



Earl's Palace, Birsay in the late 16th century

Impignoration By the latter part of the 13th century, Norway was part of Denmark, under King Christian I. The annuity for the Hebrides, the "Annual of Norway", agreed at the treaty of Perth in 1266, had not been paid by the Scots for about 200 years. After long, and at times acrimonious, negotiations, Charles VII of France was asked to arbitrate. He suggested a Royal marriage between Margaret, daughter of King Christian of Denmark, and the future James III of Scotland.

The contract of marriage was finally agreed on 8 September 1468. Not only was the "Annual" abolished, and all the

Kirbister Loch, Orphir - site of the Battle of Summerdale is in the background



arrears due by Scotland to Denmark cancelled in the marriage settlement, but also the young princess was to bring a dowry of 60,000 florins of the Rhine. Since Denmark could only pay 10,000 at once, Orkney was to be held in pawn (*sub firma hypotheca et pignore*) by the Scottish Crown until the balance was paid. After a year only 2,000 more was forthcoming, so Shetland was also pawned (*impignorated*) on 20 May 1469.

Although it has been claimed that the right to redeem the islands was discharged at some time, there is no evidence for this. The issue was brought up many times subse-

quently by Denmark, but always rejected by Scotland, which claimed that title had passed over due to the long period of occupation and administration from Edinburgh. The fact remains that the impignoration has never been discharged and that the agreement expressly states the intention that Denmark would do so. Thus the constitutional position of the islands remains unsettled to this day.

King James did not delay in securing his position. In September 1470 he and Earl William Sinclair exchanged by *excambion* the lands of Ravenscraig in Fife for Kirkwall Castle and the Earldom lands held under the King (*et toto jure ejus comitatus orchadie*). Earl Sinclair however retained his "*conquest*" lands in Orkney, which he or his ancestors had acquired by purchase or other means over the years.

Annexation In May 1471 the Act of Annexation to Scotland was passed. The Bishopric in turn leased the Earldom lands, and in 1486 the Corporation of the Royal Burgh of Kirkwall was constituted. Care of the Cathedral was handed to this new body. A schoolmaster was appointed and the Town House now assumed importance for a time.

The transfer of the Bishopric from Nidaros in Norway to St Andrews in 1472, and later

the Reformation further broke the connection with Norway. The presentation during the Cathedral's 800th anniversary, by the Bishop of Nidaros, of a Statue of St Olav, shows that connections remain, in spirit at least.

The oldest surviving rental (ON *riggarental*, the runrig system of land division) records date from Henry Sr Clair's detailed survey of 1492 and provide a fascinating insight into the pattern of land tenure at the time. At this time the traditional Udal practices were giving way to something more like the rest of Scotland as the majority of the land was now held either by the Scottish Crown or Scottish Church, and thus most farmers were tenants.

Henry St Clair, was killed at Flodden in 1513, and was succeeded by the locally-elected Sir William Sinclair of Warsetter, Sanday. Sinclair family feuding between the Caithness and Orkney family branches resulted in the Battle of Summerdale in Orphir in 1528, where the son of the previous Earl, another William Sinclair, enlisted the help of the Lord of Caithness. The Caithness men were roundly defeated, but the feud was not resolved.

James V came to Orkney in 1540, and was surprised to find that the islands were in a state of some civilisation. Indeed it was said that very few 16th century towns would



Broad Street, Kirkwall about 1780

have surpassed Kirkwall for architectural elegance, which sounds like a polite exaggeration. James' pilot, Lindsay, drew up a detailed nautical chart and pilot of the islands for the first time.

In 1567 the Scottish Parliament ruled that Orkney & Shetland should be subject to and enjoy their 'own' Udal Law rather than Scots Law. In 1575-7 the *Orkney Lawbook* was produced for the Scots

Privy Council, its last recorded sighting. From now on Scottish influence gradually eroded the Udal Law, and the Old Norn language as Orkney was steadily assimilated into Scotland.

Orkney's *nadir* was reached in 1581, with the granting of title to the lands of Orkney and Shetland by Mary Queen of Scots to her half-brother, Robert Stewart. This ruthless, yet cultured individual,



Armorial panel above Tankerness House doorway

Earl's Palace, Kirkwall, built about 1600, abandoned about 1720





Watergate and the Moosie Too'er, Kirkwall, in 1815

and his son, Patrick, imposed a harsh rule on the Orcadians which ultimately spelt the end of the Earldom. Traditionally it was he who destroyed the Orkney and Shetland Lawbooks.

