

The Douglas Earls of Angus:

A Study in the Social and Political Bases of Power
of a Scottish Family from 1389 until 1557

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MEDIAEVAL ANGUS

CA. 1200

Abbreviations:

- A Abbot
- BP Bishop
- DEM Demesne
- E Easil

SOURCE: The Hunter Marshall Maps
MS. General 1052
Glasgow University

SUMMARY

The Douglas earls of Angus and their role in Scotland's history has intrigued many Scottish historians since the sixteenth century. The sudden disgrace and forfeiture of the sixth Earl carried out by James the fifth, as well as the proscription of the earls of Douglas enacted by James the second, seemed incongruous with the patriotism displayed by their ancestor, Sir James Douglas, during the Scottish Wars of Independence. The volte-face of the Douglasses was attributed to vaulting ambition which led them to aspire to become virtual rulers of the kingdom, but, fortunately for Scotland, the Stewart kings triumphed over their too powerful subjects. This interpretation has been challenged by historians of the family, most notably David Hume of Godscroft, who defended the political actions of the Douglasses upon the grounds of necessity and self-preservation. Both these views of Scottish history assumed that the earls of Douglas and of Angus had a consistent policy which was scrupulously followed by them; only the aims of the Douglasses were in dispute.

The problem with this standard interpretation is that the policies, or rather, assumed policies, of the comital families of Douglas and of Angus, were judged upon the basis of historical hind-sight. The disgrace and forfeiture passed upon them in 1455 and in 1528 were believed to be the result of machinations, whether perfidious or not, which aroused the king's ire. In this study, the main emphasis has been placed upon the actual historical evidence available for analysis in order to determine whether a definite policy was actually pursued by the Douglasses or not. In the light of the documentary record, to assume that an all-embracing political programme was followed by these noble families

seems an unwarranted supposition. The earls of Angus like their social equals, were interested in acquiring lands and property but there is no evidence to suggest that this was a direct result of a grand plan to rule Scotland.

The twin bases of social action in mediaeval Scottish society were the ownership of property, especially estates, and the ties of blood relationship between individuals. How the earls of Angus built up their power in acquiring lands; to whom did they parcel out estates to gain political support; how many beneficiaries of the earls' generosity were kinsmen are important questions which shall be discussed in this work. The role of consanguinity is an important factor which cannot be underestimated, but in many instances was an imponderable one. When both the earls of Douglas and of Angus were involved in civil strife against their sovereigns in the fifteenth and sixteenth centuries, they did not receive the wholehearted support of their kinsmen. Kinship and feudal dependence were not alone indicative of political commitment.

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Table of Contents

	Page
Introduction	1
PART I	
Chapter I The Evolution of the Douglas Patrimony.....	61
Chapter II Origins of the Comitatus and the Douglas Earls of Angus	62
Chapter III The Expansion of the Comital Demesne	87
Chapter IV The Vassals and the Structures of Land Ownership in the Estates of the Earls of Angus during the Fifteenth and Early Sixteenth Centuries.....	118
Chapter V Political Magnates of the Realm	183
PART II	
Chapter VI Apprenticeship in Politics	229
Chapter VII The Return and Regency of Angus	315
Chapter VIII Angus in Exile	418
Chapter IX Restoration	532
Chapter X Kinship and Social Behaviour among the Douglasses	623
Appendix I Grantees and Witnesses of the Charters by the Earls of Angus 1389-1557	644
Appendix II The Personnel of the Council 1525-1528	709
Appendix III Other Conspiracies against James the Fifth	748
Appendix IV Inventory of Writs Produced by William Douglas of Glenbervie in support of his claim to be heir male of Tailzie to Archibald Douglas, 8th Earl of Angus before the Lords of Session on 7th March 1588/9.....	756

Table of Contents (cont.)

Appendix V
Genealogical Tables 776

Appendix VI
Maps of the Douglas Lands in Scotland 806

.....
A Short List of Abbreviations for Sources cited 832

.....
Bibliography 836

INTRODUCTION

Few families in Scottish history have aroused or excited as much interest as the Douglasses. Historians since the beginning of the sixteenth century have depicted the political machinations of the earls of Douglas and the earls of Angus as Machiavellian in scope and purpose. Both these comital families have been described as primary instruments of an aristocratic attempt to check and prevent the Stewart dynasty from establishing a strong central monarchy which could impose political stability within the Scottish State. However, this view was challenged by David Hume ^{of} ~~to~~ Godscroft in his pietistic history of the Douglasses, whose activities were judged as being necessary as a consequence of the hostility directed towards them by the Stewart kings and other feudal magnates. Both these interpretations have one factor in common: they have drawn a nexus between political action and deliberate policy. On the one hand, the Douglasses were portrayed as traitorous insurgents bent on aborting the monarchy; on the other as nobles who were engaged in a justifiable attempt to maintain their property and privileges. The consensus of Scottish historiography has been that the victory of the Stewart kings was essential to the survival of Scotland as an independent kingdom. The Douglasses represented a return to feudal turbulence, anarchy and lawlessness: they suffered dispossession and disgrace for their obstinacy in opposing the course of history.

The difficulty with the attempts made to define and clarify the policies of the earls of Angus and of Douglas is that they were written to justify an historical result which was canonised by hindsight. The earls of Douglas in 1455 and the earls of Angus in 1528

were forfeited and disgraced; it was considered patently obvious that these noblemen had plotted against the Crown and richly deserved their reward. In the present work, careful attention has been paid to the actual historical evidence in an effort to demonstrate the interaction of social and political connections exerted by, in particular, the Douglas earls of Angus. To assume that this particular noble family followed a deliberate and all embracing political policy seems to me to be absurd. The earls of Angus, like all their contemporaries and peers, were, of course, concerned with the acquisition of lands and estates, but to suppose that this was merely a secondary consideration ~~is~~ an over-riding political platform to dominate the Scottish kingdom is to impute to them an historical deviousness for which there is no concrete evidence. In this thesis, therefore, speculation upon personal motivation has generally been eschewed in favour of emphasis upon the actual sources themselves.

Obviously one of the great problems in any analysis of a noble Scottish house during the late Middle Ages is the exiguity of historical documentation. Indeed, the evidence available for study increases after the commencement of the sixteenth century to such a degree that the earls of Angus naturally fall into two categories: those who built up the comital estates and their basis of political influence, and the sixth Earl who dominated the kingdom during the minority of James the fifth and was more of an international figure rather than just another Scottish magnate. But the influence which was exerted by the husband of Margaret Tudor had been erected laboriously by his progenitors. The comitatus and the vassals who pertained to the sixth Earl of Angus were the result, not the beginning, of an historical continuum.

The basis of all social and political power in Scotland at this time was an indivisible one of landed property and consanguinity. The

proprietors of estates held of the earls of Angus were obligated to perform certain duties to their feudal superiors. Whether these vassals did so, who they were, and how they were connected to the earls of Angus by ties of blood are important questions which shall be discussed in this work. The role of consanguinity cannot be overlooked and was an imponderable factor, both in intensity and effectiveness, within each Scottish kindred group. However, if the earls of Douglas and of Angus expected to receive unilateral assistance from their kinsmen during their struggles with their sovereign in 1455 and 1528, they learned to their cost that the king possessed more lucrative means of inducing his subjects to remember their obligation of fealty. Consanguinity and ties of vassalage were not, necessarily, the sole determinants of social and political behaviour.

Chapter 1

The Evolution of the Douglas Patrimony

The Douglas family, which was to play such an important role in the political history of Scotland in the two centuries which followed the Scottish War of Independence, emerged from historical obscurity as minor landowners in Lanarkshire during the reign of William the Lion.¹ Although the chiefs of the family acquired estates in several sheriffdoms of Scotland before the death of Alexander the third, the actual foundation of the future power of the family was laid by the service of Sir James Douglas to King Robert the Bruce. Indeed, the acquisition of the major part of the Douglas patrimony commenced after the memorable battle of Bannockburn. From December 1318 until February 1328-9, Sir James Douglas received numerous grants of land which raised him to the status of one of the leading landowners and magnates of southern Scotland. The lands of Polmoody in Moffatdale;² the lands and forest of Jedburgh and the barony of Bonjedburgh in Roxburghshire;³ the baronies of Stablegorton and Westerkirk in Eskdale;⁴ the Forest of Ettrick, the lordship of Lauderdale in Berwickshire and

1. William Fraser, The Douglas Book (Edinburgh, 1885), I, pp.37-40. Cited hereafter as Fraser, Douglas Book.
2. Ibid., III, p.9; The Scots Peerage, ed. Sir J. Balfour Paul (Edinburgh, 1904-14), III, p.144. Cited hereafter as Scots Peerage.
3. Fraser, op.cit., pp. 9-10.
4. Ibid., pp. 10, 354-56; Registrum Honoris de Morton: A Series of Ancient Charters of the Earldom of Morton with other original papers, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1853), II, p. 20. Cited hereafter as Morton Registrum.

2

the barony of Bedroule in Teviotdale;⁵ the barony of Buittle in Galloway;⁶ and the town of Swinton in Berwickshire⁷ were added to the paternal estates of the Douglas family by the faithful companion to Scotland's king. On 8 November 1324, Robert the Bruce granted to Sir James Douglas the famous Emerald Charter in return for the latter's renunciation of all claim to the ransom of three French knights, who were captured at the battle of Bland Abbey. This grant was exceptional in that it specified no reddendo which Douglas owed to his sovereign and placed upon his tenants only the burden of giving aid when the kingdom was under attack.⁸ This grant erected all of the estates of the Douglasses of that ilk into a free regality which was bound inextricably to the fortunes of its feudal superior. What was not formalised was the destination of these estates beyond the immediate family of the grantee.

While Sir James Douglas was given extensive properties which were situated exclusively south of the Forth, his brother, Sir Archibald Douglas acquired estates in widely scattered areas of Scotland. He was granted the lordship of Liddesdale; the baronies of Cavers in Roxburghshire; Drumlanrig, Kirkandrews and Terregles in Dumfriesshire; Wester Calder in Linlithgowshire; one half of Conveth in Banffshire; and the lands of Rattray, Criward (Crimond), Carnglass in Buchan;

5. Scots Peerage, op.cit.

6. Fraser, op.cit., pp.12-3.

7. Ibid., I, p.178; The Correspondence, Inventories, Account Rolls and Law Proceedings of the Priory of Coldingham, ed. J. Raine, Surtees Society (London, 1841), pp. 21-2. Cited hereafter as Coldingham Corresp. In a letter written to the King of Scots by the Prior of Durham in 1333, it is evident that the town of Swinton had only been given to Sir James Douglas in liferent.

8. Fraser, op.cit., III, pp. 11-2; David Hume of Godscroft, The History of the Houses of Douglas and Angus (Edinburgh, 1643), I, p. 40. Cited hereafter as Godscroft, House of Douglas.

Coule and Oneill in Aberdeenshire; Graydon in Berwickshire; Heriotmure in Edinburghshire; and one half of Logyachry in Perthshire.⁹ The majority of these lands were inherited by Sir Archibald's son, William Douglas.¹⁰ The sphere of influence of the Douglas family, even before the middle of the fourteenth century, was thus dispersed over various regions of the Scottish kingdom. But William Douglas, the only legitimate son of Sir James, was killed at the Battle of Halidon Hill in 1333,¹¹ and his estates devolved ^{on} to his childless uncle, Hugh Douglas. The fortuitous circumstance of the lack of legitimate descendants of Sir James Douglas, however, preserved the family inheritance from being dismembered.

In order to establish and clarify the succession to his patrimony, Hugh Douglas of that Ilk resigned the lands and baronies of Douglas, Carmichael, the Fern of Rutherglen (Douglas Fern), the Forest of Selkirk,¹² Bedroule, Buittle, Lauderdale, Eskdale, Westerkirk, Stable-

9. Fraser, ibid., I, pp. 226-7; III, pp. 360-1; Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff, eds. G. Grub and J. Robertson, Spalding Club (Aberdeen, 1847-69), II, p. 394. Cited hereafter as Aberdeen-Banff Illustrations. Registrum Magni Sigilli Regum Scotorum, ed. J.M. Thomson et al (Edinburgh, 1882-1914), I, App. 1, no. 123. Cited hereafter as RMS.
10. There is no evidence to suggest who possessed the lands of Logyachry and Graydon after the death of William Douglas, in 1385. They were not among the lands inherited by Isabella Douglas, Countess of Mar, or by the Earls of Douglas after 1389. cf. RMS, I, II. The barony of Terregles was in the possession of Thomas, Earl of Mar prior to October 1365 when he resigned the barony into the king's hands who promptly granted it to Sir John Herries. RMS I, no. 192; App. II, no. 1501. The lands of Coule and Oneill were held by Robert Stewart, Duke of Albany before February 1398-9. Ibid., I, App. I, nos. 155.
11. William Douglas of that Ilk left no issue. Scots Peerage, III, p. 147; cf. Scalacronica, by Sir Thomas Gray of Heton Knight, Maitland Club (Edinburgh, 1836), p. 163. Cited hereafter as Scalacronica.
12. In the fourteenth century, the designations of Ettrick and Selkirk Forest were interchangeable. Origines Parochiales Scotiae, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1851-5), I, P. 241. Cited hereafter as OPS.

gorton and Romanno into the hands of the king in May 1342 for the purpose of having these estates regranted to him under a tailzie.¹³ David the second complied with Hugh Douglas's request and an entail was established which ensured the transmission of his patrimonial lands to Douglas's nearest agnates. The destination of the estates, failing the issue of Hugh Douglas, was restricted to (1) William Douglas, the son and heir of the late Sir Archibald Douglas, and his heirs male, failing whom to (2) Sir William Douglas, the Knight of Liddesdale and his heirs male, failing whom to (3) Archibald Douglas, the illegitimate son of the late Sir James Douglas and his heirs male.¹⁴

The significance of the first tailzie of the Douglas estates is one of omission. None of those estates which had been held by Sir Archibald Douglas or those which were controlled by the Knight of Liddesdale were governed by the entail. The succession established by the tailzie was also distinctive in its exclusiveness. Although Sir William Douglas of Liddesdale was designated as one of the reversionary heirs of the laird of Douglas, his brother, Sir John Douglas (who became the ancestor of the Douglasses of Dalkeith) was completely ignored. This is particularly unusual as the Knight of Liddesdale had an only child, a daughter, who was debarred from inheriting Hugh Douglas's estates, while Sir John Douglas was alive when the entail was enacted.¹⁵

13. Fraser, *op. cit.*, III, pp. 360-1.

14. Fraser, *ibid.*, pp. 357, 359; The Acts of the Parliaments of Scotland, eds. T. Thomson and C. Innes, Record Edition (Edinburgh, 1814-75), I, pp. 557-8. Cited hereafter as APS.

