earl of Salisbury in 1346. Had this seal been of that date, one might have with good reason conjectured that the lady on the tower was the countess, with the lions rampant of her husband's shield, emblematically defending the castle. The date, however, forbids this hypothesis, and the origin of the crest therefore yet remains uncertain.<sup>1</sup> She became eventually the heiress of Moray by the death of her two brothers without issue, and her second son John the son-in-law of King Robert the Second, was the first Earl of Moray of the surname of Dunbar. The male line of his elder brother George, Earl of March, failed 300 years ago, and the several houses of the surname now existing in Scotland, are all descended from the Earl of Moray by a double or triple chain of royal links seldom united in one lineage. The overwhelming power of the Douglasses in the first instance, and on their fall in 1455, that of the crown, always covetous of the Moray possessions, deprived the undoubted male heir of his lawful and equitable right, and the Earldom of Moray from that time has been held by younger sons or illegitimate scions of the Scottish kings.

The position of the Earls of March on the Borders was too great to be secure, and this fact no doubt accelerated their downfall. Besides their Earldom in Lothian, they had large possessions in Northumberland, held under the English king by the unique tenure of, being "inburgh and outburgh" between England and Scotland, the nature of which has never been fully explained. They were thus in the situation of middlemen between the kingdoms, and, as was to be expected, often got thanks from neither side. Alone among the Scottish nobles they retained their English possessions, and though these were a mere fraction of what they once owned in Northumberland, still it led to a divided allegiance and vacillation in the internal politics of the family. When England was the stronger, the earls had to look to their Northumbrian Baronies, when Scotland was in the ascendant, their Earldom of Lothian then engrossed their attention.

There are some very interesting notices of this earl, and his father, the fourth Patrick, in the *Scalacronica*,<sup>2</sup> the author of which, Sir Thomas Gray, of Heton, was taken prisoner by the owner of this seal in a border raid in 1355, and shut up in Edinburgh Castle, where it is said he wrote, or more probably, began his *Chronicle*, to relieve the tedium of his captivity. From that old record we learn that the fourth Patrick was known by the nickname of "Patrick od le noire barbe,"<sup>3</sup> and also that his son, the owner of the seal, who received Edward II "ful gently," as Leland says, on his flight from Bannockburn, in his Castle of Dunbar, met with some adventures connected with the receipt of possibly the very sum in question, as they occurred in the year 1334. Sir Thomas Gray, in his

<sup>1</sup> It has been suggested, with great probability, that the lady may represent that countess, (Earl Patrick's mother, Marjory Comyn), who, in 1296, defended Dunbar Castle against Edward I. He was then a boy of 12, and the event may have been well fixed in his memory. The Dunbars were a long-lived race. His age is known from his service as heir of his father in 1308, in the Public Records of England.

<sup>2</sup> Sir Alexander Dunbar, of Westfield, the only son of Earl James by his near

relative Isabel Innes, ought to have succeeded to the Earldom of Moray. The lady died young, and the dispensation for their marriage probably lies hid in some Scottish charter chest. Her only son was the ancestor of all the existing houses of that name, and was a distinguished person, being the first hereditary sheriff of Moray, an office held by his descendants for nearly 300 years.

<sup>3</sup> Maitland Club, Edinburgh, 1834.

<sup>4</sup> i.e., with the black beard.

quaint Norman French, says, the only one of the Scottish nobles of any account, who held with [enherdauntz] the King of England, was the Count of March, who came to him at Newcastle-on-Tyne, and on returning to his "ostelle," was watched by malefactors of Northumberland for envy of the money that the king had given him, and was all but murdered. He complained to the king, who had then come to Roxburgh to strengthen the castle, destroyed in his father's time. The king's council did not see how to give Earl Patrick amends on these evildoers, for reasons added by the Chronicler. Leland's abstract of the occurrence is very pithy. "The Counte of March held on the Engliche King's part, and cam to hym to Newcastle upon Tine, and goyng homeward agayn was sore hurt of ille people in Northumbreland for covetushnes of mony that King Edward gave hym."

Those who are curious on the subject will find full details in the editor's preface (p. xxix) and Leland's abstract (p. 304) of the *Scalacronica*, of how this earl twenty years afterwards, in 1355, being then in the Scottish interest, when there were possibly no more subsidies to be had from Edward, tempted Sir Thomas Gray out of Norham Castle by a display of English plunder, and after a hard fight captured him far within Scottish territory. Much could be written on this subject, which possesses all the chivalric attractions of border history. But we are getting far beyond the limits of the seal that has occasioned these desultory remarks, and craving the indulgence of the readers who have followed us so far, must bring them to a close.