

I shall add only a few more words as to his personal life. He was never married, but his younger brother Archibald, with his wife and family, were for many years domesticated with him, and when his brother died, the widow and surviving children remained with him as before, and ultimately shared in a large portion of his means. He was a most affectionate relative, and a very firm friend. He never forgot a kindness received, and had particular pleasure in repaying, when it came to be in his power, any proofs of friendship which he had received in the earlier period of his career, when encouragement and assistance were calculated to be of such value. He was a man of great goodness of temper, and of inflexible justice in all his dealings. His estate of Colonsay he had disposed of before his death to his brother Sir John M'Neill, under a family arrangement.

For a considerable part of his life Lord Colonsay laboured under some weakness in the chest and breathing tubes, and latterly a tendency to bronchitis was perceptible. We believe it was to this malady that he fell a victim. He was only ill for a short time, and at the age of eighty it was not wonderful that he was unable to resist the influence of a disease so dangerous in general to those advanced in life.

## 2. Biographical Notice of Cosmo Innes. By the Hon. Lord Neaves.

We have lost another eminent member of our Society in Mr COSMO INNES, of whom I shall venture to give a short account. I do not think it necessary to make it long, and this for various reasons. Mr Innes's labours were more nearly akin to the studies of another Society which meets under the same roof with ourselves, and within that body, I believe, tributes have been paid to his memory far more intelligent and more worthy of his reputation than any I could venture to offer. The general features of his career, also, are so well and widely known, and have been recalled to our recollection of late in such various ways, that any detailed narrative would be superfluous. My endeavour now, therefore, will mainly be not to pay homage to his antiquarian attainments, which are

indisputable, nor to the works of interest and utility which have proceeded from his industry, and which are never likely to be forgotten or to remain unappreciated, but to bear my testimony to his general accomplishments, and to his high personal character. Of these I claim a right to speak, from an unbroken friendship of upwards of sixty years, varied by much vicissitude of events, much community of favourite studies, constant professional or official intercourse, and domestic familiarity of the warmest and most pleasing kind.

Mr Innes was born on 9th September 1798. He was educated at the High School of Edinburgh, and at the University of Glasgow, from which last he proceeded on a Snell exhibition to Balliol College, Oxford.

It is well known, and necessary to be remembered, that the position of Mr Innes's family while he was yet a young man, came to be greatly affected by a misfortune that befell his father. Mr Innes, senior, who was a Writer to the Signet, was induced to give up business, and take a long lease of the estate of Durris, in Kincardineshire, upon which he expended great sums of money in improvements. But when the time approached for reaping the benefits of these, the lease was set aside, and the estate carried off by an heir of entail, leaving Mr Innes, senior, with a very slender equivalent for all the time and money he had thus expended.

One good thing resulted from this calamity. It brought out the native courage and vigour of Mr Cosmo Innes's character, and forced him to grapple manfully with his difficulties. His motto in such circumstances might well have been *Tu ne cede malis; sed contra audentior ito*. He never sat down with a listless look or a desponding heart, but turned to the first opening he could find that promised an escape from trouble. And here, as she generally does, Fortune favoured the brave, and gave our friend both a stimulus and an opportunity for exertion that might not otherwise have existed.

Another advantage that arose from the strong interest felt by all who saw his position, was that it excited the sympathy and attention of many friends of great influence and value. Much the most important of these, and one who greatly moulded and affected his future career, was Mr Thomas Thomson, whose acquaintance he

formed in the year 1824, and with whose labours he became, for a long period, substantially identified.

Thomas Thomson was one of the most able and learned antiquaries and "Record Lawyers" that Scotland has produced, and he would probably have been recognised as the greatest among them, if his efficiency had not been marred or impaired by some defects of character and peculiarities of taste which interfered greatly with his practical powers. His fastidiousness, his aversion to hasty or ill considered opinions, and his general tendency to procrastination, led him to allow duties to stand over that should have been instantly and resolutely performed. As a member of the "Record Commission" he became busily occupied in the arrangement of the Ancient Records and Muniments of Scotland, and the publication of the old Acts of Parliament of the country came to rank as the "magnum opus" of his life. At the time when Mr Innes became acquainted with him, he was completing, or had completed, the eleventh volume of that collection, but the first volume of it had not been begun, being the portion of the work attended with the greatest difficulty, involved in the deepest obscurity, and for which new materials were daily coming to light from sources hitherto undiscovered.

