

## PART I

# SIR DAVID SINCLAIR OF SUMBURGH: 'FOUD' OF SHETLAND AND GOVERNOR OF BERGEN CASTLE

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### SHETLAND AND ORKNEY AFTER THE PAWNING OF 1468-9

The career of Sir David Sinclair of Sumburgh shows that the pledging of the islands of Orkney and Shetland to the Scottish Crown in 1468-9 had made very little difference to the way of life of the population in the islands and their contacts with the erst-while mother country of Norway. After all, it had been a political transaction carried out as part of marriage negotiations between two monarchs and there was no reason to think it would be anything other than a temporary arrangement. Shetlanders continued to look to Bergen as their nearest centre of commerce, administration and law, and probably social arrangements. It is well-known that transactions concerning land in Shetland were dealt with by royal officials in Bergen throughout the sixteenth century (Goudie 1904. *passim*), for only there could Shetlanders get justice according to their own laws. Many Norwegian families continued to hold land in the islands and it is they who first became uneasy about the continuing situation of non-redemption. Their dissatisfaction led to disturbances such as that recorded in the *Scottish Exchequer Rolls* in the year 1485 when an allowance was made on the Shetland account because of the 'spoliatioun and depredation of the lordschip of Shetland by the lords of Norway and their agents'. The 'lords of Norroway' are met frequently in Shetland material of the sixteenth century (Goudie 1904. 89), and as they saw their position in Shetland threatened and their estates run by incoming Scots, they put pressure on their political leaders to do something positive about the redemption of the islands.

This was bound to lead in its turn to strained relations between the two monarchs concerned, James IV of Scotland (1488-1513) and Hans of Denmark-Norway (1481-1513). These two were sons of the monarchs who made the original marriage and impignoration treaty, and nephew and uncle respectively to each other [Fig. 1.1]. Just as his father had been determined to get hold of the islands (Crawford 1969. 39-40), so was James determined not to let them go, or allow the Danes to redeem their pledge. King Hans, although not so emotionally committed to his cause as James, was nonetheless obliged to pursue, and to be seen to be pursuing the object of redeeming the islands. He promised this in his coronation oath and was forced to do something positive about it by the demands of the Norwegian Council. Yet, despite this clash of intent the two monarchs remained officially on good terms — they were after all uncle and nephew — and they communicated frequently and exchanged gifts and presents (Crawford in press). Hans in particular was desperate to



KING HANS    SIR DAVID SINCLAIR    KING JAMES

*Fig. 1.1.* – Sir David Sinclair was administrator in Shetland for James IV of Scotland by 1488; in the 1490s he was granted royal rights over the church in Orkney by both James IV and by Hans of Denmark-Norway; by 1496 King Hans had appointed him Governor of Bergen Castle.  
(*Courtesy of Dr. Marinell Ash*)

maintain friendly relations with the Scottish king because he looked upon him as a potential source of assistance to him in his struggle against the rebellious Swedes. Poor Hans was therefore in something of a dilemma; pushed into aggressive action over Orkney and Shetland by his Norwegian subjects, which was bound to cause trouble with his 'amantissime nepos' from whom he hoped for military aid.

We can see the sort of sphere in which trouble was bound eventually to arise. These were areas which had been left undefined by the treaty of impignoration and particularly the sphere of church patronage and income, which had never been mentioned in 1468 or 9. For instance, Hans considered that he still had the right to grant out royal rights over the church in Orkney, which were given by him to Sir David Sinclair in 1491 (*Orkney and Shetland Recs.* p 56). But this intrusion was resented by James IV, who a few years later made an identical grant of the same royal rights to the same Sir David, simply substituting Scottish phraseology for the Norwegian (*Registrum Secreti Sigilli.* I. nr 1031). Clashes occurred over the control of church patronage. King Hans presented a Magnus Harwood to the archdeaconry of Shetland, James presented Henry Phantouch to the same office (*Registrum Secreti Sigilli.* I. nr 755), adding for good measure that the sheriffs were to charge Magnus Harwood and others 'to haf no intrometting with the said archidenry or to purchase ony presentation of the king of Denmarkis thairupon, under the pane of treson, considering the presentation thairof concernys to our soveran lordis heretage'.