15. Sir John Douglas was not dead until 1350. Scots Peerage, VI, p. 342; Extracta e Variis Cronicis Scocie, ed. W.B.D.D. Turnbull, Abbotsford Club (Edinburgh, 1842), p. 182. Cited hereafter as Ext. Var. Cron.

and was the father of several sons. Hugh Douglas appears to have been determined that his lands would only come into the possession of his two nephews, William and Archibald, and their legitimate heirs male. The exclusion of Sir John Douglas and his sons was quite deliberate. When James, the second Earl of Douglas died without legitimate issue, the entailed estates of the Douglas family came into the possession of Archibald Douglas, the ultimate heir of the entail of 1342, without any opposition from his agnate kinsmen.¹⁶ Within a few years after the establishment of the tailzie of his estates, Hugh Douglas was succeeded by his nephew, William Douglas.¹⁷

The succession of William Douglas to the entailed Douglas estates created a dichotomy within the structure of the possessions of the family. The lands which had been held by Sir Archibald Douglas, with the exception of Liddesdale, devolved upon his son, who had also become the feudal superior of those lands once possessed by Sir James Douglas. The provisions of the entail of 1342 were not applicable to any of the estates which came into the possession of the Douglas family after its enactment. Thus when the new Lord of Douglas received confirmation of ownership to his father's lands, in February 1354-5, the succession to these estates was quite distinct from that which governed the core of the original patrimony.¹⁸ The first matter which engaged the attention

16. APS, op. cit.

17. Scots Peerage, op. cit., III, p. 148; Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati, eds. D. MacPherson et al. (London, 1814-19), I, pp. 709, 749. Cited hereafter as Rot. Scot.

18. Fraser, Douglas Book, I, pp. 226-7; APS, XII, pp. 8-11.

of the new head of the Douglas family was the re-establishment of his right of superiority to the lordship of Liddesdale.

Sir Archibald Douglas had been granted Liddesdale after the forfeiture of the de Soulis family but at the time of his death his son William was a minor. The feudal superiority of the lordship had been inherited by the young William Douglas, but its strategic importance to the kingdom^{ed} was such that in February 1341/2, Robert the High Steward of Scotland requested his royal uncle, King David the second, to give Liddesdale to him.¹⁹ The steward's claim was opposed by Sir William Douglas, who was a distant kinsman of the former superior, and it was agreed that Liddesdale would be given to Douglas in exchange for the latter's resignation of the earldom of Atholl to the king's nephew.²⁰ The transference of Liddesdale to a cadet of the Douglasses,^{(who later became lairds} of Dalkeith) deprived the younger William Douglas of a valuable part of his paternal inheritance which, undoubtedly, did not endear his kinsman to him. The older Sir William Douglas, who assumed the designation of Liddesdale, became involved in negotiations with the English which allowed them carte blanche exit and entry to and from his lordship,²¹ and perhaps knowledge of this transaction increased

19. Fraser, op. cit., p. 225.

20. Ibid.; Scots Peerage, VI, p. 341; Morton Registrum, II, pp. 46-8. Hugh Douglas of that Ilk had some claim to Liddesdale which he granted to Sir William Douglas. Ibid., pp. 89-93.

21. Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica, ed. Thomas Rymer, Original edition (London, 1704-35), V. pp. 738-40. Cited hereafter as Foedera (O).

the antipathy of the younger William towards his cousin. The dispute over the possession of Liddesdale led to the death of the Knight of Liddesdale at the hands of the Lord of Douglas in August 1353.²² The lordship of Liddesdale was restored to its former possessor and the claims which Mary Douglas, the heiress of Sir William Douglas, had to the lordship were ignored. However, the reversionary claim to Liddesdale remained vested in Mary Douglas and, although she died without issue in June 1367,²³ her husband, Sir Thomas Erskine, possessed some right to his wife's inheritance until his renunciation in favour of her nearest agnate, Sir James Douglas of Dalkeith.²⁴ William Douglas of that Ilk appears to have been interested in re-establishing cordial relations with the laird of Dalkeith and entered into an agreement with his kinsman in 1370, in which he resigned all claims he had to the barony of Dalkeith.²⁵ This pact virtually terminated all disputes over the possession of Liddesdale. The successful conclusion of the disagreements between the two branches of the Douglas family is indicated by the fact that during the following thirty years, Sir James Douglas of Dalkeith and various earls of Douglas appear either as witnesses or grantees together in over one hundred charters.²⁶

22. Ext. Var. Cron., op. cit.; John Major, A History of Greater Britain, ed. Archibald Constable, Scottish History Society, 1st series, Vol. X (Edinburgh, 1892), p. 294. Cited hereafter as Major, History.

23. Scots Peerage, V, p. 597; VI, p. 342.

24. Morton Registrum, II, p. 69-70.

25. Ibid., p. 72.

26. cf. Morton Registrum, II, pp. 72-4, 78-9, 101, 109-113, 148-50, 154-7, 162-3, 167, 170-6, 179-88, 190, 196-8, 202-4; RMS, I, nos. 628, 646, 750, 793-7, 799, 800; Aberdeen-Banff Illustrations, II, pp. 30-2; III, p. 165; IV, pp. 171-2, 319; Historical Manuscripts Commission 4th Report, Appendix: MSS. of the Countess of Rothes, pp. 494-5. All Historical Manuscripts Commission Reports are hereafter cited as HMC; Register House, Calendar of Charters, I, nos. 171, 195-6, 200, 205-6; II, no 226.

The recognition of his right of possession to the estates which had belonged to his uncle and father did not automatically convey actual ownership to William Douglas as large areas of Scotland were occupied by the English.²⁷ Partly spurred on by self-interest, William Douglas was a firm advocate of a policy of belligerence towards the national enemy. He invaded Galloway and Teviotdale, with "all who owned allegiance to him" and "in part by the sword, in part by persuasion, he gained over all the men of that part to the side of David Bruce."²⁸ The English retained control of Liddesdale until 1356, however, until William Douglas finally dislodged them from Hermitage Castle.²⁹ In recognition of his services to the State, he was created Earl of Douglas in January 1357/8.³⁰ The expulsion of the English enabled William Douglas to exercise unquestioned control over his estates and made the expansion of the new earldom possible. Only one lordship, Jedburgh Forest, continued to be held by the English but this was wrested from their control by Douglas shortly before his death.³¹

When the possessions of William Douglas were erected into an earldom,

27. The Scottish Pretender, Edward Baliol, had granted the Forests of Jedburgh, Etrick and Selkirk, and the sheriffdoms of Roxburgh, Peebles, Dumfries, Linlithgow, Edinburgh and Haddington to Edward the third of England. He also gave Douglasdale to Lord Clifford. Fraser, Douglas Book, I, p. 193.
28. Major, History, pp. 297-8.
29. Fraser, op.cit., p. 235.
30. On 25 January 1357/8, William Douglas appeared simply as lord of that ilk when he witnessed a royal grant made to John of Menteith. Two days later, he witnessed another royal charter and was designated Earl of Douglas. William Fraser, The Stirlings of Keir (Edinburgh, 1858), p. 199. Cited hereafter as Fraser, Keir. APS, I, p.522.
31. The earl of Douglas was not able to drive the English completely out of Jedburgh Forest until 1384. OPS, I, pp. 380-1.

the growth of the family patrimony had been so successful that it included lands within eight sheriffdoms of Scotland. Of these estates, six were in Dumfriesshire, three were in Lanarkshire, two each were in Roxburghshire and Selkirkshire, and one each in Buchan, Galloway, Linlithgow, Aberdeenshire, Berwickshire, Edinburghshire, Peebleshire and Perthshire. The acquisition of estates by the lords of Douglas had not followed a consistent plan and many of their lands were isolated holdings. The baronies of Drumlanrig, Terregles and Kirkandrews were situated in different areas of Dumfriesshire, although the lordship of Eskdale and the baronies of Stablegorton and Westerkirk were contiguous. In Lanarkshire, the baronies of Douglas and Sarmichael were adjacent properties, but the Ferm of Rutherglen was in a totally separate area of the sheriffdom. The Forests of Ettrick and Selkirk formed a unified bloc but were not coterminous to any other Douglas possession. The barony of Cavers bordered Liddesdale along its southern boundary and the barony of Bedroule on its northern one. Bedroule not only shared a common boundary with Cavers but also with Jedburgh Forest. The lands of Criward (Crimond) and Rattray in Buchan were contiguous estates, as were Oneil and Coule in Aberdeenshire. But the lands of Carnglas in Buchan, Heriotmure in Edinburghshire, Romanno in Peebleshire, Logyachry in Perthshire, Graydon in Berwickshire, and Wester Calder in the constabulary of Linlithgow were isolated enclaves. During the course of the following century, many other lands were added to the comital demesne, but the creation of a compact complex of estates was never accomplished by the earls of Douglas.

The expansion of the Douglas estates continued after the accession of the Stewarts to the Scottish throne. Within a year after Robert the second succeeded his uncle, David the second, as King of Scots, the Earl of Douglas obtained possession of the castle of Tantallon and

the barony of North Berwick.³² The exact manner in which the ownership of these properties was transferred to Douglas is not known, although it appears that the actual superiority of Tantallon and North Berwick was never possessed by the earls of Douglas. Tantallon and the adjacent barony of North Berwick had been part of the demesne of the earls of Fife whose heiress Isabella, Countess of Fife had resigned her earldom in favour of Robert Stewart, Earl of Menteith in May 1371.³³ After this transaction was completed, it is probable that the new superior of the earldom of Fife entered into some agreement with the Earl of Douglas whereby the latter was allowed to possess these estates.³⁴ The second Earl of Douglas held the castle of Tantallon and the barony of North Berwick without interference but after his death in 1388, the Earl of Menteith and Fife appeared in Parliament and reasserted his right as superior of these estates, as the earls of Douglas had only occupied Tantallon and North Berwick as his tenants.³⁵ Menteith's claim was recognised and Tantallon Castle reverted to his possession, although

32. Rotuli Scaccarii Regum Scotorum: The Exchequer Rolls of Scotland, eds. John Stuart, G. Burnett and G. McNeill (Edinburgh, 1878-98), II, pp. 455, 498, 583, 619. Cited hereafter as Exch. Rolls.
33. William Fraser, The Red Book of Menteith (Edinburgh, 1880), II, p. 251. Cited hereafter as Fraser, Menteith.
34. Fraser, Douglas Book, I, pp. 261-262. W. Douglas Simpson, "Tantallon Castle," Transactions of the East Lothian Antiquarian and Field Naturalists Society, 7 (1958), p. 21. Mr Simpson believed that the castle of Tantallon was built by the first earl of Douglas.
35. APS, I, p. 555.

King Robert the second promised to reconsider the rights of the Douglas family to the castle at some future date.³⁶ Tantallon remained in the possession of the Earl of Menteith and Fife, who became Duke of Albany in 1398, and was held by his son until the latter's forfeiture in 1425.³⁷ After 1388, Tantallon was never again in the possession of the earls of Douglas.

When Thomas, Earl of Mar died childless in 1374, his sister Margaret of Mar and her husband, William, Earl of Douglas inherited her brother's earldom.³⁸ The addition of this extensive earldom to his possessions ostensibly increased the Earl of Douglas's power, but there is no evidence which suggests that the estates of the Mar earldom were integrated into the comitatus of Douglas.³⁹ The autonomy of the two earldoms was clearly demonstrated after the death of James, the second Earl of Douglas and Mar, when the earldom of Mar reverted to his mother and was subsequently inherited by his sister, Isabella Douglas. The earldom of Mar was not restricted to an heirs male tailzie and was inherited by the heir general while the estates of the earldom of Douglas devolved to the heir of the tailzie drawn up in 1342.

With the death of William, Earl of Douglas and Mar in 1385,⁴⁰ the earldoms of Douglas and Mar became the property of his only legitimate son, James Douglas. The Dowager Countess of Douglas shortly afterwards

36. Ibid.

37. Simpson, op. cit., p. 24.

38. Liber Sancte Marie de Melros, Bannatyne Club (Edinburgh, 1837), II, pp. 487-488. Cited hereafter as Melrose Liber. Fraser, Douglas Book, I, p. 371. Rot. Scot., I, p. 960.

39. There are extant comparatively few charters which were granted by the Earl of Douglas and Mar to the vassals of the earldom of Mar and in not a single instance were vassals of the earldom of Douglas given estates in the earldom of Mar and vice versa. Cf. RMS, I. Fraser, Douglas Book, I and III. Aberdeen-Banff Illustrations.

40. William, Earl of Douglas received a remission for the customs owed upon forty sacks of wool in 1385. Exch. Rolls, III, p. 153.

married Sir John Swinton of that Ilk, who, in right of his wife, assumed the designation of Lord of Mar. In order to mollify his mother and stepfather James, Earl of Douglas granted to them the baronies of Tilliecoutry in Clackmannanshire and Clova in Angus which were appendages of the comitatus of Mar.⁴¹ The succession to the paternal estates of the Douglasses was unsettled as the second Earl of Douglas had no legitimate sons. However, he did have two illegitimate sons, William and Archibald Douglas, to whom he granted the barony of Drumlanrig under a tailzie which was identical to the one which debarred them from succeeding to the comitatus of Douglas, as Drumlanrig could only be inherited by their legitimate heirs male.⁴² The barony of Drumlanrig had not been included among those Douglas possessions which were entailed in 1342. After the death of the second Earl of Douglas in 1388, his mother and her husband bound themselves never to question or to dispute William Douglas's right to the barony of Drumlanrig when he should obtain possession of it.⁴³ This clearly indicates that William Douglas had not received sasine to Drumlanrig prior to December 1389, but the lack of official confirmation of his possession did not, necessarily, vitiate his original grant. In 1389 the estates which had belonged to his father were in the process of being given to their respective heirs and if William Douglas were a minor, it would not be unusual for his title only to be recognised upon

41. Fraser, Douglas Book, I, p. 305. Archibald Swinton, The Swintons of that Ilk and their Cadets (Edinburgh, 1883), p. 12.

42. HMC, 15th Report, Appendix: Part VIII: MSS. the Duke of Buccleuch, no. 2, pp. 8-9.

43. Ibid, no. 3, pp. 9-10.

completion of his majority. The new superior of Drumlanrig, Isabella Douglas, did not oppose her nephew's rights, however, and he was in full possession of the barony by the beginning of the fifteenth century.⁴⁴ The resignation by the dowager Countess of Douglas of all claims which she had to Drumlanrig consolidated and strengthened William Douglas's rights from any impediment which a reversionary or liferent claimant might advance to possess the barony.

The death of the second Earl of Douglas at the battle of Otterburn in 1388 without legitimate issue created a situation in which the inheritance of the Douglas patrimony was to be determined by the provisions of the entail of 1342. As this tailzie did not permit heirs general to inherit those estates comprehended in its destination, the heir of entail was Sir Archibald Douglas, Lord of Galloway. However, his recognition as the heir of tailzie was not implemented immediately upon the death of his distant kinsman. In November 1388, the wardship of the baronies of Westerkirk and Stablegorton in the lordship of Eskdale was granted to Sir James Douglas of Dalkeith until "the true heir" of the late James, Earl of Douglas could recover possession,⁴⁵ Sir Malcolm Drummond, the husband of the late earl's sister, Isabella Douglas, received sasine of the Forest of Selkirk and the office of Sheriff of Roxburgh.⁴⁶ Although it is arguable that the laird of

44. There is no evidence that Isabella Douglas granted the barony of Drumlanrig to her nephew, William Douglas. Cf. HMC ibid., no. 4, p. 10.