The character of Mr Thomson, and his eventful history, full of varied incidents, some of a most pleasing, and some of a most painful kind, are exhibited in the interesting Memoir of him written after his death by Mr Innes, at the request of Mr James Craig. The latter years of Mr Thomson's life were obscured by no ordinary gloom of misfortune. In his administration as a "Record Commissioner," and as "Depute Clerk-Register," his accounts were allowed to run into great arrear and confusion, and attention came at last to be called to them by the officials connected with the financial departments of the Government. There had, undoubtedly, been great neglect, and considerable disregard of the proper limits of expenditure, which it was found wholly impossible to justify, but which, I am satisfied, would all have been put right by Mr Thomson and his many friends, if time had been allowed. But some of the officials concerned, particularly the men of mere routine, were too peremptory, and too punctilious, to look to anything but purely arithmetical considerations, and that, perhaps, took place which is

not unfrequently observed, that injustice is done to a man by his political friends for fear of their being supposed to show him undue favour by protecting him from attack. However this may be, a step was taken which, in the opinion of many, was greatly to be deprecated.

A *criminal* charge was preferred against Mr Thomson for *defalcation* in his accounts, and it became necessary for him to appear for examination before the sheriff under that charge. At this time a change of government took place, and it happened that, as an official under the new crown authorities, I was entrusted with the duty of conducting Mr Thomson's examination. It was carried out with every degree of fulness and particularity, and I had much satisfaction in being able to report to my constituents that there were no grounds for a *criminal* charge. Mr Thomson had been guilty of laxity and carelessness, he had sometimes mistaken and exceeded his powers of expenditure, and he had ventured upon disbursements for what he considered to be important objects not authorised by the strict letter of his instructions. But there was no trace of anything corrupt or fraudulent, and the application of the *criminal* law to his case appeared to me harsh and inappropriate proceeding. These views were adopted by the crown counsel of the day, and Mr Thomson was liberated from any responsibility beyond the civil consequences of his pecuniary errors. It was impossible, however, that such occurrences, overtaking a man of Mr Thomson's high position, unblemished character, proud feelings, and eminent public services, should not be overwhelming, particularly at the advanced period of life which he had reached. The whole colour of his existence was thus changed; he had lost his office of "Clerk Register," and although he retained that of "Clerk of Session," the salary attached to it was appropriated to the discharge of his debts. "It was intimated to him at this time that another person was to be employed to complete the first volume of the Acts of Parliament." This is the language in which the occurrence is mentioned in the Memoir of his life. Mr Innes was the person so employed, and nothing could well be conceived more painfully interesting on both sides than the relation that came thus to exist between the pupil and his old master. Mr Thomson must

have felt deeply the blow that thus deprived him of the opportunity of completing the crowning act of his long labours.

“He never again entered the Register House;” and Mr Innes adds, “that although he was generously communicative on every other point, where his assistance or advice was desired, he told me soon after I had been employed to complete the first volume of his great work, that *it must be a forbidden subject between us.*”

In 1844 Mr Innes finished the first volume thus handed over to him, and did so in a manner which gained, I believe, universal approbation. I do not say that it was done as well as Mr Thomson at one time *could* have done it, but I am sure that it was done as well as Mr Thomson could *then* have done it, or rather, that the difference lay between its being done well by Mr Innes and its not being done at all.

The extinction that was thus given to Mr Thomson’s efficiency in his peculiar department, for such was truly the result of these events, left Mr Innes as almost the only man in the field to whom either the public or individuals could resort for advice and assistance in matters of this kind, and he thus became one of our highest authorities on the subject of general or family antiquities.

It cannot be said, I think, that Mr Innes was ever successful as an advocate. He did not possess in a sufficient degree either what has been scornfully called the power “to make the worse appear the better reason,” or which, I think, is its more correct description, the peculiar faculty on a proper deebateable question, to bring forward the fair and legitimate considerations that are to be weighed on either side. But he held successively important official appointments, that of Advocate-Depute, Sheriff, and principal Clerk of Session, the duties of which he discharged with adequate diligence. He was latterly appointed to the chair of Universal History in the University of Edinburgh, which was highly congenial to his general pursuits, and in which, I believe, he endeared himself to his students by his uniform accessibility and kindness, and by the valuable aid which he afforded them in their studies.

I have disclaimed any intention here of attempting to enumerate or estimate the different works of an historical or antiquarian kind which Mr Innes produced. I shall merely advert to his “Scotland in the Middle Ages,” published in 1863, and his “Sketches of early

Scottish History," published in 1861, both of which are well known and are peculiar. Besides these, I may add in the words of Mr David Laing, which I am allowed to borrow, that "his labours in editing numerous volumes of ancient chartularies for the Bannatyne, Maitland, and Spalding Clubs, more especially those of Melrose, Moray, Holyrood, Dunfermline, Glasgow, and Kelso, as well as works connected with the public records of Scotland, will always be gratefully remembered." One of the works undertaken by him was the "Origines Parochiales of Scotland," which, if it could have been finished as it was begun, would have been a great and valuable work; but the difficulties in its execution proved to be far greater than had been calculated, and it remained at last in an unfinished state, which necessarily diminished its utility and importance.