Using forced labour they built palaces at Birsay, Kirkwall, and Scalloway in Shetland. Earl Robert Stewart built the Earl's Palace in Birsay in the 1570s and 1580s. In 1701 a Reverend John Brand visited and stated that "*(The upper floor) hath been prettily decorated, the ceiling being all painted, and that for the most part with schemes holding forth scripture histories of Noah's flood, Christ's*

Noltland Castle, Westray was built for Gilbert Balfour about 1560



riding to Jerusalem etc.", but also that the palace was becoming a ruin. In 1593 Robert died, and the Earldom passed to his son, Patrick, nicknamed "Black Patie".

Patrick Stewart was an arrogant Scot who held Orcadians and Orkney law and custom in low esteem. However his undoing was his disregard to his superiors, most notably his kinsman, the King. The Stewarts indulged in land-grabbing, and gross abuse of Earldom powers of dubious legality, but Patrick and his son Robert were executed for rebellion, not oppression, in 1615. Patrick was also the first

to instigate trials for witchcraft in Orkney - which he predictably used as a means to expropriate the unfortunate person's property.

Young Robert had travelled to Orkney in 1614, and with the help of supporters took possession of the Castle, Cathedral and Bishop's Palace. The Earl of Caithness, George Sinclair, volunteered to quash the rebellion. Many of Roberts supporters were executed on the spot, the Castle was demolished and the Cathedral was threatened with a similar fate. The intercession of Bishop Law fortunately stopped this. From this time on, the power of the Earl of Orkney was to be severely limited, and Orkney became an increasingly remote part of Scotland, rather than a mini power in its own right.

From the 17th century on Scots Law increasingly replaced the old ways, while Scottish Landowners and the Scottish Church ruled. Luckily some very good people were appointed as Bishop, which helped get rid of the Stewarts, but all the same, the 17th and 18th centuries were hard for the Orkney folk, with much oppression from incoming Scottish "landlords", most of whose rights to the land were as dubious as those of the last two Sinclair "Earls".

Trade with Norway, which had gone on since Norse times where Orkney grain was shipped to Bergen in exchange

Of Patrick Stewart "His pomp was so great, as he never went from his castle to the kirk, nor abroad otherwise, without the convoy of fifty musketeers, and other gentlemen of convoy and guard. And sikhlike before dinner and supper, there were three trumpeters that sounded still till the meat of the first service was set at table, and sikhlike the second service, and consequently, after the grace. He also had his ships directed to sea to intercept pirates and collect tribute of foreign fishers that came yearly to these seas. Whereby he made sic collection of great guns and other weapons of war, as no house, palace, nor castle, yea in all of Scotland were not furnished with the like.

Quotation from "Historie and Life of King James the Sext"



The remains of Kirkwall Castle before removal in the 1860s



Old houses at Houton, Orkney

for timber, continued for many years. Leith and Shetland were also important to the "merchant-lairds", who were in a good position to cash in on the series of "booms" which were to characterise the Orkney economy from now on.

Although these booms made some of the lairds rich, very little was reinvested in their estates. All the same Kirkwall enjoyed much development, and freight transport links steadily improved. Ordinary people did benefit as well because such was the demand for labour meant that fair rates

SCOTTISH CONNECTION
TIMELINE I

- 1472 Earliest written rentals of land holdings; Bishopric transferred from Nidaros to St Andrews
- 1486 Kirkwall Royal Charter
- 1489 Lord Henry Sinclair given tack of Orkney & Shetland
- 1492 Oldest detailed rentals
- 1513 Henry Sinclair killed at Flodden
- 1528 Battle of Summerdale a Sinclair family feud
- 1530 Earl of Moray granted feu
- 1540 Visit by King James V
- 1557 English fleet attacks Orkney in force
- 1557 Adam Bothwell bishop
- 1560 Reformation of Church Noltland Castle started
- 1560s Major influx of Scottish landowners from Lowlands
- 1565 Robert Stewart granted Orkney & Shetland
- 1567 Parliament ratifies Norse Laws
- 1575 Robert Stewart disgraced The Complaint of the People
- 1578 RS Returns to Orkney and continues to oppression
- 1580 Dutch herring fishing boats using Stronsay
- 1593 Death of Robert Stewart son Patrick now Earl
- 1590s Witchcraft tortures, trials and executions begin
- c.1600 Norse still everyday language, Earl's Palace started
- 1608 Bishop Law arrives and complains to King James VI
- 1610 Patrick charged with treason and detained in Edinburgh
- 1611 Privy Council measures to abolish Orkney law
- 1614 Attempted uprising by Robert Stewart in Orkney
- 1615 Execution of Patrick & Robert Stewart Castle demolished but Cathedral saved