45. Morton Registrum, II, p. 161.

46. APS, I, p. 557.

Dalkeith held some reversionary right to Stablegorton and Westerkirk as these baronies had been granted to his uncle, Sir William Douglas of Liddesdale, by Hugh Douglas of that Ilk,⁴⁷ Sir Malcolm Drummond could have had no claim to the Forest of Selkirk except one derived from his wife. However, this large estate was among those which were entailed in 1342. From the available evidence, we must conclude that the tailzie enacted at the request of Hugh Douglas of that Ilk was allowed to lapse from the summer of 1388 until the spring of the following year.

At the convocation of the Three Estates held on 7 April 1389, Sir Archibald Douglas, Lord of Galloway was recognised as the nearest heir male of the late James, Earl of Douglas, to the entailed estates of the Douglasses,⁴⁸ and the following August he was designated Earl of Douglas.⁴⁹ The original patent which created the earldom of Douglas has not survived. It has generally been assumed that when the earldom was created, a tailzie which was identical to the one enacted in 1342 was incorporated into the destination which governed its inheritance. In view of the lack of evidence, however, it is possible to suggest that the earldom which was granted to the first Earl of Douglas was limited to his legitimate heirs male exclusively and so when the second earl died without lawful issue, the earldom of Douglas became extinct. The distribution of the Douglas estates demonstrates that a major change had occurred in the land structure of the Douglas earldom. Isabella Douglas, the heir general and sister of the second Earl of

47. Morton Registrum, op.cit., p. 89-93.

48. APS, I, p. 557.

49. Scots Peerage, III, p. 160. Aberdeen-Banff Illustrations, II, p. 31; III, p. 269.

Douglas, inherited those estates which were not included in the entail of 1342; the baronies of Cavers and Drumlanrig, the lordships of Jedburgh Forest and Liddesdale, and the burgh of Selkirk.⁵⁰ These had formed part of the possessions of William Douglas before he was created Earl of Douglas and undoubtedly formed an integral part of the earldom. After his son's death, however, the first earl's daughter obtained the superiority of these estates. The decree passed by Parliament in favour of Sir Archibald Douglas recognised only his right as the heir of the entailed estates of the Douglasses. It may be suggested, therefore, that there were actually two earldoms of Douglas, the first of which terminated in 1388 and that another was created de novo in 1389 for the Lord of Galloway.⁵¹ Parliament abolished the sasine of Selkirk Forest and the office of Sheriff of Roxburgh which had been granted to Sir Malcolm Drummond, and ordered that Archibald Douglas receive sasine of the lands of Douglas, the Forest of Selkirk (i.e. Ettrick), Lauderdale, Eskdale, Romanno, the Fern of Rutherglen, and the baronies of Bedroule, Stablegorton and Buittle. This was to be done immediately in order to prevent "dissensions and disturbances from troubling the people of the country."⁵² The "true heir" of the second Earl of Douglas as heir of entail had been determined by act of Parliament and not by the law of inheritance.

50. Scots Peerage, III, p. 154. The author of this article wrote that the barony of Buittle in Galloway was included among the unentailed estates of the Douglasses, but this is erroneous. Cf. supra, p. 3.

51. For purposes of clarity, the standard enumeration of the Earls of Douglas given in the Scots Peerage has been adhered to throughout this work.

52. APS, I, pp. 557-558. Fraser, Douglas Book, I, p. 319.

The destination of the unentailed Douglas estates which became the property of Isabella Douglas, Countess of Mar demonstrates quite clearly that the illegitimate descendants of the first and second Earls of Douglas were the ultimate beneficiaries of the first division of the Douglas patrimony. George Douglas, Earl of Angus (an illegitimate son of the first Earl of Douglas), received, after a long series of negotiations, the lordship of Liddesdale in 1400;⁵³ Margaret Douglas (an illegitimate daughter of the first Earl of Douglas) retained possession of the barony of Drumlanrig;⁵⁵ Archibald Douglas (an illegitimate son of the second Earl of Douglas) was able to establish his right to the barony of Cavers despite various vicissitudes. Only the barony of Cavers, in fact, appears to have left the possession of the Douglasses completely for a short period of time.⁵⁶

King Robert the third granted the barony of Cavers, with the office of Sheriff of Roxburgh, to Sir David Fleming of Biggar in August 1405 as they

"had fallen into the King's hands by reason that they had formerly belonged to Isobell Countess of Mar and had been recognosced by her selling the same to Archibald Douglas her cousin without the King's licence, who was the superior." 57

53. Fraser, Douglas Book, III, pp. 44-45; HMC Report on the Manuscripts of the Earl of Mar and Kellie preserved at Alloa, p. 12. For a much fuller discussion of the grants given by the Countess of Mar to the first Douglas earl of Angus, see Chapter II.
54. Aberdeen-Banff Illustrations, IV, p. 731; Scots Peerage, III, p. 155.
55. HMC 15th Report, Appendix: Part VIII; MSS. the Duke of Buccleuch, no. 4, p. 10.
56. There is some evidence that suggests that George Douglas, Earl of Angus held Cavers until his death in 1402. Cf. Fraser, Douglas Book, III, pp. 40-41. HMC 7th Report: MSS James Douglas of Cavers, no. 2, p. 727.
57. RMS, I, App. I, no 156. Charter Chest of the Earldom of Wigtown, ed. F.J. Grant, Scottish Record Society (Edinburgh, 1910), no. 19, p. 5. Cited hereafter as Wigtown Charter Chest.

Sir David Fleming, the new superior of Cavers, was able to obtain the support of the Earl and Countess of Mar, the former superiors, only a fortnight after he had received the barony from the King. Alexander Stewart, Earl of Mar, the second husband of Isabella Douglas, agreed to support Fleming in his control of Cavers and promised that his heirs would not trouble the latter's descendants in their possession of the barony. In return, Sir David Fleming granted to the Earl of Mar the barony of Monycabo in Aberdeenshire, to be enjoyed, however, only for the duration of Isabella Douglas's life. A provision was made that if Sir David Fleming's wife opposed this grant, his heirs were to give lands of equivalent value to the Earl of Mar under the same conditions which governed his gift of Monycabo.⁵⁸ The nature of the two grants given between the Earl of Mar and Sir David Fleming was marked by an inherent disparity. The possession of Cavers was assured to the laird of Biggar and his descendants without limitation while Monycabo was only granted to the Earl and Countess of Mar for a severely limited period of time. The prospect of Cavers leaving the grasp of the Douglas family permanently seemed assured, but Sir David Fleming was ambushed and killed by Sir James Douglas (later designated of Balvany) in 1407 at Hermanston Moor.⁵⁹ There is no apparent reason to explain the involvement of the son of the third Earl of Douglas in this affair, especially as the beneficiary of Fleming's death was Archibald Douglas, the nephew of the Countess of Mar. In November 1412 James the first promised his "kinsman" Archibald Douglas that he

58. Aberdeen-Banff Illustrations, IV, pp. 172-173.

59. John Pinkerton, The History of Scotland from the Accession of the House of Stewart to that of Mary (London, 1787), I, p. 81.
Cited hereafter as Pinkerton, History.

would confirm to the latter the barony of Cavers "of the quhilkes he is possessit be gift and charterit of his awnte Dame Isobell Drumond [sic] in tyme of her powre widowheid."⁶⁰ Cavers had reverted to the original grantee of the Countess of Mar despite the intervention of Robert the third. The intrusion of Sir David Fleming as superior had been of short duration.

The policy of the disposal of her paternal estates followed by Isabella Douglas, Countess of Mar, was one motivated by the desire to insure that her closest agnates would not be disinherited and to prevent the acquisition of any of her estates by the new Earl of Douglas. As we have seen the lordship of Liddesdale, the baronies of Cavers, Drumlanrig, Bonjedburgh, and the burgh of Selkirk⁶¹ had been granted to her brother and sister and nephews. A partial exception was the lordship of Jedburgh Forest, which had been given to the Earl of Angus in 1398⁶² but was in the possession of Alexander Stewart, the son of the Earl of Buchan, in 1405.⁶³ Isabella Douglas did not grant any of her estates to the third Earl of Douglas or to his sons and the

60. In the extant papers of the Douglas family of Cavers, there is no record of the alienation of the barony of Cavers by the Countess of Mar to her nephew, but from the King's letter, it appears certain that she alienated Cavers after the death of her first husband and prior to her marriage to Alexander Stewart, i.e. between 1402 and 1404. Scots Peerage, III, p. 154.
61. the "haile town" of Selkirk was granted to the Earl of Angus in 1398. OPS, I, p.273. An Index drawn up about the year 1629 of many Records of Charters, ed. William Robertson (Edinburgh, 1798), no. 7, p. 139. Cited hereafter as Robertson, Index.
62. Ibid.
63. Ibid., no. 7, p. 147. OPS, I, p. 381. However, Jedburgh Forest was in the possession of the Earls of Angus after the forfeiture of the Duke of Albany in 1425. Both the lordship of Jedburgh Forest and the barony of Bonjedburgh in Roxburghshire had been granted to Sir James Douglas, but had not been included in the entail of his estates established in 1342. Cf. supra, p.1.

the implication of her behaviour is that family solidarity and kinship to the head of the kindred group were not, necessarily, concomitants of social action. When the Countess of Mar died in 1408, the legitimate descendants of Sir Archibald Douglas, Regent of Scotland, ended, but his illegitimate descendants continued to possess several of his largest estates. These lands were held by individuals who, although they bore the same cognomen, were not tenants of the Earls of Douglas and, in a feudal sense, were independent of the head of their House. The determination of Isabella Douglas to prevent her paternal estates from becoming appendages to the earldom of Douglas subsequent to 1389 had achieved success.

When Sir Archibald Douglas, Lord of Galloway succeeded to the tailzied Douglas estates in April 1389, he was already an important landowner whose estates, coupled with those which had been inherited by his wife, virtually formed the nucleus of a new earldom of Douglas. Indeed, in spite of his paternity, Sir Archibald Douglas was a novus homo as far as possession of the Douglas patrimony was concerned. He did not possess prior to 1389 any of the lands which had belonged to his father, Sir James Douglas, as these had become, en masse, the property of Hugh Douglas of that Ilk and the first Earl of Douglas.⁶⁴ By his faithful services to King David the second, however, Archibald Douglas acquired the lordship of Galloway from the river Nith to the river Cree in 1369.⁶⁵ Thomas Fleming was unable to retain control of his earldom "precipue propter magnas et graves discordias et inimicitias capitales alias inter me et majores indigenas comitatus

64. Scots Peerage, III, p. 158.

65. RMS, I, no. 329, Robertson, Index, no. 233, p.88.

predicti exortas," and resigned it to the Lord of Galloway in February 1371.⁶⁷ The resignation of the earldom of Wigtown, excluding the barony of Carnismul,⁶⁸ by Thomas Fleming in favour of Archibald Douglas was confirmed by Robert the second in April and October, 1372.⁶⁹ Within four years of his initial introduction as a major landowner in southwestern Scotland, Archibald Douglas was the superior of almost the entire domain of the ancient Princes of Galloway. In addition, he was granted the lands of Clerkington in Edinburghshire, the barony of Herbertshire in Stirlingshire, and one half of the barony of Culter in Lanarkshire.⁷⁰ His marriage to Joanna Moray made him a significant landowner in Lanarkshire and in northeastern Scotland as well.

Joanna Moray was the sole heiress of the Moray families of Drumsargard and Bothwell. Her first husband, Sir Thomas Moray of Bothwell, died before July 1362,⁷¹ and, although she only had a liferent interest in his estates, Joanna was able to bring the extensive baronies of Bothwell and Carmunnock in Lanarkshire, Abercorn in the constabulary of Linlithgow, Aberdour in Aberdeenshire, Avach, Eddirdure alias Ardmanach, Stratherne, and Brachlyne in Invernesshire, Petty and

67. Fraser, Douglas Book, III, pp. 396-397. RMS, op. cit., no. 507.

68. The barony of Carnismul, however, was under the control of the Earls of Douglas prior to 1451. Cf. Wigtownshire Charters, ed. R. Reid, Scottish History Society, 3rd series, LI (Edinburgh, 1960), no. 136, p. 163. Cited hereafter as Wigtownshire Chrs.

69. RMS, I, nos. 414, 507.

70. Ibid., no. 326; Robertson, Index, p. 87, no. 230.

71. Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia, ed. A. Thainer (Rome, 1864), no. DCXLVII, p. 318. Cited hereafter as Thainer, Monumenta. According to another contemporary account, however, Sir Thomas Moray of Bothwell did not die until August 1366. James Gray's MS. Adv. 34.7.3., National Library of Scotland, fol. 24. Cited hereafter as Gray's MS.

one-third of Duffus in Moray, Hawick in Roxburghshire, and the lands of Arbuthnott in the Mearns into the possession of her second husband, Archibald Douglas.⁷² In addition to these estates which had belonged to the Morays of Bothwell, Joanna Moray inherited from her progenitors the Baronies of Drumsargard in Lanarkshire and Cortachy in Angus,⁷³ as well as the lands of Gosford in Edinburghshire.⁷⁴ When the Lord of Galloway became Earl of Douglas, these estates were completely integrated into his earldom. The estates of the Morays, in fact, were absorbed into the Douglas patrimony to such a degree that they were indistinguishable from the original Douglas holdings and were comprehended in the forfeiture of the ninth Earl of Douglas in 1455.⁷⁵

Archibald Douglas, the eldest son of the third Earl of Douglas, succeeded to the family estates in 1400, although his actual tenure was interrupted by his capture at the Battle of Homildon Hill in 1402.⁷⁶ The English king, Henry the Fourth, in order to justify his disposal of the estates of prominent Scottish prisoners to his subjects, used the legal pretext that the Scots were traitors as they had opposed the rightful feudal overlord of Scotland. The estates which the late William, James and Archibald, earls of Douglas had possessed, as well as the estates which Archibald, the captured earl, and his mother

72. Robertson, *op. cit.*, p. 45, no. 17; William Fraser, The Scotts of Buccleuch (Edinburgh, 1878), II, pp. 17-8. Cited hereafter as Fraser, Buccleuch.

73. Edinburgh University Library, Laing Charters, Box 34, no. 1234.

74. RMS, *op. cit.*, App. I, no. 124. The lands of Gosford had become part of the royal demesne prior to 1434. cf. Exch. Rolls, IV, p. 597.

75. APS, II, pp. 41-2. When the barony of Drumsargard was regranted to Joanna Moray and Archibald Douglas in 1371, its succession was limited to the heirs general of Joanna Moray if her legitimate descendants failed. RMS, *op. cit.*, no. 305; Fraser, Douglas Book, I, p. 333; Scots Peerage, III, p. 163.