#### A SERVANT OF TWO MASTERS — JAMES IV OF SCOTLAND AND HANS OF DENMARK — NORWAY

In this situation of confusion, with both kings struggling to maintain real or mythical rights in the islands, they were both in need of a reliable official and servant in the islands who would further their cause. The man used by both — and the remarkable thing is that he actually was used by both — was Sir David Sinclair, an illegitimate son of the last Sinclair earl. (None of the older histories mention his illegitimacy, but see *Scots Peerage.* II. 335–6). Like many other bastards he seems to have been a man 'possessed of that determination to overcome the disability of his birth, and to make his own way in the world according to his own merits. He kept in with his relatives for a start, and apparently benefited from the Sinclair revival in the north which led to his nephew, Lord Henry Sinclair, becoming the lessee of the bishop of Orkney who held the tack of the lordships of Orkney and Shetland. Lord Henry himself took over the tack in 1489, became sheriff of Orkney and set out to revive the family fortunes in the north. In this he was joined by his uncle David who was sufficiently well-trusted by the Scottish administration to have been given the office of 'foud' of Shetland by 1488. This was evidently a Scottish appointment, not a Norwegian one, as the Danish title of 'foud' was always used by the Scots for the royal official in Shetland. Sir David Sinclair must already therefore have been known and trusted by one of the King Jameses. But at the same time he was also well-known to King Hans, and in such esteem at the Norwegian court that he received the honour of knighthood. In 1491, as we have seen, he was given some fiscal rights over the church in Orkney by King Hans, rights which



*Fig. 1.2. — Bergen Castle includes the 13th century Håkonshall and the 16th century Rosenkrantz Tower — both heavily restored. 1976. (Photograph: J.R. Baldwin)*

it is said had previously been held by Bishop William Tulloch, the cleric who was used by King Christian for the furtherance of his policies in Orkney and Shetland in the years prior to the impignoration (Crawford 1969. 43). In this grant to Sir David, Hans calls him 'our beloved man and servant'. How this position of trust had been established we have no idea, but by virtue of the normal connections a Shetlander would have in Bergen, he would be well-known to the authorities there. Indeed we have one piece of evidence from this very same year which shows us Sir David acting as representative for another Shetlander in a law-suit before the royal council in Bergen. By 1496 Sir David had become so important a member of the Norwegian royal administration as to have been appointed Governor of Bergen Castle [Fig. 1.2]. This royal castle formed the centre of a large administrative district, and the Governor was royal official in the whole of its jurisdicitive area. The position was not just a military one, therefore, but a very powerful administrative one, with all royal powers delegated to the holder. Sir David was thus one of the three or four most important officials appointed by King Hans in Norway — a part of his domains that the King rarely visited.

Norwegian historians see Sir David's appointment as a definite factor in Hans's policy. For not only was this Scot given the Bergen post, he had bestowed on him some rights within Shetland by the Norwegian king. This is an assumption from the fact that Sir David is also called 'official in Shetland' in a Norwegian document at this time, for it is not likely that in the present mood

of the Norwegian peoples it would have been Sir David's Scottish appointment which was being referred to. Hans was thus actually interfering in administrative as well as ecclesiastical arrangements in the islands, and there is some evidence that he also attempted to appoint a lawman. Sir David's grant was a duplication of his grant of 'foudship' from King James. Such double grants are a result of the two kings pretending to an exercise of political authority in an area where neither had very much actual control. Real power in Orkney and Shetland at this time lay in the hands of the Sinclair family who were busy reasserting their former position of supremacy in the islands. Nonetheless it was rather provocative of Hans to give Sir David rights and authority in Orkney, Shetland and Bergen, particularly when this concerned royal rights which had very clearly been transferred to the Scottish Crown in 1468-9, unlike ecclesiastical ones. But he was thus giving the impression that he was doing all he could to strengthen ties with the Norwegian colonies, which was a sound political manoeuvre with respect to his domestic policy. Sir David was a very useful pawn in this game, closely tied as he was to both Orkney and Shetland and the former earldom family.