had to be paid.

The introduction of larger steam-powered vessels in the 1830s allowed much development of trade in livestock. This had always been an



Kirkwall from the Ayre Road in the mid-19th century

important part of the economy but the small sailing boats used hitherto were continually at the mercy of the Pentland Firth and weather. Suddenly a reliable year-round service was possible, which in turn greatly encouraged the keeping of many more cattle and a revolution in agriculture. By 1848 Orkney was exporting over 8,000 cattle per annum.

Orcadians largely escaped the clearances of the West Highlands and Islands, apart from a number of unfortunate individuals in Rousay, who were evicted from the Quandale area by one of the Traills who owned Westness. Others were thrown out by Burroughs, a retired soldier, for daring to give evidence to the Napier Royal Commission in 1884. Crofting in Orkney only really dates from the 1820s, when the age-old way of cottars holding land as subtenants to farmers in return for services was changing.

As the ancient system of run-

rigs and planking was replaced with squared off fields, so these small tenants of farmers were becoming direct tenants of the laird. The number of holdings in fact reached a peak of 3,373 by 1883, mostly driven by a strong demand for car-

tle. Despite the developments in agriculture many of the large estates were either bankrupt or in administration by the end of the 19th century.

World War I brought large numbers of mostly naval ser-

vicemen to Scapa Flow, exceeding 100,000 at the peak. The military was supplied by local merchants, with great benefits to Orkney farmers. In the aftermath many of the estates were very run down, their already struggling lairds finally caught by the



Covenanters' Memorial, Kirkwall

depression of the late 1920s. Most tenants were able to buy back their ancestors' land at low prices, thus setting the stage for the great strides made by agriculture in the latter part of the 20th century, when owner-occupation of the land was to prove a major

Barque waiting for the tide in Kirkwall Harbour Basin



Early steamship, "SS Express"

Breckness House, Stromness, built in 1633 for Bishop George Graham



SCOTTISH CONNECTION
TIMELINE II

- 1679 Wreck of *Crown* - many Covenanters drowned
- 1721 Kelp first burnt, Stronsay
- 1725 Pirate Gow
- c.1702 Hudson's Bay Company connection starts
- 1746 Linen trade starts
- 1758 Alexander Graham wins right of Stromness to trade
- 1760 Whaling starts
- 1770 Agricultural improvements
Kelp Boom starts
- 1775 Lobsters shipped live to London for first time
- 1789 N Ronaldsay - Orkney's first lighthouse
- 1798 Highland Park Distillery founded
- 1809 Kirkwall's first pier built
- 1813 Martello Towers, Hoy
- 1814 Stone of Odin destroyed
Herring fishing at Stronsay
- 1830 End of Kelp Boom
Linen production stops
- 1831 Maximum population
- 1833 John Rae joins HBC
- 1834 *SS Velocity* - first steam passenger ship
- 1850 Skara Brae revealed
- 1856 First regular Scrabster to Stromness service
- 1892 *SS St Ola I* begins long career

success in Orkney.