76. HMC 10th Report, Appendix, Part VI: MSS of G.F. Luttrell, p. 77.

Joanna Moray held, were granted to Henry Percy, Earl of Northumberland.⁷⁷

The English appropriation of the Douglas patrimony was only a nominal one. Regardless of the writs which proceeded from Westminster, the Percies never obtained actual possession of the Douglas estates.⁷⁸

In short, the English grant was vitiated because it was inoperative. Within five years after the Percies had received the Douglas estates, their actual superior had returned to Scotland.⁷⁹

The growth of the Douglas patrimony appears to have slowed down considerably during the fifteenth century. Large estates had been given to the third earl which more than compensated for the loss of the lands which had been inherited by Isabella Douglas, Countess of Mar. But the fourth earl was able only to add the lordship of Annandale and the French Duchy of Touraine to his possessions. Although Touraine, which had been given to the Douglases in recognition of their services to France, continued in the possession of the earls of Douglas until 1440, the almost complete lack of documents concerning the duchy suggests that its Scottish dukes exercised only nominal suzerainty. The lordship of Annandale had been forfeited by George Dunbar, Earl of March in 1400 and, although restored briefly in 1409 to him, it was given to the fourth Earl of Douglas.⁸⁰ As it was adjacent to Galloway, Annandale was rapidly integrated into the complex of estates which had been built up by the Douglas family in the southwest of

77. Foedera (O), VIII, pp. 289-290. Rot. Scot., II, pp. 163-164.

78. In 1404, Henry the fourth commanded Sir Robert Umfraville to give possession of the castle and forest of Jedburgh to the Earl of Northumberland. There is no other corroborative evidence that Jedburgh Forest was, in fact, in the possession of the English. OPS, I, p. 381; Rot. Scot., op. cit., I, p. 172.

79. Scots Peerage, III, p. 165.

80. RMS, I, no. 920.

Scotland.⁸¹ The fifth and sixth Earls of Douglas did not acquire any new lands which were added to their paternal inheritance. The momentum of expansion, which had raised the Douglasses of that Ilk from a relatively unimportant family into the possessors of vast estates and a large earldom in just over an hundred year period, had dissipated itself almost thirty years before the forfeiture of the last earl.

A factor which confronted all Scottish noble families was the dispersal of estates, either by alienation, such as grants to kinsmen, or by marriage settlements. The earls of Douglas were more fortunate in this respect than many of their compeers. There is not a single instance known when an earl of Douglas alienated any of his lands irrevocably and by a singular stroke of fortune, the disposal of estates as marriage portions for the daughters of the family and as terce lands for the widowed countesses of Douglas did not occur in any great degree before the fifteenth century. However, the demands of younger sons and other members of the family for a share of the family estates, had already broken the uniform bloc of lands included in the lordship of Annandale and the fourteenth century. Archibald Douglas, Lord of Galloway and third Earl of Douglas, granted the barony of Herbertshire in the sheriffdom of Stirling and the lands adjacent to the river Nith, which were designated the lordship of Nithsdale, to his illegitimate son, Sir William Douglas, prior to 1390.⁸² These estates were open to succession by heirs general and Sir William Douglas was survived by an only child, a daughter, Egidia Douglas, who married Henry Sinclair, Earl of Orkney. The superiority of the barony of Herbertshire and the

81. There are several grants which emanated from the fifth Earl of Douglas to various vassals of the lordship of Annandale from 1425 until 1431. Fraser, Douglas Book, III, pp. 416-418.

82. *Ibid.*, pp. 399-400, 404.

lordship of Nithsdale became invested in the Sinclair family.⁸³ Nithsdale, because of its geographic location since it separated Annandale from Galloway, was the subject of bitter disputes between later earls of Douglas and their cognate kinsmen, the earls of Orkney. In May 1438, Egidia Douglas, dowager Countess of Orkney and feudal superior of Nithsdale, entered solemn protests against the encroachment made by her cousin, the earl of Douglas, who had held illegal courts within her lordship. Douglas promised that her right as superior of the lordship would be maintained and the resolute countess informed the royal council that she would impede all further attempts to impugn her possession of Nithsdale.⁸⁴ There is, in fact, no evidence of any further intrusions by the earls of Douglas and the lordship of Nithsdale presumably passed completely beyond their control before the second dissolution of the Douglas patrimony in 1440. Several estates were given to James Douglas of Balvany, the younger son of the third earl of Douglas, and their ultimate destination may have followed a similar pattern to that displayed by Nithsdale, but his accession as seventh earl of Douglas in 1440 reintroduced these lands into the comital demesne until his death.

From the available evidence, it would appear that the earls of Douglas were not deeply committed to a policy of granting estates to other Douglas kinsmen except members of their immediate family. Archibald, fourth earl of Douglas, granted to George Douglas, Earl of Angus, the barony of Corbacy in Angus which had originally belonged to the Morays of Drumsargard.⁸⁵ However, the tenure of the Earls of Angus

83. Ibid., pp. 422-423.

84. Fraser, Douglas Book, III, pp. 422-3.

85. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 128, p. 209; cf. RMS, I, no. 539.

as superior of Cortachy was brief, for within a decade of their introduction as lords of the barony, it had reverted to the former superior who, in turn, resigned Cortachy in favour of Walter Stewart, Earl of Atholl.⁸⁶ The fourth Earl of Douglas also granted as a free regality the baronies of Buittle and Preston and the lands of Borg (which were integral parts of the lordship of Galloway) to another agnate kinsman, the laird of Dalkeith, in February 1406/7.⁸⁷ Buittle had been the first possession of the Douglasses in Galloway and had been included in the tailzie of 1342, while Preston and Borg had had no previous connection with the Douglasses of that ilk until Archibald Douglas received the lordship of Galloway in 1369. However, Sir William Douglas of Liddesdale had held the barony of Buittle as well as one half of the barony of Preston,⁸⁸ and his nearest agnates, the Douglasses of Dalkeith, had received extensive lands within the barony of Buittle from the Douglasses of that ilk before the end of the fourteenth century.⁸⁹ The barony of Preston was granted to Sir James Douglas of Dalkeith by Robert the second in 1373.⁹⁰ The superiorities of these baronies pertained to the earls of Douglas after 1389 as they were also Lords of Galloway, but the gift of Buittle, Preston and

86. Registrum Episcopatus Brechinensis, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1856), II, no. XI, pp. 14-6. Cited hereafter as Brechin Registrum. The Earl of Atholl retained possession until his death in 1437 and, although he was forfeited, Cortachy was not given back to either the earl of Douglas or his kinsman of Angus.

87. Morton Registrum, II, pp. 203-5.

88. Morton Registrum, II, p. 64.

89. *Ibid.*, pp. 10, 73.

90. *Ibid.*, pp. 111-113.

Borg in free regality to the laird of Dalkeith terminated their superiority. The result of this departure from the usual practice of the earls towards their distant kinsmen had been the virtual detachment of Cortachy, Buittle, Preston and Borg from the comitatus of Douglas.

In a few instances lands which had once been the property of the earls of Douglas were successfully wrested from their control. The barony of North Berwick and Tantallon Castle had been taken from their possession after 1388.⁹¹ The lands of Dunbarny and Pitcaithly in Perthshire were granted by Walter Stewart, Earl of Atholl to the fourth Earl of Douglas, but after the latter's death, Atholl resumed possession. The succeeding earl of Douglas contested with Atholl over the control of these estates but the controversy was settled in April 1436, in the latter's favour.⁹² Even after Atholl's forfeiture in the following year, Dunbarny and Pitcaithly were not returned to Douglas. The lands of Clerkington in the sheriffdom of Edinburgh, which had been in the possession of the Douglasses since 1369,⁹³ were resigned by the earl of Douglas prior to July 1424 when they were given to Sir John Forrester of Corstorphine.⁹⁴ None of these estates were of any great importance or were contiguous to other Douglas properties. But their detachment from the grasp of the earls of Douglas indicates that estates were not, by the mere fact of possession, amalgamated permanently to the comitatus.

The problem of providing lands for the support of the daughters

91. APS, I, pp. 555.

92. Fraser, Douglas Book, III, p. 422.

93. RMS, I, no. 326.

94. Ibid., II, no. 7. Sir John Forrester and his family were supporters of the earls of Douglas. Cf. W. Stanford Reid, "The Douglasses at the Court of James I of Scotland," Juridical Review, LVI (1944), p. 83.

and widows of the earls of Douglas was not a major one until the beginning of the fifteenth century. In the single instance where a legitimate sister of an earl of Douglas had received lands as her tocher prior to 1400, the policy followed was indicative of that which was utilised in later marriage arrangements. Eleanor Douglas, the sister of William, first Earl of Douglas, received upon her marriage to James Sandilands, the barony of Wester Calder in the constabulary of Linlithgow.⁹⁵ This barony was not a part of the original inheritance of the Douglas family, and its superiority was possessed by the earls of Fife.⁹⁶ An unwillingness ^{to} dispose of those estates which were an integral part of the family inheritance to their closest cognates was the predominant feature of the policy pursued by succeeding earls of Douglas. The first and second Earls of Douglas did not provide tochers for their respective daughters and sisters, while there is no evidence that the third Earl endowed his only daughter, Mary Douglas, with any Douglas possessions.⁹⁷ However, the fourth Earl granted to his daughter Elizabeth Douglas and her husband, John Stewart, Earl of Buchan, the lands of Stewarton and Ormisheugh in the sheriffdom of Ayr. These estates, with the addition of the lands of Dunlop in the barony of Cunningham and Trabmugare in the earldom of Carrick, were confirmed to the Earl and Countess of Buchan in November 1413.⁹⁸ It was also provided that in the event that she survived her husband, Elizabeth Douglas was to receive in right of terce, an annual rent of two hundred marks from the baronies of Bothwell,

95. Register House, Torphichen Writs GD 119, nos. 148-50.

96. Fraser, Douglas Book, III, pp. 360-361.

97. Cf. Scots Peerage, Douglas Book, I.

98. RMS, I, nos. 945, 946, 947.

Strathavon, Drumsargard and Carmunnock.⁹⁹ The lands which had been given to the Earl of Buchan were not a part of the Douglas patrimony but had been given to his bride's mother, Margaret Stewart, when she became Countess of Douglas,¹⁰⁰ while the estates which were to support Elizabeth Douglas in her widowhood had originally belonged to the Morays of Bothwell and Drumsargard. Evidence for the tochers which were given to the daughters of the seventh Earl of Douglas is nonexistent¹⁰¹ and any legal right which they possessed to the estates of their father's earldom terminated when that comitatus was forfeited in 1455. The pattern demonstrated by record evidence suggests that the earls of Douglas were determined to maintain the core of the family estates intact.

A concomitant problem to that raised by the demands of the daughters of the Douglas family to be provided for with adequate dowries was that of providing financial support for the dowager countesses of Douglas. Once again, fortune favoured the earls of Douglas as their estates were not burdened by the demands of several widowed countesses until after the death of the fourth earl.¹⁰² Of the dowager countesses of Douglas only three, Margaret Stewart, Jean Lindsay, and Beatrice Sinclair appear to have held a portion of their husbands' estates in liferent, although a fourth, Euphemia Graham, enjoyed some right to two baronies which belonged to the Douglas family. Jean Lindsay, the widow of the sixth

99. Fraser, Menteith, II, pp. 281-283.

100. Fraser, Douglas Book, I, p. 380.

101. The sister of the sixth Earl of Douglas was his heir general and inherited estates because of this fact, not by reason of dowry rights.

102. This conclusion is only suggestive as the dearth of evidence makes it impossible to state categorically what actually happened. The widow of the first Earl of Douglas did possess some terce rights to the Douglas barony of Drumlanrig. Cf. HMC 15th Report, Appendix: Part VIII: MSS The Duke of Buccleuch, no. 3, pp. 9-10.

Earl of Douglas, possessed 40 lands in the lordship of Ettrick Forest and claimed that she had a terce right to the lordship of Annandale, which she was unable to implement.¹⁰³ Euphemia Graham, the widow of the fifth Earl of Douglas, appears to have some claim to the baronies of Drumsargard and Carmunnock and they were granted to her and her second husband, James, Lord Hamilton, by the ninth Earl of Douglas in 1453.¹⁰⁴ Beatrice Sinclair, the widow of the seventh Earl of Douglas, held the barony of Strathavon in liferent by right of terce.¹⁰⁵ All of these estates had not, with the exception of Ettrick Forest, been comprehended in the entail of 1342 and none actually left the possession of the earls of Douglas prior to their forfeiture. Only Margaret Stewart appears to have controlled large estates almost in total independence from the head of the Douglas family but they returned to the possession of the earls of Douglas even before her death. Probably with the tacit approval of her son, the fifth Earl of Douglas, Margaret Stewart entered into the possession of the lordship of Galloway. By the early spring of 1425, she had adopted the title "Lady of Galloway" and confirmed grants of lands which had been made to her late husband's vassal, Gilbert Grierson.¹⁰⁶ King James the first, on 3 May 1426, granted to the dowager Countess of Douglas the lordship of Galloway in liferent.¹⁰⁷ From the ratification of her possession until January 1449/50, the new superior of Galloway issued writs to various vassals

103. Register House, Calendar of Charters, II, no. 321.

104. HMC 11th Report, Appendix: Part VI: MSS the Duke of Hamilton, p. 17. Cf. RMS, II, no. 601.

105. Register House, Calendar of Charters, II, nos. 312-313.

106. Fraser, Douglas Book, III, p. 415.

107. RMS, II, no. 47.

which suggest that the lordship was firmly under her control: to William Douglas of Leswalt,¹⁰⁸ to the collegiate church of Lincluden,¹⁰⁹ to Andrew Agnew of Lochnaw,¹¹⁰ and to Roger Gordon of Balmaclellan.¹¹¹ The fifth and sixth Earls of Douglas never used the designation "Lord of Galloway" and none of their charters dealt with estates within that lordship. When James the second regranted the lordship and regality of Galloway to the eighth Earl of Douglas on 26 January 1449/50, he did so only after Margaret Stewart had resigned her right of superiority to the lordship.¹¹² By marrying its heiress, the new earl of Douglas prevented Galloway from being detached from the control of his family.

When the fifth Earl of Douglas died in June 1439,¹¹³ he was succeeded in his estates and earldom by his son, William Douglas. Less than two years later the sixth Earl of Douglas and his brother, David Douglas, were killed and left as their nearest legitimate heir a cognate. The situation which had existed in 1388 had recurred. The determination of the Douglas family to limit the inheritance of the comitatus and the bulk of the family patrimony to legitimate heirs male prevented Margaret Douglas from possessing her brother's earldom. From the devolution of the earldom into the hands of the sixth earl's great-

108. Ibid., no. 87.

109. Ibid., no. 133.

110. Ibid., no. 183.

111. Fraser, *Op. cit.*, p. 422.

112. Ibid., pp. 71-2; *APS*, II, p. 64. Margaret Stewart was dead before 28 August 1452 when a concordat was signed between the ninth Earl of Douglas and King James the second. Sir Lewis Stewart's Collections MS. Adv. 34.3.11, National Library of Scotland, fols. 19-20.