Sir David's usefulness resulted in him becoming at this time a very wealthy and powerful individual indeed. His all-powerful position as Captain of Bergen Castle was a source of both patronage and wealth.<sup>[1]</sup> We can see that much of the wealth which he gained was used to buy up land in both Shetland and Orkney (see an inventory of land purchases made by him and Lord Sinclair in *Orkney Recs.* 420-5). In particular he managed in 1498 to get his half-brothers and sisters — children of the last earl — to grant to him all the lands which they had inherited in Shetland from their father. Although the Sinclair family had lost the earldom in 1470, they had nonetheless retained their own family odal lands in Orkney and Shetland (Crawford 1967-8. 172), and according to odal custom these lands were divided among all Earl William's children. Sir David was fortunate enough, and apparently wealthy enough, to prevail upon thirteen of the heirs to grant him their inherited portions in Swinburgh (Sumburgh) and throughout Shetland. He himself is usually termed 'of Swinburgh', even before this transaction, which evidently formed his chief residence in the northern isles.<sup>[2]</sup>

At this time (c.1496) Sir David was at the peak of his career; Scottish royal official in Shetland, Norwegian royal official in Bergen and as such a member of the Norwegian ruling Council. But he was serving two masters, and like many of his forebears, earls of Orkney, he perhaps found the pull of two loyalties impossible to reconcile, particularly when the two kings had conflicting policies towards the northern isles. At any rate we find that before the end of his life Sir David had left King Hans's service and devoted his remaining years to the service of the Scottish king. He appears moreover to have lost his position in Norway as a result of his support of a rebellion against the Danish king and his Danish officials.

## THE REJECTION OF KING HANS, 1501-2

King Hans, as his father before him, was constantly troubled by disruption from his Swedish and Norwegian subjects. In 1501 Sten Sture again stirred up

disaffection against Danish officials in Sweden, and a member of the Norwegian aristocracy, Knut Alvsson, joined forces with him. During the winter of 1501–2 the Norwegian royal castles of Akershus, Tunsberghus, Bergenhus (where Sir David had been in control c.1496–7) and Båhus were seized from their military commanders, who were all Danish at this time. It was because of just such a military threat that Hans had been desperate to maintain good relations with his nephew, James of Scotland, and indeed in 1492 an alliance had been made between the two in which reciprocal military aid was promised in the event of such being needed. As a result of this alliance James sent an expeditionary force to Denmark in May 1502 to help crush Knut Alvsson's rising which was gaining in strength [Fig. 1.3]. Around two thousand foot-soldiers were sent in two well-equipped ships; and under the command of Prince Christian they besieged the Norwegian fortress of Båhus, then the nearby Swedish fortress of Elvsborg, which capitulated on 17 July. But this appears to have been the expedition's only success, despite claims made by some historians. In fact, we learn from a contemporary report of Knut Alvsson's that a good number of Scots who joined a Danish attack on Akershus near Oslo at this time were killed, while the rest fled by sea and some of them deserted and went back to Scotland. The ignominious conclusion to the 1502 Scottish expeditionary force was well-known in Denmark. Certainly we can see from the Scottish central records that one if not both ships were back in Edinburgh by August; the Danes succeeded in recovering control of the royal fortresses of their own accord.

What was Sir David's role in these events? Scottish writers have generally assumed that he participated in the expedition from Scotland — for which there seems to be no evidence. From the Scandinavian side, however, there is

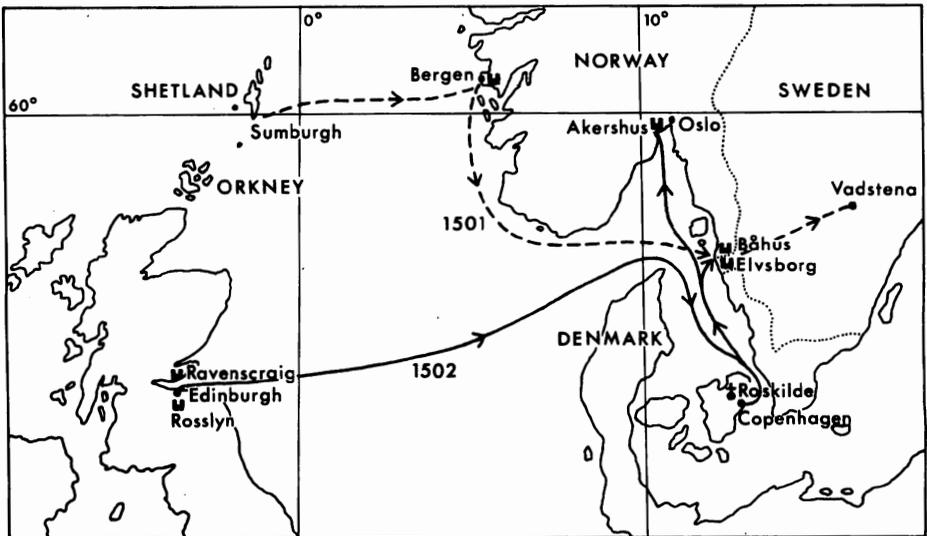


Fig. 1.3. — Map of the routes taken by Sir David Sinclair and the Scottish Expedition to Denmark and Norway during the 1501-2 rebellion against King Hans.