SCOTTISH CONNECTION
PLACES TO VISIT

- | | |
|-------------|--|
| Kirkwall | Orkney Museum
Earl's Palace
Bishop's Palace
Oldest houses Street
"Parliament" Square |
| Orphir | Summerdale |
| Birsay | Earl's Palace |
| Sandwick | Skaill House |
| Stromness | Museum & Street
Logins Well
Breckness |
| Deerness | Covenanters' Meml |
| Hoy | Martello Towers |
| Westray | Noltland Castle |
| N Ronaldsay | Old lighthouse
Holland Farm |
| Eday | Carrick House |
| Stronsay | Kelp pits & kilns
Fish Mart |
| Shapinsay | Balfour Castle
Balfour Village |



Stromness in 1815 by William Daniell

HUDSON'S BAY was discovered by Henry Hudson in 1610 whilst trying to find the Northwest Passage. After a winter stuck in the ice his crew mutinied and Hudson, his son and some of his men were cast adrift in a small boat. They were never seen again, except by Cree Indians who later reported their encounter. The Hudson's Bay Company (HBC) was formed in 1670 when Prince Rupert, a cousin of Charles II, and partners, *The Company of Adventurers*, received a royal charter, which gave them a monopoly of the fur trade on all the lands

Loggin's Well was used by many ships



whose rivers drained into the Hudson Bay, or *Rupert's Land* as it came to be called.

During the 17th and 18th centuries Beaver hats were very fashionable. The species had been hunted to extinction in most of Western Europe and so a new source of supply was to prove highly lucrative. During the first 100 years or so there was competition from the French, which of course stopped when France lost the fight for Canada.

Further competition emerged in 1783 with the formation of the North West Company, with which HBC later merged. In the 1869 *Deed of Surrender* the Company's lands became part of the Dominion of Canada, in return for nearly 3m ha of land. The modern phase of the development of HBC had begun.

HBC ships bound for the Bay habitually stopped at Stromness to top up on water, from Loggin's Well, and provisions, and by 1702 were

also recruiting young men. In 1779, out of 530 employees, 416 were Orcadians. They were found to be good employees by the Company, who could be depended upon and proved adaptable to the tasks in hand. The fact that most had an education was also a considerable advantage.

To the young men the attractions of earning several times what they might if they stayed at home, combined with adventure, new lands and travel were clear. Orkneymen had always gone to sea and the prospect of the *Nor'Waast* as it came to be called was very enticing.

Whalers on their way to and from the Arctic also regularly called at Stromness for water, provisions and men. Orcadians were of course *weel wont* with small boats in the often treacherous local waters and they proved well-suited for the dangerous work of catching whales from small wooden skiffs. During the French Wars from the 1760s until 1815 many Orcadians volunteered for or were press-

ganged into the Royal Navy. A number also served on the American side during the War of Independence. Many men also served on local trading ships as well as on English smacks fishing for Cod off Iceland.

Some young men emigrated to work in Britain, with the result that was a shortage of men for work and marriage in Orkney. However many returned home to marry and settle down, bringing with them a modest amount of capital which they could invest in developing a croft or small farm. Thus the power of the ministers and lairds was to be eroded by events far from home.

The Orcadians who worked in Canada were all taken on as single men. Many had relationships with local women during their time there. Some settled down and had families at places such as the Red River Settlement, while others took their wives home with them. Orkney families are today proud of their native North American blood, while large numbers of people in the former *Rupert's Land* have Orcadian surnames.

John Rae (1813-1893) - memorial in St Magnus Cathedral



The "Lady Head" was the last Hudson's Bay vessel at Stromness, in 1891

John Rae Of the many young men who set out for Hudson's Bay from Stromness, perhaps the most successful, but until recently, least recognised was Dr John Rae, who worked for HBC 33 years. He explored and surveyed vast areas of the Canadian arctic, and by adopting many native techniques he was able to travel light and live off the land.

Eventually Rae was to discover the fate of the lost Franklin expedition, which had disappeared in 1845. However, the country was not ready to hear the truth about this ill-fated quest for the Northwest Passage which had ended with the

loss of its two ships and the death of their crews. John Rae was vilified for accepting the evidence of the Innuite and for claiming that the doomed men had resorted to cannibalism. Ironically it was Rae who discovered the missing link in the long-sought route from the Atlantic to the Pacific. In the English tradition of celebrating failures Franklin was posthumously knighted, while Rae remains unrecognised by the establishment to this day.