113. Scots Peerage, III, p. 170.

uncle, it is apparent that the original entail of 1342 had been incorporated into the provisions for the succession of the "recreated" earldom of Douglas in 1389. This is hardly surprising as Archibald Douglas, Lord of Galloway, the progenitor of a new dynasty of earls, had been the chief beneficiary of the principle of a limited heirs male entail. What is unusual is that not all of the estates which were held by the earls of Douglas subsequent to 1389 were placed under the same restriction which governed the comitatus. Thus while the earldom devolved to the nearest heir male of the sixth Earl in 1440, other estates were inherited by his heir general, his sister, Margaret Douglas.

The actual lands and lordships which were possessed by Margaret Douglas, "the Fair Maid of Galloway," has been the subject of controversy among the historians of the Douglas family. In the first major history of this family which was written by David Hume of Godscroft in the seventeenth century, it is asserted that Margaret Douglas inherited Galloway, Wigtown, Balvein (Balveny), Ormund (Ormond), and Annandale.¹¹⁴ This catalogue of estates was repeated by John Pinkerton in his History of Scotland while Sir William Fraser in his Douglas Book believed that she had inherited the lordship of Galloway, the lands of Ardmanach, Balveny and Bothwell, and that Annandale was completely alienated.¹¹⁵ An examination of the destination of these estates demonstrates that Godscroft, in his enthusiasm and desire to portray Margaret Douglas as the greatest heiress of her time, gave her lands to which she had no conceivable claim.

114. Godscroft, House of Douglas, I, p. 157.

115. Pinkerton, History, I, p. 194. Sir William Fraser's list was paraphrased by Sir Herbert Maxwell in his History of the House of Douglas (London, 1902), I, p. 156.

The lordship of Galloway and the adjacent earldom of Wigtown were inherited by Margaret Douglas. Although Galloway was held in life by her grandmother, Margaret Stewart,¹¹⁶ the actual fee of the lordship became invested in Margaret Douglas, the sole surviving child of the fifth Earl of Douglas upon the death of her two brothers in 1440. When the dowager Countess of Douglas resigned the lordship into the hands of James the first in January 1449/50, it was immediately granted to Margaret Douglas and her husband, the eighth Earl of Douglas.¹¹⁷ As the lordship of Galloway had originally been granted to Archibald Douglas and his legitimate heirs (unlimited), it had been inherited by the young countess. The earldom of Wigtown, which had been granted to Archibald Douglas under similar conditions as had the lordship of Galloway and had been in the possession of the sixth Earl of Douglas also devolved upon Margaret Douglas. Since she was the senior heir general of the third Earl of Douglas, Margaret Douglas appears to have inherited some of the estates which had pertained to him and his wife, Joanna Moray. Although there is no evidence of the existence of a family agreement, it seems probable that the estates which had originally belonged to Joanna Moray were divided between her two sons, the fourth Earl of Douglas and James Douglas of Balvany.¹¹⁸ The baronies of Bothwell, Carmunnock and Hawick, which had belonged to the Morays of Bothwell, appear to have become the property of Margaret Douglas as her husband, the eighth earl, did not receive sasine of these estates

116. RMS, II, no. 47. Margaret Douglas first acquired her well-known sobriquet "The Fair Maid of Galloway" in the pages of David Hume of Godscroft's piecistic history of her family. Godscroft, House of Douglas, I, pp. 156-157.

117. RMS, op. cit., no. 309.

118. Cf. *infra*, p. 26.

until after their marriage.¹¹⁹

Other estates which have been attributed to her possession were the lands of Balvany in Banffshire, Ormond, Avach and Ardmanach in Invernesshire, and the lordship of Annandale. Balvany, Avach, Ardmanach and Ormond, which had formed part of the estates once held by the Morays of Bothwell, had been in the possession of James Douglas anterior to 1424 and had never belonged to either the fifth or sixth Earls of Douglas. The lordship of Annandale had been granted to the fourth Earl of Douglas under an unusual tailzie. It had formerly belonged to George Dunbar, Earl of March and had been comprehended in the sentence of forfeiture passed upon him in 1400.¹²⁰ A few years later the Earl of March was rehabilitated but his control of Annandale was of short duration as on 2 October 1409 he and his son renounced all claim to the lordship subject to the proviso which was incorporated into the grant made to Douglas. On the same day, the Governor of Scotland granted the lordship of Annandale, which he erected into a free regality, to Archibald Earl of Douglas, to be held by the latter and the legitimate heirs male of his body. If these failed, then the lordship was to be held by the nearest heirs male of the Earl of March.¹²¹ The death of the sixth Earl of Douglas and his brother terminated the illegitimate male descendants of the fourth Earl of Douglas. In terms of the grant of Annandale made in 1409, the lordship should have become the property

119. He received sasine of these baronies in 1446. Exch. Rolls, IX, Appendix: Index to the Libros Responsionum, pp. 659-660.

120. Scots Peerage, III, p. 272.

121. RMS, I, no. 920.

of George Dunbar of Kilconquhar, who was the heir male of the Earls of March.¹²² However, the lordship was absorbed into the Crown estates. Margaret Douglas did not possess any right to Annandale as the lordship was not capable of being inherited by the heirs general of the original Douglas grantee.

The consequences of the second disruption of the Douglas patrimony were quite different from those of the first. In 1388 the lordships which were inherited by a Douglas heir general had been permanently detached from the comitatus of Douglas.¹²³ In 1440 the earldom of Wigtown, the lordship of Galloway and the baronies of Bothwell, Carmunnock and Hawick were inherited by a second Douglas heir general but remained comital lands as Margaret Douglas married both the eighth

122. George Dunbar of Kilconquhar was identical to the Master of March who resigned Annandale into the hands of the Governor of Scotland in 1409. He succeeded to the earldom of March in 1423 but was deprived of his paternal estates and dignity in January 1434/5. The reversionary claim to Annandale which was invested in the Dunbar family presumably terminated with the forfeiture of the earldom of March which would explain the Crown's retention of the lordship after 1440. Cf. Scots Peerage, III, pp. 272-273. APS, II, p. 23. Another valuable part of the possessions of the Dunbars, Earls of March, which was given to the Douglases in 1400 was the lordship of Dunbar. This was only held by the earls of Douglas until October 1407 (when the fourth Earl granted a charter of lands within "his" barony of Dunbar) and was restored to the tenth Earl of March in the following year. Cf. Scots Peerage, op. cit., p. 272; Fraser, Douglas Book, III, p. 403. It has been suggested that it was a settled policy of the later earls of Douglas to regain possession of the lordship of Dunbar but there is no corroborative evidence to support this assumption. Cf. Annie Dunlop, The Life and Times of James Kennedy, Bishop of St. Andrews (Edinburgh, 1950), p. 75. Cited hereafter as Dunlop, Bishop James Kennedy.

123. Cf. supra, p. 16.

and ninth Earls of Douglas. Only the lordship of Annandale was permanently alienated from the control of the Earls of Douglas as a result of the death of the sixth Earl without legitimate male issue. The estates inherited by his sister were included in the new entail of the comitatus of Douglas enacted in 1451.

The succession to the earldom of Douglas in 1440 had devolved upon James Douglas of Balvany, the younger son of the third Earl of Douglas. Before his elevation to the status of Earl of Douglas, he had been given several estates which had belonged to his ancestors. Prior to October 1408 he had become superior of the baronies of Abercorn in the constabulary of Linlithgow and Aberdour in Aberdeenshire which had originally belonged to his mother.¹²⁴ There is no evidence to suggest at what date James Douglas acquired the lands of Balvany in Banffshire (from which he derived his designation), but he had adopted this title by December 1423 when he was issued a safeconduct to meet with English emissaries to discuss the return of the captive king of Scots to his own country.¹²⁵ When James the first returned home, he regranted to James Douglas of Balvany and his wife, Beatrice Sinclair, the baronies of Abercorn in Linlithgowshire and Strathavon (Avondale) as well as the lands of Hesildoune and Grenburne in the barony of Stanehouse, which were in Lanarkshire. This was followed by a series of royal confirmations of grants made to the laird of Balvany by his brother the Earl of Douglas which ratified the former's possession of vast territories which had belonged to the Morays of Bothwell. The lands and baronies of Avach, Eddirdure (Ardmanach), Stratherne, Brachlyne, Even, Little Bloodiwood and Duldawyth in the sherriffdom of Inverness;

124. Aberdeen-Banff Illustrations, II, pp. 376-379. Fraser, Douglas Book, III, pp. 405, 408-409.

125. Rot. Scot., II, pp. 240, 244.

Conveth, Bocharny and Balvany in the sheriffdom of Banff; Aberdour and Rattray in the sheriffdom of Aberdeen; Petyn alias Petty, one third part of Duffus, Aluas-schir and the Thayndomeis in the sheriffdom of Elgin, were confirmed to James Douglas.¹²⁶ Of these estates, only the barony of Rattray and the lands of Conveth had belonged to a Douglas prior to the marriage of the Moray heiress to the Lord of Galloway in 1362. Rattray and Conveth had been granted to Sir Archibald Douglas before his death in 1333, but there is, unfortunately, no documentary evidence which elucidates how they passed from the possession of his heir general, Isabella Douglas, to the earls of Douglas subsequent to 1389.¹²⁷ The original grants made by the fourth Earl to his younger brother, and which had received royal confirmation, were undoubtedly given to Balvany as his share of his father's possessions. In 1437, James Douglas was raised to the peerage as Earl of Avondale, a title which was derived from the barony of Strathavon in Lanarkshire,¹²⁸ but this earldom was absorbed into the comitatus of Douglas after James Douglas inherited the older earldom in 1440.

James Douglas of Balvany also acquired some estates which had either been totally alienated from the control of the Douglasses or which had never been possessed by members of that family. In January 1426/7, he received the lands of Pettinain in Lanarkshire and the lands of Stewarton in Ayrshire, upon the renunciation of possession by their former superior, Elizabeth Murray.¹²⁹ Pettinain had never belonged

126. RMS, II, nos. 43, 49.

127. Cf. supra, p. .

128. Scots Peerage, III, p. 173; OPS, I, pp. 103-4.

129. RMS, op. cit., nos. 72, 77.

to the Douglas family previously while the lands of Stewarton had been part of the tocher given to Elizabeth Douglas, Countess of Buchan.¹³⁰

In December 1439, the Earl of Avondale/ received the barony of Glenholm in Peebleshire upon the resignation by its superior, William Fresal, in his favour. Glenholm, as was the case with Pettinain, had never previously belonged to the Douglasses. When Avondale became Earl of Douglas, his newly acquired estates, as well as those which he had inherited, were assimilated into the older earldom.¹³¹

The Earl of Avondale only possessed the earldom of Douglas from November, 1440 until 25 March 1443.¹³² He was buried at Douglas¹³³ and the epitaph ascribed to his funereal monument asserted that he had been Earl of Douglas and Lord of Annandale, Balvany, Galloway, Liddesdale and Jedburgh Forest, but of those lands enumerated, he only possessed the comitatus of Douglas and the lands of Balvany.¹³⁴ With the death of the seventh Earl, the solidarity of the Douglas patrimony appeared to be on the point of dissolution. Unlike any of his predecessors, James Douglas of Balvany was the father of several legitimate sons, each of whom would have some claim upon his estates. Therefore, the seventh Earl was motivated to make a provision for them which would not disrupt the ancestral estates which were to be inherited by the eldest son. He encouraged one of his younger sons, Archibald Douglas, to marry Elizabeth

130. There is no evidence which accounts for Elizabeth Murray's possession of the lands of Stewarton, as the Countess of Buchan was alive in 1426/7. Scots Peerage, III, p. 168.

131. APS, II, pp. 67-71.

132. Ext. Var. Cron., p. 238; Gray's MS., fol. 24; The Asloan Manuscripts A Miscellany in Prose and Verse, written by John Asloan in the reign of James V, ed. W. Craigie, Scottish Text Society (Edinburgh, 1923), I, p. 216. Cited hereafter as Asloan Manuscript.

133. Ibid.; Godscroft, House of Douglas, I, p. 159. The baronies of Aberdour and Rattray in Aberdeenshire and Banffshire were in the King's hands by July 1443: "per mortem...Jacobi quondam comitis de Douglas." Exch. Rolls, V, p. 135.

134. Godscroft, op. cit.

Dunbar, the younger daughter of the Earl of Moray; by the terms of a special entail Archibald Douglas inherited that earldom in 1445. The control of the Douglas family over the earldom of Moray was so complete that its succession was open to the legitimate heirs male of the seventh Earl of Douglas and they took precedence over the heirs male of the former superior, James Dunbar.¹³⁵ Archibald Douglas's twin brother, James, was originally destined for an ecclesiastical career and was given the bishopric of Aberdeen by the AntiPope Felix V in May 1441.¹³⁶ It was not until his recognition as Master of Douglas was ratified in 1447 that he acquired some of the patrimonial estates. Hugh Douglas, another son of the seventh Earl of Douglas, was given the lands and baronies of Avach, Eddirdure alias Ardmanach and Ormond in Invernesshire; Brachly, Aberdour and Crimond in Aberdeenshire; Petty in Moray; and Sunsyre in Lanarkshire. He received a comital title from one of his northern estates in June 1445 and was designated as Earl of Ormond.¹³⁷ John Douglas, the youngest son of the seventh Earl of Douglas, received the lands of Balvany, Boharm and Botriphnie in Banffshire. The two youngest sons of James Douglas of Balvany obtained the bulk of the Douglas lands in the northeast of Scotland which had been confirmed to their father in 1426.¹³⁸ The policy which governed the disposal of estates to the daughters and widows of the earls of Douglas appears to have been utilised for the provision of younger sons

135. Aberdeen-Banff Illustrations, III, pp. 231-32 (this is misdated). Dunlop, Bishop James Kennedy, pp. 35-36. Archibald Douglas and Elizabeth Dunbar were married before 26 April 1442 and he was designated Earl of Moray by 28 June 1445. SRO, Lord Forbes Collection, GD 52/1/404.

136. Copiale Prioratus Sanctiandree: The Letterbook of James Haldenstone, Prior of St. Andrews, ed. J.H. Baxter (London, 1930). Appendix, no. 35, pp. 313-4; J.H. Burns, Scottish Churchmen and the Council of Basle (Glasgow, 1962), p. 71; Dunlop, op. cit., p. 41.

137. Aberdeen-Banff Illustrations, IV, pp. 77, 119; Exch. Rolls, VI, pp. 162, 212, 265; VII, p. 36; APS, II, p. 59.

138. Cf. Supra, p. 26.

as well. None of the estates given to Ormond or to John Douglas had been entailed in 1342. Only the forfeiture of the family in 1455 prevented these lands from becoming the possessions of separate and independent cadet families originating from the Earls of Douglas.