evidence that, on the contrary he actually joined the rebel movement — which is rather surprising considering that he had been a trusted servant of King Hans in the 1490s. In August 1501 he was so closely in touch with the Swedish rebels and Knut Alvsson that he was present at Vadstena in eastern Sweden on the day that the confederation was declared there against King Hans, and joined with the rebels in sending a letter to Danzig, in which the city was requested to join the rebel stand. Then in December 1501 we hear that ‘her David skotte af Norge’ (Sir David Scot of Norway — who can be no other than our central character) was at Elvsborg with three or four manned ships waiting for Knut Alvsson to come over from Sweden and lead the rebel force. The Danish royal official Henry Krummedige says that he sent Sir David fresh provisions and other goods — no doubt in an attempt to win him back into the royal service — but that these were returned untouched. This seems conclusive evidence for Sir David’s participation in the rebel movement. But we hear no more of his part in the events of 1502. Nor do we ever hear of him being in Scandinavia again.

These fragmentary pieces of evidence about Sir David’s role raise some interesting questions. Why did he desert his royal patron, to whom he owed everything for his rise to power in Norway? If he was a convinced supporter of the rebel cause, and had come to identify himself with Norwegian aristocratic interests, then he made a political mistake. The rebel movement eventually crumbled and Sir David’s career in the service of King Hans abruptly ceased. But was this political miscalculation as straightforward as it seems? Suspicions are aroused that there may have been more complex reasons for his role in 1501–2, and these reasons involve the policies of the Scottish Crown. The most arresting factor is that Sir David was evidently in high favour at the Scottish court. During the remaining four or five years of his life his authority spread from Shetland to cover a large area of northern Scotland; he was made captain of Redcastle and Dingwall Castle; he was granted the offices and lands of the chamberlain of the earldom of Ross and barony of Ardmannach (which had come into the Crown’s hands in the 1470s); he frequently exchanged gifts with King James. He became in effect a very powerful royal servant in Scotland. Of course, he had been made ‘foud’ of Shetland in the 1480s, and even when he was occupying the post of Governor of Bergen Castle he was in communication with King James, for the Scottish records mention that a royal letter was sent to him in Norway in 1497.

But it is the year 1502 which first tells us of the close relationship between King James and Sir David, for in that year he was favoured enough to receive two monetary gifts from the Scottish Crown. One, a payment of 200 marks from the Orkney and Shetland account was made to him ‘at the time of his expedition to Denmark’. Another was a pension, or an annual grant of 50 marks, ‘for service given’, and we see this being paid out of the royal exchequer every year until his death. We cannot, of course, know for what these payments were made, but the evidence that Sir David was being paid fairly highly for services to King James at the time of the Scottish military expedition to Denmark — and the first one was evidently made in connection with an actual journey made by Sir David to Denmark — should be enough to

arouse our suspicions that his role in Scandinavian affairs might have been of some interest to the Scottish Crown. However much he may have displeased his Norwegian sovereign by his participation in the rising, his behaviour was evidently more than acceptable to King James who in the following years heaped offices and gifts upon him.

Had he in fact acted according to the wishes of his Scottish sovereign by becoming involved in the rebel movement? This may on the face of it seem paradoxical, when the Scottish king was sending an expedition to aid King Hans in crushing the rebels — but no more paradoxical than many two-faced games of political opportunism. We can in the first place be quite sure that James would wish to have inside information as to the strength and success of the rebel movement. Sir David was of course ideally placed to provide him with this information. Secondly, we can suspect that it might have suited James's political purposes quite well to have Hans's attention distracted from the question of the northern isles (which we have seen was at this time providing a point of antagonism in their relationship). He would in this case have been quite happy to see Hans absorbed with his own internal troubles. Certainly an expeditionary force was sent to help Hans because of his uncle's request according to the treaty made between them; but it seems to have had little direct impact on the struggle against the rebels — on the evidence of the Norwegian rebel leader, and of an admission of James' in a later letter to the Danish queen. We could not dare say that this was deliberate failure. But that Sir David himself may have been under instructions from Scotland to offer some form of support to the rebel cause is a possibility which would explain the otherwise puzzling factor of his involvement in a movement which was both dangerous and futile; an involvement which ended his career in the service of King Hans.