NOR'WAAST TIMELINE

- 1534 Cartier trades with Mi'kmaq
- 1608 Champlain founds Montreal
- 1610 Henry Hudson finds his Bay
- 1669 First furs to England
- 1670 HBC charter
- 1697 Battle of the Bay
- 1702 Orcadians first hired
- 1726 Joseph Isbister joins HBC
- 1760 William Tomison joins
- 1763 End of Seven Years War
- 1774 Cumberland House
- 1779 416 Orcadians employed
- 1783 North West Co formed
- 1811 Red River Colony
- 1820 NWC and HBC unite
- 1833 John Rae joins HBC
- 1854 Rae discovers fate of Franklin expedition
- 1860 Deed of Surrender
- 1970 HBC HQ to Winnipeg
- 1999 Canadian Homecoming
- 2004 Visit by Native Canadians



Kelp burning was a strenuous, smoky and messy business

In Orkney the 18th century was to see a series of "booms" in various commodities which were in demand for industrial or fashion reasons elsewhere in Britain. In each case demand rose, peaked and fell, due to war, industrial developments or fashion.

Kelp Boom Kelp-making was invented in France in the 17th century and trials on the Forth soon led James Fea to experiment on Stronsay in 1721. The wealth of seaweed available in Orkney and the enthusiasm of the population, soon made it the main production area. The fact that, because of Udal Law, the

foreshore belonged to the adjacent landowner, made seaweed processing much more viable than elsewhere, as the Crown had no interest.

The value of seaweed as a fertiliser had long been known and it was carted onto the land in great quantities. Thus a tradition of gathering seaweed already existed before the advent of kelp making, which was used to advantage in setting up the new industry. The North Isles, particularly Sanday and Stronsay with their extensive beaches, were very suited to this new industry.

Both oxen and horses were used to cart the seaweed from the beaches



The shallow coastal waters, with gently sloping beaches and the long coastline make Orkney a good place for shore weeds, which can be cut from the rocks at low tide (*tang*) and deeper weeds (*ware*), which get washed ashore after storms. Surveys suggest that there is between 1 and 10 million tons of harvestable *Laminaria hyperborea* (*ware*) in Orkney waters alone.

At its peak, during 1770 to 1830, up to 60,000 tons of seaweed were dried and burnt to make the kelp each year. The potash-rich result was then used as an industrial alkali feedstock, especially in glass- and soap-making. The demand for kelp was fuelled by disruption to shipping due to war with France as well as taxes on imports by the government.

At the maximum rate of production Orkney was producing over 3,000 tons annually. The lairds profited handsomely from this trade, and pocketed about 75% of the selling price, after paying for freight and wages.

Due to all the carting of seaweed, Orkney small farms suddenly needed far more horses and carts. Thus in the end the kelp boom probably aided the improvements in agriculture which happened in the later 19th century.

With the end of hostilities, imported alternatives again became available and demand for kelp collapsed. This came at the peak of Orkney's population, with the result that many

Orcadians emigrated to USA, Canada and New Zealand.

The industry revived in the 1840s at a lesser level when iodine was the commodity sought. More recently *ware* stipes have been gathered and dried for the production of alginates. "Tangles" were still exported by the shipload until recently.

Kelp pits can be seen around the shores in many places in Orkney. Stronsay has excellent examples at Grice Ness (HY670281) where well-preserved pits, drying areas and a ruined cottage can be seen and at Latan (HY631222) where there are more clearly defined pits.

Linen manufacture Flax was grown in Norse times to make linen cloth, which was smoothed on flat boards, often made of whalebone. In the early 18th century and especially after 1746, linen making developed into a major local industry.

Flax grows well in the Orkney climate and soon large quantities were being shipped south. Processing the raw flax involves a lot of work, but spinning and weaving were activities which were often already being done at home to augment the family income.

By 1800 mechanised factories in the south made production in Orkney uneconomic and the last linseed was planted in 1817. By 1830 no linen was being made in Orkney.



Holm was the main centre for linen production for nearly 100 years

Straw plaiting was another industry which was very prosperous for a time, due to a sudden fashion in the early 1800s for straw hats. It was popular with women as a social activity and was based on existing crafts. Straw had for long been used to make baskets (*caisies*), other containers and the traditional Orkney chair backs.

Skillful plaiters could earn good wages. As with any fashion, demand was dependent on the fickleness of what is *in* or *out* at the time. Queen Victoria was blamed for killing off the industry in 1840 by her alleged comment that "*such a bonnet would look good on her dog.*" Thus the industry lasted but 40 years.