The position of the Earl of Douglas and his family in 1443 was secure: the new earl was negotiating his marriage to his cousin Margaret Douglas and his brothers had been satisfied in their requests for a share of the family inheritance. However, in the course of just over a single decade the eighth earl had been murdered, the ninth earl along with his mother and brothers were fugitives, and the earldom was forfeited. Just as the meteoric rise of the earls of Douglas had been reflected in their rapid and consistent territorial aggrandisement, so their swift and spectacular fall was mirrored by the forfeiture of those estates. The vicissitudes of fortune experienced by the last earls of Douglas and the ultimate outcome of their struggle with James the second created in the minds of the Scottish historians of the sixteenth century a pattern of historical causation in which the grasping and too powerful Douglasses treasonably plotted against the monarchy and were eliminated.¹³⁹ Such an interpretation of the confused political events of the decade from 1445 until 1455 is not reflected by historical evidence. What seems apparent is that the relationship which existed between the Earls of Douglas and their sovereign was, at least until 1450, completely harmonious and their later disagreements were not irremediable until the spring of 1455.

139. John Lesley, The History of Scotland from the Death of King James I in the Year 1436 to the Year 1561, Bannatyne Club (Edinburgh, 1830), p. 22. Cited hereafter as Lesley, History. George Buchanan, The History of Scotland, translated James Aikman (Glasgow, 1827-29), II, pp. 154-156. Cited hereafter as Buchanan, History.

The first activities which engaged the attention of the eighth Earl of Douglas was the re-enforcement of the solidarity of the Douglas patrimony by the successful conclusion of his negotiations to obtain permission to marry his cousin, Margaret Douglas. A papal dispensation was issued in July 1444 which allowed the cousins to contract matrimony in spite of their relationship.¹⁴⁰ The earldom of Wigton, the fee of the lordship of Galloway, and the baronies of Bothwell, Carmunnock and Hawick became invested in the Earl of Douglas after his marriage to their superior.¹⁴¹ The assumptions of later historians that the marriage took place in Lent which made it unlawful,¹⁴² and that it "was made farre [sic] against the opinion of the rest of the name of Douglas, who thought it better that she should have been married to some[one] of the house of Angus or Dalkeith..."¹⁴³ cannot be substantiated by contemporary evidence.¹⁴⁴ What cannot be controverted is that Margaret Douglas had become Countess of Douglas by the summer of 1443. The marriage of the Douglas cousins prevented a disruption of the

140. Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters, eds. W.H. Bliss and others (London, 1912), IX, p. 467. Cited hereafter as Cal. Papal Letters. Andrew Stuart, A Genealogical History of the Stewarts from the Earliest Period of their authentic History to the Present Times (London, 1798), pp. 467-468.
141. Cf. Exch. Rolls, IX, Appendix: Index to the Libros Responsionum, pp. 659-660.
142. Godscroft, House of Douglas, I, p. 159. William Drummond of Hawthorndon, The History of Scotland from the Year 1423 until the Year 1542 containing the lives of James I, James II, James III, James IV, James V (London, 1655), p. 42. Cited hereafter as Drummond, History.
143. Godscroft, *ibid.*, p. 158.
144. There appears to have been no plausible alternative candidate among the other leading Douglas families who could have married Margaret Douglas except James Douglas, Earl of Angus, who was dead by 1446. James Douglas of Dalkeith was already married prior to 1444 as was George Douglas, the Master of Angus. William Douglas of Cluny, the younger brother of the Earl and Master of Angus was unmarried but it is probable that he was much older than his kinswoman. James Douglas fiar of Dalkeith was not married until circa 1457 which suggests that he was considerably younger than Margaret Douglas, while his uncle Henry Douglas of Borg was married to a sister of the eighth Earl of Douglas. Scots Peerage, I, p. 175-176; VI, pp. 351, 353-4, 356.

extensive unentailed estates which had been possessed by the sixth earl and was unopposed by other members of the Douglas kin group.

The continued expansion of his paternal inheritance by William, Earl of Douglas was made possible by the unsettled state of political affairs in Scotland during the minority of James the second. The king was under the tutelage of the Livingston family until 1449 and the influence of Douglas at the royal court appears to have suffered an eclipse. With the arrival of the new Queen, Mary of Guelders, in the summer of 1449, the position of the Livingstons deteriorated almost overnight.¹⁴⁵ The Earl of Douglas has been depicted as one of the primary agents of this coup d'état,¹⁴⁶ but the evidence is inconclusive. However, he was certainly one of the chief beneficiaries of the disgrace of the Livingstons and their confederate, James Dundas of that ilk. From December 1449 until May 1450, James the second conferred on William, Earl of Douglas one half of the barony of Culter and the lands of Ogleface in Lanarkshire which had belonged to the former Comptroller, Robert Livingston, and one half of the lands of Echlinge, the lands of Blaremukkis, one half of the lands of Dundas, one half husbandland of Dalmeny and one toft and croft in Queensferry which had been held by James Dundas.¹⁴⁷ Whether the Earl of Douglas

145. The arrest of Sir James Livingston of Callendar, Robert and John Livingston, who were the captains of Dumbarton and Doune Castles, and David Livingston of the Greenyards on 23 September 1449 effectively terminated the Livingstons' control of the king. The Auchinleck Chronicle, and Schort Memoriale of the Scottis Corniklis for Addicioun, ed. Thomas Thomson (Edinburgh, 1819), pp. 25, 42. Cited hereafter as Chron. Auchinleck.
146. Ibid., p. 26; Exch. Rolls, V, Preface, pp. LXXI-LXXXII. Dunlop, Bishop James Kennedy, pp. 107-108.
147. RMS, II, nos. 292, 313, 316, 317, 357. James Dundas had possessed the lands of Blaremukkis in the barony of Bothwell from the earls of Douglas, the superior, since 1416. Ibid., no. 119.

actively encouraged James to subdue the Livingstons or merely gave tacit approval to their forfeiture is impossible to determine but as he was well-rewarded at their expense the implication is that he was not unopposed to their deprivation. The lands which were acquired as a result of the downfall of the Livingstons were the last estates which were added to the earldom of Douglas.

The relationship between James the second and the Earl of Douglas remained amicable until after Douglas's return from his pilgrimage to Rome. In the opening months of 1450, the king confirmed the Douglas succession settlement which had been arranged in 1447; granted to the earl the marriage and wardship of his wife; and regranted to them the Forests of Ettrick and Selkirk and the lordship of Galloway above the Water of Cree.¹⁴⁸ Later in the same year, James also ratified the transference of the barony of Aberdour and the castle of Dundarg in Aberdeenshire from the possession of Hugh Douglas, Earl of Ormond to William, Earl of Douglas.¹⁴⁹ The succession to the earldom of Douglas was a matter of concern to the family as the Earl and Countess of Douglas were childless. In August, 1447, Archibald Douglas, Earl of Moray, and James Douglas of Heriotmure, the twin brothers of the earl, agreed to submit to the decision of their mother and brother in the determination of their seniority. Beatrice Sinclair, dowager Countess of Douglas declared that James Douglas was the elder of her

148. Ibid., nos. 308, 309, 315. APS, II, pp. 63-65. Fraser, Douglas Book, III, p. 430.

149. RMS, op. cit., no. 390.

twin sons.¹⁵⁰ This judicial decision changed the position of James Douglas within the family from the comparatively unimportant one of a younger son to that of the heir presumptive to the earldom. Archibald Douglas had previously been regarded as the second born son of the seventh Earl of Douglas¹⁵¹ but his advantageous marriage and control of the earldom of Moray probably made him amenable to the advancement of his brother. The royal confirmation of the Douglas family compact and the settlement of the claim which Jean Lindsay, the widow of the sixth Earl of Douglas, had over the estates of the earldom removed the spectre of serious disputes within the family.¹⁵² The position of the Earl of Douglas in 1450 seemed secure.

In the autumn of 1450, the Earl of Douglas, "with the sanction and goodwill of the King," went on a pilgrimage to Rome.¹⁵³ There

150. Richard Hay of Drumboote, A Vindication of Elizabeth More, from the Imputation of Being a Concubine and her Children from the Touche of Bastardy (Edinburgh, 1836), pp. 75-83. RMS, op. cit. no. 301. The indenture and settlement was not only witnessed by the Earl of Douglas, but also by Alexander, Earl of Crawford, Alexander, Lord Montgomery, Laurence, Lord Abernethy, John, Lord Lindsay of the Byres, Mr James Lindsay of Covington, rector of Douglas, Robert Fleming of Cumbernauld, Thomas Cranston of that Ilk, Sir John Wallace of Craigie, Sir James Auchinleck of that Ilk, John St. Michael of Quhicester, and James Parkle. The lairds of Cumbernauld and Craigie were the future brothers-in-law of the Earl of Douglas while the lairds of Covington, Cranston and Auchinleck were his vassals. Cf. Scots Peerage, III, pp. 175-176; Register House, Calendar of Charters, II, nos. 310, 320. HMC 14th Report. Appendix: Part III, MSS. the Duke of Roxburghe, nos. 43, 46, 51; Fraser, Douglas Book, III, pp. 426-428.
151. On 26 April 1442 James the second directed the bailies of the sheriffdom of Aberdeen in that part to infeft Archibald Douglas, the second son of James, Earl of Douglas in the lands of Kintore. Register House, Lord Forbes Collection, GD/52/1/404. This precept is printed in Aberdeen-Banff Illustrations, III, pp. 231-232 but is misdated as 1466.
152. Register House, Calendar of Charters, III, no. 321.
153. John Law, De Cronicis Scotorum brevia et continuatio, Edinburgh University Library (DC 7.63), fol. 128. Cited hereafter as Law's MS.

was no outstanding reason for the earl's journey but as it was a jubilee Year, a visit to the Holy City perhaps had aroused his imagination.¹⁵⁴

The traditional account of the Douglasses being accompanied by a host of Scottish peers such as the Lords Hamilton, Gray, Saltoun, Oliphant, Forbes, Calder, Urquhart, Campbell, Fraser and Philorth is erroneous.¹⁵⁵

In fact, the earl was joined in his pilgrimage by his brother James Douglas, Sir James Hamilton, Sir John Ogilvy, Sir Alexander Home, Sir William Cranston, Sir Nicholas Campbell, knights, several clerics and laymen who were probably members of the Douglas entourage.¹⁵⁶

Sir James Hamilton had married the widow of the fifth Earl of Douglas. Sir Alexander Home and Sir William Cranston were tenants of the Douglasses.¹⁵⁷

A mass exodus of the Earl of Douglas and his kinsmen from Scotland is not indicated by the safeconducts which were granted to him in October and November 1450 by the English government.¹⁵⁸

Indeed, it appears that three of his brothers, the Earls of Moray and Ormond and John Douglas of Balvany, remained at home.

From the departure of the Earl of Douglas from Scotland in the closing months of 1450 until his death in February 1451/2 there is marked confusion among the available sources in the description of the events which precipitated a struggle which ended in the forfeiture and

154. Cf. Ext. Var. Cron., p. 242.

155. Godscroft, House of Douglas, I, p. 181.

156. Rot. Scot., II, p. 243. Calendar of Documents relating to Scotland, ed. Joseph Bain (Edinburgh, 1881-1888), IV, no. 1229, p. 249. Cited hereafter as Cal. Docs. Scot.

157. Cf. Scots Peerage, III, p. 170. Register House, Ailsa Muniments, GD 25/1/33. HMC 12th Report: Appendix: Part VIII: MSS. the Earl of Home passim.

158. Rot. Scot., *ibid.*

disgrace of the last earl of Douglas. We are further hampered in our attempt to elucidate the alternative periods of favour and disfavour shown by James the second towards his kinsmen as the only two contemporary Scottish sources are defective. Later historians, who wrote their interpretation of the Scottish national experience on the assumption that the Crown had given unity and stability to the Scottish State, asserted that the Douglasses' intent was to subvert the monarchy. But the allegations of tyrannous misrule and plots against James the second were ascribed to the last earls of Douglas by individuals who were not contemporaries.¹⁵⁹ The loyalty of the Douglas family to the king appears not to have been questioned until 1451 and it has even been suggested that suspicion against the Earl of Douglas was planted in James's mind by Bishop William Turnbull of Glasgow and Sir William and Sir George Crichton,¹⁶⁰ who were political opponents of Douglas.

According to an early sixteenth century account, King James undertook a campaign against the castles which pertained to the Earl Douglas while the latter was in Rome,¹⁶¹ but there is no other evidence for this military intervention.¹⁶² William, Earl of Douglas had returned to Scotland by 7 April 1451¹⁶³ and within a fortnight was commissioned by his sovereign to meet, along with other Scottish nobles, with their English counterparts to discuss infringements of the Anglo-

159. Lesley, History, p. 22. Buchanan, History, II, pp. 148-149. Robert Lindesay of Pitscottie, The Historie and Cronicles of Scotland from the Slaughtir of King James the First to the Ane Thousand fyve hundreith thrie scoir fyftein zeir, ed. A.J.G. Mackay, Scottish Text Society, 1st Series, 42 (Edinburgh, 1899), I, pp. 95, 115-121. Cited hereafter as Pitscottie.

160. Law's MS, fol. 129.

161. Ibid.

162. James the second was at Lochmaben in January 1450/51 in Annandale and at Ayr and Lanark on 13 and 16 February 1450/51. Exch. Rolls, V, p. 521; RMS, II, nos. 404, 412-6.

163. Law's MS, op. cit.

Scottish détente.¹⁶⁴ Although permission was granted to the Earl of Douglas, his brothers the Master of Douglas, the Earls of Moray and Ormond, his kinsman Sir James Douglas of Ralston, and his vassals James, Lord Hamilton, Sir Alexander Home of that Ilk, Sir David Home of Wedderburn, William Lauder of Halton, Thomas Cranston of that Ilk, and Andrew Ker of Altonburn to enter England,¹⁶⁵ it seems that Douglas did not leave Scotland.¹⁶⁶ The selection of the Earl of Douglas as one of the Scottish negotiators by James the second indicates that the king did not distrust or fear his powerful subject after his return from Rome.

However, affairs between the King of Scots and the Earl of Douglas entered into a phase which was marked by hostility before the Spring of 1451. The cause for this loss of royal favour is not indicated by contemporary chronicles but may have been connected with the inheritance of the Earldom of Wigton. Margaret, Countess of Douglas, was de jure Countess of Wigton as that earldom was open to the succession of heirs general. James the second, perhaps using the resignation of the lordship of Galloway by Margaret Stewart, dowager Countess of Douglas as a pretext for asserting the claim that Galloway and Wigton were Crown demesnes, granted the earldom of Wigton to his wife.¹⁶⁷ The Earl of Douglas would naturally be interested in recovering

164. Foedera (O), XI, p. 283. Rot. Scot., II, p. 345.

165. Cal. Docs. Scot., IV, no. 1232, p. 250.

166. On 26 April 1451, the Earl of Douglas and his brother James, Master of Douglas were at Jedburgh where they granted two charters in favour of the collegiate church of Dunglass which had been founded by their vassal and associate, Sir Alexander Home of that Ilk. HMC 12th Report, Appendix: Part VIII: MSS. the Earl of Home, nos. 126, 201, pp. 127, 146.