### A CAREERIST'S WILL, 1506

Sir David died in 1506 or 7 at the height of his career in the service of the Scottish king. His will is dated July 9, 1506 at Tingwall (printed in vol.III of the *Bannatyne Miscellany*). It was probably drawn up in the parish kirk where Sir David requested that he be buried. A fascinating picture is given in it of the extent of this careerist's contacts all over Scotland, the northern isles and Scandinavia. He left his most personal possession, his signet ring, to the Provost of Bergen, who was the cleric in charge of the royal chapel of the Apostles in Bergenhus — and therefore certainly well-known to him from his period of residence in the castle precinct. He left his most glorious possession, 'my goldin chenze, the quhilk is callit ane Collar, the quhilk chenze, the Kyng of Denmark gave me', to St. George's altar in Roskilde Cathedral — a place of worship which must have been well-known to him from his doubtless frequent visits to Hans in Copenhagen. This gift of course tells us something of the esteem which that monarch once had for Sir David. A canon of Uppsala in Sweden is a beneficiary under the terms of the will and there is some evidence to suggest that he was Sir David's chaplain and secretary; he received half of the island of Samfray in Yell Sound (although from later evidence he had difficulty getting possession of this), and also 'twelfe ellis of yper blak [cloth

made at Ypres?]) and twa rois nobillis ... my sadell ... and ane schort blak cote of wellous [velvet?].’ Other items of clothing were divided up among the churches of Orkney and Shetland, evidently valuable for conversion to liturgical use — a red velvet coat to the high altar of St. Magnus’ Cathedral; two parts of a black velvet coat to Tingwall Kirk and the third part to the Cross Kirk in Dunrossness. Fragments of this are said to have still existed at the end of the eighteenth century (Goudie 1904. 196). His close ties with the Sinclair family are seen in the bequests to Lord Sinclair, head of the family, and Lady Sinclair and their son and heir. All three of them received ‘silver stope[s] with ... stoppis inclussit in the samen’ — evidently drinking vessels or stoups which had a series of smaller stoups which fitted into each other. Lord Sinclair was given the best one with twelve stoups included; Lady Sinclair received the ‘myd stope of silver’ with twelve included; and the son and heir was left the best silver one with six included. It is relevant to note that Lord Henry was also given Sir David’s inherited lands in Shetland. He was thus seeing that the family lands remained intact, while his own children — all of whom were illegitimate — must have received his acquired lands. Each son was to have 100 marks of land and each daughter 50, or half that of a son in accordance with usual odal practice.

Sir David’s career had rested on the mastery of the North Sea, and one sees this reflected in the value placed on the ships which he mentions in his will. The most important of them was that one which he called simply the ‘Carvell’, and which he again left to Sir Henry Sinclair. The name tells us what kind of vessel it was, a type of ship which was quite new in Northern Europe in the second half of the fifteenth century. Previous to the ‘carvel’ or ‘caravel’, all boats were clinker-built with over-lapping strakes. But the carvel method of construction, with strakes laid flush with each other, spread north from the Mediterranean, and the ‘carvel’ ship was developed. Although we have no contemporary representation of it we know that the ‘carvel’ was longer, lighter and faster than earlier craft. It also had a greater number of masts, and was armed, serving therefore as a warship as well as a merchantman. This new type of vessel seems to have developed first in the Low Countries, and the earliest reference to a ‘carvel’ in Scotland appears to have been a royal ship called ‘Le Kervel’ in 1450. It is more than likely that Sir David’s ‘carvel’ was Scottish-built; Norwegian ship-building was still traditionally geared to the open long-ship with a single sail and no deck platform. The ‘carvel’ was the latest thing in ship design, and could be used to dangerous advantage by a subject, as King Hans no doubt knew when it was reported to him that Sir David Skot was waiting at Elvsborg with three or four manned ships in December 1501.