I have always understood that the manner in which Mr Innes prepared the official works which he was able personally to accomplish, was much admired and approved of by the best judges both in this country and abroad, and in particular I have heard that M. Guizot, no mean critic, to whom he was personally known, always spoke highly of their merits. Partly on business exigencies, and partly as a form of relaxation, Mr Innes was latterly in the habit of visiting Paris in time of vacation, and greatly enjoyed the advantages of good Parisian society, as well as the opportunity thus afforded him of access to the French archives and other objects connected with mediæval history and antiquities. I may here observe that Mr Innes, among other accomplishments, had a very decided talent for letter writing, and that when he was abroad the accounts thus conveyed to confidential friends of what he had seen and felt on his travels, were a source of great interest and delight.

In Mr Innes's character—let me rather say within his bodily frame—two very different aspects of human power were to be seen. In the one we had a strong and athletic man, passionately fond of the country and country scenes, particularly those of this "Land of the Mountain and the Flood," the "Land of our Sires," excelling in all country sports, fishing, shooting, riding, coursing, and enjoying a pleasing though always a temperate repose from these exertions in some friendly or social meeting; while, in the other, we saw a man turned into a monk, busy among libraries and state records all day, and poring with double magnifiers and strong lamps till long

after midnight, deciphering old and almost illegible manuscripts, and trying at once to master their character and make sense of their contents. These very different capacities and functions existed harmoniously together in the same individual, and instead of interfering with each other, communicated, perhaps, a mutual zest, and enabled the change to be pleasantly or at least contentedly acquiesced in. The versatility thus existing and kept up fitted him for a very varied and interesting range of social acquaintances, and of these he was always glad to avail himself in moderation. Nor was any one a more agreeable companion. His perfect good humour and good temper, his strong affection for his family and for his old friends, his never-failing courtesy, which arose from and indicated the chivalrous feeling that was at the foundation of his character, his utter absence of envy, jealousy, presumption, or self-conceit; and his sympathy with all innocent and gentlemanly relaxation and even merriment, endeared him to a very extensive and attached circle, and made his home the centre of much attraction and the scene of much social enjoyment. To these enjoyments his surviving friends still look back with unmixed pleasure and tender regard.

His literary productions, apart from those which appeared in an official form, show the same diversity of character to which we have already alluded. As specimens of these I may mention two excellent but very different papers, which a careless reader would scarcely conceive to have proceeded from the same mind: the one of these, a contribution to the "Quarterly Review" in 1843, upon the Ecclesiastical Antiquities of Scotland, and the other a paper inserted in the "North British Review" in 1864, on the Country Life of England. Each of these is well deserving of perusal, and the last mentioned is particularly interesting, as having first introduced into notice the achievements and writings of Charles St John, the well-known lover of sport, with whose tastes and habits those of Mr Innes were in full accordance, so far as circumstances would permit of their free indulgence.

Mr Innes's love for literature was strong and diversified. He was a fair Greek and Latin scholar. I hesitate to call him a *good* Greek scholar, as my old friend Archdeacon Williams denied that title to any one who did not know every good Greek author from Homer to Agathias. He was sufficiently at home in French and Italian

to serve all the purposes which he had in view. But I think the books that he most loved were those that gratified best that chivalrous feeling that lay so deep in his heart. I remember as if it were yesterday hearing him read, fifty years ago, in an Italian society to which we belonged, the concluding character of Sir Lancelot, given in Malory's translation of the *Morte d' Arthur*, which runs in these striking terms:—"And now, I dare say, that, Sir Lancelot, there thou lyest; thou wert never matched of none earthly knight's hands. And thou wert the curteist knight that ever bare shielde. And thou wert the truest friende to thy lover that ever bestrode horse. And thou wert the truest lover of a sinful man that ever loved woman. And thou wert the kindest man that ever stroke with swerde. And thou wert the goodliest person that ever came amonge prece (press) of knights. And thou were the meekest man and the gentillest that ever eate in hal among ladies. And thou were the sternest knight to thy mortale foe that ever put spere in the rest!"

Mr Innes read these words with the greatest effect, but in that peculiar tone for which I think his reading was remarkable. He never read rhetorically, or in a declamatory style, but with rather a cold and dry manner, which, however, had the strange effect of leaving on his hearers a deep impression of his earnestness, and a thorough belief in what he said. It was impossible so to hear him without feeling convinced, as I then and ever was, that his own character involved in it many of those noble traits that the romancer described as forming the bright side of his hero.

Mr Innes's death was sudden, and took place at a distance from home, but it was calm and painless, and he was attended at the time by his wife and his only unmarried daughter. It is right to mention that in the later years of his life he enjoyed the advantage of a considerable accession of fortune, which came to Mrs Innes, and which placed them in comparative affluence. At the time he was taken away, his daughter was engaged under very happy auspices to the gentleman who has since become her husband, so that his departure took place amid circumstances that brought many consolations, and left little more in life to be desired.