167. Cf. Patrick F. Tytler, History of Scotland from the Accession of Alexander III to 1603, 3rd Ed. (Edinburgh, 1845), III, pp. 505-507.

his wife's earldom, although in his initial restoration to favour in June 1451 the earldom of Wigtown and the lordship of Stewarton in Ayrshire were excluded from the royal magnanimity.¹⁶⁸

In the following July, the Earl of Douglas was regranted the comitatus of Douglas; the Forests of Ettrick and Selkirk in free regality; the lordship and regality of Galloway east of the river Cree; the baronies of Bothwell, Carmunnock, Culter, Crawfordjohn, the Ferm of Rutherglen and the office of Sheriff of Lanarkshire; the regalities of Stablegorton and Eskdale, the baronies of Buittle, Preston and Threave Castle, in Dumfriesshire; the barony of Abercorn in the constabulary of Linlithgow; the lands of Trabeath in Ayrshire; the lordship of Lauderdale in Berwickshire; the barony of Aberdour and Dundarg Castle in Aberdeenshire; the baronies of Bedrule, Hawick, Sprouston and Smailhame, and the lands of Brondoun in Roxburghshire; the baronies of Glenholm and Romanno and the lands of Kingismedy in Peebleshire; the barony of Bolton in Edinburghshire, and the office of Warden of the West and Middle Marches.¹⁶⁹ The rehabilitation of the Earl of Douglas was completed in October 1451 at another convocation of Parliament when the earldom of Wigtown and the lordships of Stewarton and Dunlop in Ayr were regranted to him.¹⁷⁰

168. Asloan Manuscript, I, p. 239.

169. APS, II, pp. 67-71. RMS, II, nos. 463-464, 466-472, 474-482. The lands of Kingismedy in Peebleshire, Brondoun in Berwickshire, Trabeath in Ayrshire and the barony of Crawfordjohn in Lanarkshire appear in the possession of the earls of Douglas for the first time in 1451. Unfortunately, there is no evidence to suggest how or when these lands were acquired. Cf. RMS, I, II; Fraser, Douglas Book, III; OPS, I, II.

170. APS, II, pp. 71-73; RMS, II, nos. 503-504.

The destination of the comitatus of Douglas and its appendages was also altered in the summer of 1451. A new entail was enacted which superseded the old one which had been formulated in 1342. As it was apparent that the Earl and Countess of Douglas had no children, it was imperative that the inheritance of their estates be established in as concise a manner as possible. The comitatus of Douglas and all of the unentailed estates were given to the Earl of Douglas and his legitimate heirs male whom failing to each of his brothers and their legitimate heirs male. The succession to the earldom was governed by an heirs male tailzie even beyond the immediate family of the eighth earl as the earldom could only be inherited by the legitimate heirs male whomsoever of William, Earl of Douglas if he and his brothers left no legitimate sons.¹⁷¹ However, only two brothers, the Earls of Moray and Ormond had sons, one each, both of whom died without issue;¹⁷² therefore the nearest legitimate heirs male to the earls of Douglas were the Douglasses of Dalkeith. If the forfeiture of the earldom had not occurred, the earldom would have descended to the representatives of the family which had been specifically omitted in the entail of 1342.

The settlement of the succession to the earldom coupled with royal confirmation of his estates mollified the Earl of Douglas. There are comparatively few notices of the eighth Earl of Douglas from the summer of 1451 until his death in the following February but they indicate that he enjoyed royal favour. In August 1451 he, his brother the Earl of Moray, and his vassals Patrick Hepburn of Hailes, Sir

171. Ibid., nos. 463-464, 466-472, 474-482, 503-504. APS, ibid., pp. 67-73.

172. Scots Peerage, VI, pp. 308-310, 585-586.

Simon Glendonwyn of that Ilk, Sir Alexander Home of that Ilk, Sir David Home of Wedderburn, Thomas Cranston of that Ilk and William Lauder of Halton were among the Scottish conservators of a truce negotiated with England.¹⁷³ Douglas witnessed grants made by the king to the Bishop of Moray and the Abbey of Paisley in the autumn of 1451¹⁷⁴ and, although he received a safe conduct in January 1451/2 to enter England, his personal enemies Lord Crichton and the Bishop of Glasgow were also included in this licence.¹⁷⁵ The Earl of Douglas was resident in Edinburgh on 26 January 1451/2 when he sold to Robert Vaus the lands of Barglass and Barnbarroch in the barony of Carnismule and sheriffdom of Wigtown.¹⁷⁶ The presence of Douglas in Edinburgh at the very time when he had been granted permission to enter England suggests that he was not actively engaged in a conspiracy with Henry VI against his own sovereign. His brother, Sir James Douglas, Master of Douglas, had been sent to the English Court in the preceding December,¹⁷⁷ but he could have been sent on a semi-official capacity as the representative of the Earl of Douglas who was the Scottish warden of the West and Middle Marches. The evidence of the earl's machinations against James the second is inconclusive, but the king's apprehensions

173. Foedera (0), XI, pp. 293-301; Rot. Scot., II, pp. 349-354. The sincerity of the Scottish and English governments has been doubted by a modern scholar. Cf. Dunlop, Bishop James Kennedy, p. 129.
174. Register House, Calendar of Charters, II, no.327A. Registrum Monasterii de Passelet, Maitland Club (Edinburgh, 1832), pp. 255-258. Cited hereafter as Paisley Registrum.
175. Rot. Scot., II, pp. 354-355.
176. Wigtownshire Chrs., nos. 136, 137, p. 163.
177. Exch. Rolls, V, Preface, p.LXXXVII. The author of the Auchinleck Chronicle insinuated that the purpose of Sir James Douglas's visit to England was treasonable as "men wist nocht redelye." Chron. Auchinleck, pp., 8, 44.

led to the murder of Douglas in February 1451/2 and terminated all ties of affection and loyalty which the senior Douglas family had towards their monarch.

Trouble between sovereign and subject had reoccurred as James felt it necessary to send William Lauder of Halton, a vassal and associate of Douglas's, to the earl with a special assurance under the privy seal which guaranteed the latter's personal safety.¹⁷⁸ The Earl of Douglas arrived at Stirling Castle on 21 February 1451/2 for discussions with James. The king demanded that Douglas retract his bond of alliance which he had made with the Earls of Crawford and Ross but upon the latter's refusal to do so, James exclaimed "False tratour sen you will nocht I sall and stert sodanly till him with ane knyf and straik him in at the colere and down in the body." The courtiers who were with the king, Sir Alexander Boyd, Sir John Stewart (Lord Dornlie), Lord Gray, Sir Andrew Stewart, Sir William Grenston^(?Cranston), and Sir Simon Glendonwyn rushed into the room where the two combatants were and finished the deed. The Earl of Douglas died with twenty-six wounds in his body.¹⁷⁹ This account of the affair was incorporated into practically

178. William Lauder had been a member of Douglas's entourage when the earl visited Rome. Rot. Scot., II, p. 343. Although the laird of Halton was said to have been forfeited in October 1451, this seems unlikely in view of the fact that he was entrusted as a messenger with an official safe conduct from the King to the Earl of Douglas. William Lauder was forfeited by the end of April 1452 but this probably due to his support for the brother of his murdered feudal superior. Cf. Exch. Rolls, V, Preface, p. XCVIII. RMS, II, no. 544.

179. Asloan Manuscript, I, p. 240; Ext. Var. Cron., p. 242; Pitcottie, I, p. 94; Lesley, History, p. 22; Law's MS., fol. 129. Sir George Crichton, the personal enemy of Douglas, was the captain of Stirling Castle in 1452. Exch. Rolls, V, pp. 458, 478, 596. Of the assassins of the earl, only Sir Simon Glendonwyn had close ties with Douglas. The Glendonwyns had been important vassals and bailies of the lordship of Eskdale for the earls of Douglas for several generations. Cf. G.T. Glendining, The House of Glendonwyn (Adelaide, Australia, 1933-42), Parts I and II, Dumfries Public Library.

all of the histories of Scotland which were compiled in the following century. The crucial issue was Douglas's bond with the Earls of Crawford and Ross. "In his tyme the erll of Douglass brint Striveling and maid one lig with the Herll of Crawford. Qhwarefore efterwart he was slane"¹⁸⁰

George Buchanan and Bishop John Lesley specifically mentioned that this alliance aroused grave apprehensions in James¹⁸¹ while a later translator of Lesley's works embellished Douglas's designs: "Heir the Erle is accusit that he intendes to put the king frome his conyn, to occupie the kingdomes through force, to have for that cause, maid sik a band with the Erle Craufurde, and Donald of the Isles..."¹⁸²

A few months after the Earl of Douglas's death, James the second despatched an envoy who was entrusted with the mission of explaining to his ally, Charles the seventh of France, the circumstances of Douglas's death.

"Praeterea de occurrentibus novis in regno nostro et signanter de morte quondam Willielmi comitis de Douglas nuper defuncti, et aliis materiis armorum munitiones concernentibus, ed praemissorum lucidam declarationem vestrae Christianissime majestati faciendam, spectabilem scutiferum nostrum familiarem Johan Addale mittimus oneratum..."¹⁸³

The king of Scots summoned a parliament to convene in June 1452 in order to strengthen his hand against the Douglasses, who were now in revolt, and to be exculpated for his participation in the death of the Earl of Douglas. He was exonerated by the Three Estates on the following

180. Adam Abell, *Rota Temporum*, MS. 1746, National Library of Scotland, fol. 110. Cited hereafter as Abell MS.
181. Buchanan, *History*, II, pp. 153-54; Lesley, *op. cit.*
182. The Historie of Scotland wrytten first in Latin by the most Reverend and worthy Jhone Leslie, Bishop of Rosse and translated in Scottish by father James Dalrymple... eds. E. Cody and W. Murison, *Scottish Text Society* (Edinburgh, 1888-95), II, p. 72. Cited hereafter as Dalrymple, *Lesley's History*.
183. Letters and Papers Illustrative of the Wars of the English in France during the reign of Henry the Sixth, King of England, ed. Joseph Stevenson (London, 1861-64), I, pp. 315-6.



grounds: (1) the day preceding his death, the Earl of Douglas had renounced the safe conduct and protection of the King; (2) Douglas had entered into private bonds and leagues and had committed great oppressions; (3) he had, despite the King's persuasions, refused to assist his sovereign in resisting the rebels of the kingdom.¹⁸⁴ The most interesting aspect of this extraordinary decree by Parliament is that the Earl of Douglas was not accused of being either formulator or participant of any particular conspiracy or private league. His alliance with Crawford and Ross is not mentioned nor has this important bond been discovered in the charter chests of the families concerned. In short, the allegations which were advanced by Parliament to exonerate the king were merely done for his self-justification.

The immediate consequences of James's elimination of his intractable kinsman was to drive the latter's brothers into open rebellion. Later accounts stressed the enormous crisis which confronted the entire kingdom as a result of the feud of the Douglasses with their prince. "Subjectes at this tyme war sa opprest with the weiris, that quhen a man war asket be the way, quhais man he war, he wist nocht quhat to say, quhither he pertinet to the King or to the Erle Douglas."¹⁸⁵ An uprising led by Alexander, Earl of Crawford caused disturbances in Angus but Crawford was defeated by the Earl of Huntly at Brechin on 18 May 1452,¹⁸⁶ which effectively ended Crawford's assistance to the Douglasses. The power and influence of the new Earl of Douglas and his adherents had received a decisive blow. With the removal of the leaders of dissension in the north, James the second was enabled to concentrate

184. APS, II, p. 73.

185. Dalrymple, Lesley's History, op. cit., p. 73; Major, History, p. 383.

186. Chron. Auchinleck, pp. 27-8, 47-8; Pitcottie, I, pp. 97-9. Buchanan, History, II, p. 155; Lesley, History, p. 23.



all his efforts upon subduing his rebellious subjects in the south.

James, the ninth and last Earl of Douglas, maintained close contact with the English government in the hope that he would be able to obtain massive military support. Throughout the summer of 1452 members of his immediate family were allowed uninhibited entry into the southern kingdom.¹⁸⁷ Henry the sixth appointed the Bishop of Carlisle and the earls of Salisbury and Northumberland to continue the negotiations begun by Edmund Blake, Garter King of Arms, for the renunciation by the Earl of Douglas of his allegiance to James the second.¹⁸⁸ But Douglas was apparently unwilling to estrange himself completely from his native king. By the end of August 1452 he had reached an understanding with James the second.¹⁸⁹

On 27 August 1452 James the second confirmed a charter which James, Earl of Douglas had granted to Mark Haliburton of the lands of Bothschele in Berwickshire,¹⁹⁰ and on the following day an "appoyntement" was drawn up and sealed by the two antagonists. The Earl of Douglas promised (1) never to pursue any judicial process for the return of the earldom of Wig^{town} until he had obtained the favour of the Queen; (2) never to trouble the Queen in her possession of the lordship of Stewarton which had belonged to the late Duchess of Touraine; (3) he for himself, his brothers, James Lord Hamilton and their supporters

187. Rot. Scot., II, p. 357.

188. Rot. Scot. II, p. 358.

189. The incompleteness of parliamentary records and the Great Seal Registers is a serious impediment to an analysis of the struggle between James the second and the Douglasses. Indeed, the historians of the sixteenth century were perplexed by the contest and gave an over simplified interpretation. Only John Major hinted at the reconciliation between the rebels and James when he wrote that "by the will of God" the Douglasses made peace with their King. Major, History, p. 385. Cf. Lesley, History, p. 25. Buchanan, History, II, pp. 157-160.

190. RMS, II, no. 593.

forgave the King for the death of the late Earl of Douglas; (4) promised security of tenure for all the tenants of the various lands and lordships which had been in his late brother's possession; (5) remitted to the King all of the goods and spoilation which had been taken from and committed to the Douglas estates before 22 July last; (6) for the goods which he had taken from Galloway, Douglas put himself in the Queen's mercy and promised to restore all other goods and property he despoiled; (7) the Earl of Douglas renounced all bands which he had made and undertook to maintain order along the Borders.¹⁹¹ The reconciliation between the King and Douglas was complete. After the conclusion of his agreement with James, Earl of Douglas, the King issued precepts of sasine in favour of the newly restored nobleman. The Earl of Douglas received sasine of the baronies of Sprouston, Smailhame, Hawick, Bedrule and Brondoun in Roxburghshire; Lauderdale in Berwickshire; Romanno and Kingismedy in Peebleshire; Eskdale, Stablegorton and Buittle in Dumfriesshire; Trabeath, Dunlop and Kilbirnie in Ayrshire.¹⁹²

A comparison of the estates which were given to the Earl of Douglas after his restoration in August 1452 with those estates which had been regranted to his brother only one year previously demonstrates that he received barely one-fourth of the original Douglas patrimony. James the second was probably wary of the earl receiving possession of all of his ancestral estates immediately after the latter's rebellion. However, the Earl of Douglas was in control of the barony of Drumsargard

191. Sir Lewis Stewart's Collections, MS. Adv. 34.3.11, fols. 19-20, National Library of Scotland. This is a copy of an original document which is no longer extant. It is printed in P.F. Tytler, History of Scotland from the Accession of Alexander III to 1603, 3rd ed. (Edinburgh, 1845), pp. 505-507.