This may suggest that Sir David was abreast of the times in utilising advanced techniques. I like to think that he was. We certainly know that he possessed at least one printed book — another very new technique. This was the *Buk of Good Manners*, published by Caxton in 1487, which he left in his will to Magnus Harwood (the cleric who had been rash enough to acquire a Shetland benefice from King Hans). This suggests that Sir David was literate, a fact which might almost be confirmed from the knowledge of his very close

association with Lord Henry Sinclair, who was perhaps the most important patron of the arts in Scotland in the late fifteenth century. Addressed as 'fader of bukis, protector to sciens and lair' by Gavin Douglas who dedicated his translation of the Aeneid to him, Lord Henry apparently possessed a very extensive library from the scattered remains which possess his signature. There are several documents in a family archive in Scotland concerning his land transactions which Lord Henry actually endorsed on the back in his own hand. Most famous of all is the Selden MS (which includes the only copy of *The Kingis Quair*, a poem written by King James I) which was commissioned by Lord Henry Sinclair. The long association which Sir David had with his cultured nephew cannot have been without its effects in the sphere of learning and humanism.

But despite any education he may have had; despite the experience of the world which he must have gained in the hard school of royal politics and administration; despite his care to build up a large estate for himself in the northern isles; and despite his friendship with kings and clerics, Sir David never apparently learned the wisdom of rectifying the mistake of his birth. That is, he never obtained documents of legitimisation. And this meant that his will was not in the long run implemented, but his property escheated to the crown by reason of bastardy. None of his children was allowed to benefit from the cumulation of their father's wealth and property for they also were all illegitimate. As it happened, the end-result would not have been too unwelcome to Sir David, for Lord Henry's widow obtained a grant of the escheat from the crown, and the property therefore remained in the hands of the Sinclair family.

### Footnotes

1. An aspect of Sir David's cultural interests is seen in an apparent contribution made by him to the architectural ensemble of Håkonshall, the great festal hall built by Håkon Håkonsson in the mid-thirteenth century in the precincts of Bergenhus. Certain features in Håkonshall (an inserted South Portal) and in the Rosenkrantz Tower are said to have affinities with Bothwell Church and Castle (Simpson 1961. 26, 55). It was Dr. Douglas Simpson who suggested that Sir David may have been responsible for the insertion of the South Portal (*ibid.* 27) as the only Scot known to have been in close association with Bergenhus at that period. This connection is supported by another comparison which has been made between the moulding on the same sacristy door at Bothwell and the moulding of the clerestory windows at Rosslyn Chapel (McGibbon and Ross 1896-7. III. 174). I would like to point out that the connecting link between all these three places is the Sinclair family. The founder of Rosslyn Chapel, Earl William Sinclair, married Elizabeth Douglas, and may well therefore have used masons from his relations' establishment at Bothwell to build his own chapel at Rosslyn. Sir David, as a son of Earl William, would have known both Rosslyn and Bothwell well. This association further strengthens the possibility that he was indeed responsible for the insertion of the South Portal of Håkonshall and must therefore have transported masons from Scotland to build it (as we know from documentary evidence was certainly done later in the sixteenth century for the rebuilding of part of the Rosenkrantz Tower).

2. A digression on the original form of the name 'Sumburgh' might be relevant. The earliest form, in Norwegian documents, is quite clearly 'Svinaborg' (*Orkney and Shetland Recs.* 58), as is also the form in the 1498 grant to Sir David by Earl William's children. In fifteenth century Scottish documents the form is usually 'Swinburgh' (Wemyss charters; Sir David's Will 1506; Shetland rental 1507x13). By 1576 the Shetland form has changed slightly to 'Swounburgh' (Balfour 1859. 59), although it continues to be 'Schvineborg' in Danish documents of the same date. The seventeenth century sees a definite change locally to 'Soundburgh' (Goudie 1904. 100-1, 174, 179) and the first appearance of the 'm' is, as far as I know, in James Kay's *Description of Dunrossness*

(1682–1716) where we have ‘Somburgh head’ (Goudie 1904. 197). The interesting discussion after the reading of my paper in Shetland appeared to settle for an original meaning of ‘fort of pigs’ rather than ‘Swein’s fort’.

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