Hens and eggs Hens had been kept in Orkney for many years, and had for long provided a small income from the sale of eggs and chickens for the wife of the house. By 1880 Orkney was producing over 1m eggs per annum, and by 1914 this had grown to nearly 20m.

With the arrival of large num-

bers of servicemen in WWI, there was suddenly a huge extra demand. Production continued to grow until a peak of over 50m eggs were produced in 1945, such that the value of egg sales exceeded that of cattle.

In the 1950s competition from large concerns in the south, combined with transport costs for feeding stuff, made the industry unviable in Orkney. Today very few poultry are kept commercially here, although a few hens, ducks, geese and turkeys are reared for the Christmas market.

Young pullets are a rare sight today





Sailing drifter preparing to leave Kirkwall - the steam capstan was a useful 19th century innovation

Herring Fishing As early as the 10th century, Fife fishermen were catching and salting Herring (*Silver Darlings*) on the east coast of Scotland and may well have fished in Orkney waters. By the late 12th century the Dutch were fishing

Herring off Scotland and were using Orkney harbours. Harbour dues were already a useful source of income to the Earldom.

From the start they used bigger boats than the Scots and preserved their catches in salt, whilst still at sea. In the early 17th century they had about 2,000 boats at work, consisting of *Herring Busses* of 60-120 tons and smaller *Doggers*. The Fife fishermen stopped coming after many of them were killed at the Battle of Kilsyth in 1645, which reduced Scottish east coast fishing activity until the 1830s.

The Dutch had been involved in the Herring Fishery for centuries and had used Stronsay every year as a seasonal base.

In the 19th century this became big business in Orkney, especially on Stronsay, Burray, South Ronaldsay and at Stromness

Local fishermen in smaller numbers were using *Great Boats*, of about 10m keel for fishing and carrying cargoes. In 1814 local people started to become involved in Stronsay, and soon several hundred local boats were participating in the Herring fishery. Due to the migratory behaviour of the Herring, the boats and associated shore workers followed the shoals, basing themselves to suit.

By the early 20th century, Whitehall Village had become one of the Herring Capitals of Europe and in 1913 about 300

steam drifters were working out of Stronsay, employing nearly 4,000 crew and shore workers. In the peak year of 1924 over 12,000 tons of herring was landed at Whitehall, to be salted and packed in casks for export to Russia, Germany and Eastern Europe.

During the boom years Whitehall developed considerably and the Stronsay Hotel was said to have the longest bar in Scotland until it burnt down in 1937. There were so many boats tied up on Sundays in July and August that it was possible to walk across them to Papa Stronsay!

Exploitation of stocks on this scale could not last and the fishery effectively ended by 1937. Changes in vessels and, in particular, the use of *Klondyker* factory ships after World War II, meant that the industry did not revive in Stronsay. Today a small number of huge Shetland-based purse-netters still catch large numbers of Herring and Mackerel.

Whitefish There was never the same tradition in Orkney for deep-sea fishing as in Shetland, although people had fished offshore since at least Neolithic times. No doubt the good land in Orkney encouraged farmers, while less fertile Shetland encouraged fishermen. Inshore Cod (*Stockfish*) fishing was however, carried out on a large scale in the 19th century, until steam trawlers fished out the grounds. Dog



Herring boats setting sail from Stromness in the late 19th century

Fish (*Hoes*) were also popular. They followed the shoals of Herring in large numbers, and their livers, were especially prized.

Coal Fish (*Saithe*) were also caught in huge quantities for fertiliser as well as for food. They are not particularly tasty when fresh, but when lightly salted and dried outside, followed by gentle smoking in peat smoke they can be quite delicious. The multiplicity of local names for these fish species shows how important they were to Orcadians.

Shellfish Fishing for crabs and lobsters has probably always

been popular for the local market. By 1775 live Lobsters were being shipped to London on well-smacks and soon upwards of 100,000 were exported annually. Orkney waters are a particularly suitable habitat for crustacea, which remain abundant.

Molluscs have also featured strongly in the Orkney diet for millennia. Fermented Limpets make excellent bait, while Cockles, Whelks, *Spoots* (Razorfish) and Mussels are seasonally plentiful, tasty and easy to cook. Scallops and Queenies are mostly caught by divers and are delicious.

Herring processing at St Margaret's Hope, South Ronaldsay



Poster at Whitehall, Stronsay