192. Exch. Rolls, IX, Appendix: Index to the Libros Responsionum, p. 661.

before the end of 1452¹⁹³ and obtained ussine of the baronies and lands of Carmunnock, Culter, Crawfordjohn, Elliston and Caldcottis in Lanarkshire, and the barony of Aberdour and Dundarg Castle in Aberdeenshire before the end of 1453.¹⁹⁴ He never obtained formal possession of the earldom of Wigtown, the lordship of Stewarton in Ayrshire, Ettrick and Selkirk Forests, the baronies of Glenholm in Peebleshire, Bolton in Edinburghshire, Strathavon in Lanarkshire, and the office of Warden of the West and Middle Marches, all of which had belonged to his predecessor.¹⁹⁵ Thus the restoration of the ninth Earl of Douglas in 1452 was only a partial one. Even his marriage to his brother's widow did not restore the Douglas patrimony to the extent which it had been in 1451. The Douglas comitatus was stripped of several important lordships and estates before its abolition in 1455.

The peace between the Douglasses and James the second was an uneasy one. Although the King of Scots assisted the new Earl of Douglas to contract matrimony with Margaret Douglas, the heiress of Galloway,¹⁹⁶ negotiations between the earl and England were maintained. Safe conducts were issued in September 1452 and January 1452/3 which allowed Douglas, Lord Hamilton and several of Hamilton's kirmen to

193. HMC 11th Report, Appendix: Part VI; MSS. the Duke of Hamilton, no. 14, p. 16. Register House, Miscellaneous Accessions, GD 1/35/4.
194. Exch. Rolls, IX, Appendix: Index to the Libros Responsionum, pp. 661-662.
195. However, the castles of Abercorn, Strathavon and Threave were held by the partisans of the Earl of Douglas and resisted the royal army led by the King in 1455. APS, II, pp. 41-43. Exch. Rolls, VI, Preface, pp. XXXII-XXXV.
196. Pope Nicholas V granted a dispensation on 27 February 1452/3 which permitted the Earl of Douglas to marry his brother's widow. The Pontiff gave his approval at the specific request of the King of Scots. Cal. Papal Letters, X, pp. 130-131. Andrew Stuart, A Genealogical History of the Stewarts from the Earliest period of Their authentic History to the Present Times (London, 1798), pp. 144-145. However, it seems that the Earl and Dowager Countess of Douglas did not wait for the papal dispensation as by the end of March 1453 they were married. SRO, Ailsa Muniments GD 25/1/55 and 57.

enter England at will.¹⁹⁷ In January 1453/3, Garter King of Arms was instructed to meet with the Earl of Douglas on the Borders and to conduct Lord Hamilton to the English king.¹⁹⁸ Another safe conduct was given in May 1453 to the Earl of Douglas, his brothers the Earls of Ormond and Moray and John Douglas of Balvany, James Lord Hamilton, James, Lord Livingston (Hamilton's Uncle) and several other supporters and vassals of the Douglas and Hamilton families to enter England.¹⁹⁹ The ostensible reason for these safe conducts being issued was that their recipients intended to go to Rome but in all probability they remained in England. Indeed, before the end of the summer of 1453, the Earls of Ormond and Moray and Lord Hamilton had returned to Scotland.²⁰⁰ The Earl of Douglas also returned to Scotland prior to February 1453/4 when he granted the barony of Drumsargard to James, Lord Hamilton.²⁰¹ The Dowager Countess of Douglas, her daughter-in-law, and her son, John Douglas of Balvany were given a safe conduct to enter England in June 1454.²⁰² However, by the following spring James the second was embarked upon a campaign to subdue the Douglasses permanently. On 24

197. Rot. Scot., II, p. 359.

198. Great Britain, Public Record Office, Lists and Indexes: Supplementary Series: Warrants for Issues: 1399-1485, IX, 2 (New York, 1964), p. 257. In January 1452/3, James Earl of Douglas was at Dumfries and Kirkcudbright. W. Moir Bryce, The Scottish Grey Friars (Edinburgh, 1909), II, no. 2, pp. 102-103. Wigtownshire Chrs., no. 141, p. 165, which is incorrectly dated 1451/2.

199. Rot. Scot., II, pp. 362, 363.

200. Register House, Broughton and Cally Writs CD 10/13; William Fraser, The Chiefs of Grant (Edinburgh, 1883) III, p. 22. Cited hereafter as Fraser, Grant.

201. This was the last charter granted by the Earl of Douglas. HMC 11th Report, Appendix: Part VI: MSS. the Duke of Hamilton, p. 17; Fraser, Douglas Book, III, p. 432.

202. Foedera (O), XI, pp. 349-353; Rot. Scot., II, p. 374 (misdated by one year).

April 1455, James, Earl of Douglas and his supporters were summoned to answer before Parliament certain crimes of treason which were imputed to them.²⁰³ The Three Estates convened on 9 June 1455 at which time the earls of Douglas, Ormond, and Moray, John Douglas of Balvany, Beatrice and Margaret Countesses of Douglas, John St. Michael of Qhicester, John Schaw of Henriston, and Walter Sinclair were judged to have committed treason as they had: (1) fortified Threave, Douglas, Strathavon and Abercorn Castles against the King; (2) entered into conspiracies with the English king; (3) raised a large number of men near Lanark in "warlike manner" against the king; (4) destroyed a grange of Henry Lord Abernethy, the justiciar of the King; (5) and had burned the grange of Callendar, the burgh of Dalkeith, and the villages of Kincavil, Bonyngton and Warnestoun. The Earl of Moray was charged with the additional offence of garrisoning the castles of Lochindorb and Darnaway against his prince. Final sentence of forfeiture was pronounced against the rebels on 17 June 1455 and was witnessed by all of the major magnates and bishops of the realm.²⁰⁴ Many of the nobles who ratified the forfeiture were kinsmen or had been close associates of the former earl. The Earl of Angus was a Douglas; the Earl of Erroll was the brother-in-law of the Earl of Douglas; Lord Hamilton had married the widow of the fifth Earl of Douglas and had been closely associated with the family until the spring of 1455.²⁰⁵ The ancestors of Lords Graham, Maxwell, Somerville and Borthwick had acted as witnesses to various charters which had been granted by the

203. APS., II, p. 76.

204. Ibid., pp. 41-3, 75-7.

205. Scots. Peerage, I, p. 175; III, pp. 170, 175. Chron. Auchinleck, pp. 12, 53. Godscroft, House of Douglas, I, p. 202. Major, History, p. 385. Pitcottie, I, pp. 120-121.

Earls of Douglas.²⁰⁶ Malise Earl of Menteith owed his freedom to the supplication in his favour made by James, Earl of Douglas to Henry the sixth.²⁰⁷ The comitatus of Douglas thus terminated with the disgrace of the family who had meticulously enlarged its possession from a few estates in Lanarkshire in a period of time just short of one hundred and sixty years.

The dispersal of the vast Douglas patrimony by the Crown to its faithful lieges demonstrates quite conclusively that no single magnate or noble family received the bulk of the forfeited estates. In August 1455 Parliament enacted that the lordship of Ettrick Forest, Galloway, Ballincrief, Gosford, Avach, Edderdaile alias Ardmanach, Petty, Brachly, Stratherne, and Threave Castle were annexed to the royal demesne.²⁰⁸ Several of the former Douglas estates were given to the vassals of the fallen house: Lord Hamilton received the baronies of Drumsargard, Carmunnock, Bothwell and one half of Crawfordjohn;²⁰⁹ the Hepburns of Hailes were given the barony of Dunsyre in Lanarkshire before 1475;²¹⁰ the Douglasses of Drumlanrig were given the superiority of the barony of Hawick in Roxburghshire;²¹¹ the Douglasses of Dalkeith retained their superiority of the baronies of Buittle, Preston and Borg in Dumfriesshire and Kirkcudbright;²¹² and the Turnbills retained

206. Fraser, Douglas Book, III, passim.

207. Rot. Scot., II, p. 368.

208. APS, II, p. 42.

209. RMS, II, no. 601, 819.

210. Ibid., no. 1207.

211. Ibid., no. 3576.

212. The Register of Acts and Decrees, I, Part II, fols. 304-307.
Cited hereafter as Acts and Decrees.

their control of the barony of Bedrule in Roxburghshire.²¹³ But the great majority of the components of the Douglas patrimony were granted to families who had had no previous connections with the newly acquired estates. In Angus, the barony of Cortachy, which had been held by the Earls of Douglas, was given to the Ogilvies of Clova in 1473.²¹⁴ In Aberdeenshire, the barony of Aberdour was in the possession of the Lords Borthwick by the end of the fifteenth century;²¹⁵ the baronies of Rattray, Rothraquhy, Carnglass, Mylhill and one half of Crimond were given to Sir William Monypenny of Ardweny and Conkersalte in 1458,²¹⁶ while the other half of Crimond was granted to John Dunbar in 1455,²¹⁷ and the baronies of Coule and Oneil were held by the Irvings of Drum by 1494.²¹⁸ In Moffatdale the lands of Polmoody were given to the Lindsays of Covington before 1467,²¹⁹ while the neighbouring lordship of Eskdale was granted to the Earls of Angus in 1464.²²⁰ In Banffshire the lands of Balvany, Boharm and Botriphnie were placed in the custody of Lord Glamis immediately after the forfeiture of John Douglas of Balvany, but were given to John Stewart, Earl of Atholl, before 1460.²²¹ In Edinburghshire the barony of

213. OPS, I, p. 348.

214. RMS, II, no. 1123.

215. Aberdeen-Banff Illustration, IV, pp. 120-121.

216. RMS, op. cit., no. 625. In November 1458, Sir William Monypenny resigned these lands to St. Salvator's collegiate church. Ibid., no. 639.

217. Aberdeen-Banff Illustrations, op. cit., p. 79.

218. Ibid., III, pp. 702-3; RMS, op. cit., no. 518.

219. RMS, ibid., no. 906.

220. Ibid., no. 774.

221. Exch. Rolls, VI, pp. 269, 436, 522, 647.

Bolton was in the possession of the Lords Dirleton by 1474.²²² In Lanarkshire the lordship of Douglas was given to the Earls of Angus in 1458,²²³ the lands of Pettinain were given to Sir John Carlyle of Torthorwald and Sir Adam Johnston of that Ilk in 1455,²²⁴ and the barony of Avondale was erected into a lordship for Andrew Stewart in 1472.²²⁵ In Invernesshire, the lordships of Ardmanach, Avach and Ormond, which formed the Douglas earldom of Ormond, was erected into a marquise of the same designation for the younger son of James the third in 1481.²²⁶ and the lands of Stratherne, Brachly and Petty were given to the Ogilvies of Geddes in feuferm in 1507.²²⁷ In Moray, the third part of the lands of Duffus were granted to James Douglas of Pittendreich in 1472.²²⁸ In Ayrshire the lordships of Stewarton, Dunlop and Trabeath remained royal demesne, although Stewarton and Dunlop were given as tocher to Mary Stewart, the sister of James the third, when she married Thomas Boyd in 1468,²²⁹ and the lordship of Trabeath was given in feuferm to Royal household officers during the sixteenth century.²³⁰ In Peebleshire the barony of Romanno was held by the King in 1456.²³¹ The traditional view that the Earls of Angus were given the majority of the forfeited Douglas estates by a

222. RMS, op. cit. no. 1189.

223. Ibid., no. 670.

224. OPS, I, pp. 139-140. George Irving and Alexander Murray, The Ward of Lanarkshire (Glasgow, 1864), I, p. 500.

225. RMS, op. cit., no. 1076.

226. RMS, II, no. 1470.

227. Ibid., no. 2930.

228. Ibid., no. 1074.

229. Ibid., no. 912.

230. Ibid., III, nos. 524, 1277, 1667, 1802.

231. Exch. Rolls, VI, p. 173.

grateful king is erroneous. Only the lordships of Douglas and Eskdale came into the possession of the Earls of Angus. Without question, the chief beneficiary of the Douglas forfeiture was the Crown.

In the autumn of 1458 the former Earl of Douglas and his adherents who had remained loyal and had gone with him into England were the subject of a special agreement negotiated by Henry the sixth and James the second. It was stipulated that the Scots would accept the fact that the rebels had become liegemen to Henry in return for the English assurance that they would not molest the Scottish borders. Only John Douglas, formerly of Balvany, Sir James Douglas, formerly of Ralson, William Douglas, Archibald Haliburton, James the Graham, William Atkinson, James Purdere, David Corbet, John Broun, and Robert Sauf were with the former earl in England.²³⁴ The bonds of kinship and tenure had not been strong enough to weld the vast numbers of Douglas kinsmen and vassals into a unified force against the persuasion of royal patronage and favour or fear of forfeiture.

In particular, the attitude of one significant kinsman, the earl of Angus, had been one of consistent loyalty to the crown. The failure of Angus to support his relative, therefore ignoring his ties of consanguinity, has seemed unusual to many historians. However, the estates and sphere of influence of the earls of Angus were in different areas from those possessed by the parent stock; the interests of the two Douglas families had diverged since the beginning of the fifteenth century. Only an identical cognomen was their common bond: the earls of Angus were neither the allies nor the heirs of the earls of Douglas.

234. Register House, State Papers: SP6/20.

Chapter II

The Origins of the Comitatus and the Douglas Earls of Angus

The history of the earls of Angus is virtually unknown until the middle of the twelfth century when one Gillebride, Earl of Angus, appeared as a witness of a charter granted by King David the first.¹ The province of Angus had once been ruled by independent kings but before the beginning of the tenth century it seems likely that it had been transformed into one of the seven primary earldoms of the Scottish kingdom.² Whether the comitatus of Angus encompassed the entire area of the older kingdom cannot be proven, although it had generally been assumed that the younger polity supplanted its predecessor without sustaining any loss of territory.³ However, the belief that the area of the kingdom and earldom of Angus were identical is open to question. Before the close of the twelfth century, extensive regions of Angus were in the possession of the Crown, monastic houses and tenants-in-chief of the king.⁴ As there appears to have been no official displeasure displayed towards the earls of Angus and as there is no

1. Facsimiles of the National Manuscripts of Scotland, eds. J. Robertson, C. Innes and Sir W. Gibson-Craig (Southampton, 1867-71), I, no. XVIII. Cited hereafter as Nat. MSS. Scot.
2. William Skene, Celtic Scotland (Edinburgh, 1880), III, p. 42.
3. Helena Carnegie, "Angus: Kingdom, Earldom and Shrievalty," Scottish Historical Review, XXV (April 1928), p. 149.
4. Cf. the map of Angus circa 1200 which is the frontispiece of this work.

record of any major revolts within the province which could have resulted in a massive upheaval of land ownership, the inference drawn from the documentary evidence clearly indicates that the comitatus did not include the entire region from which it took its designation. Even before the death of the first known earl of Angus, it is quite obvious that the earldom and the sheriffdom of Angus were separate enclaves of estates. Malcolm the fourth granted exemption to the possessions of the abbey of Scone which were situated in the province from the jurisdiction of both the earl and sheriff of Angus.⁵ It would be a gross oversimplification to assume, therefore, that all feudal proprietors who had possessions in Angus held their estates ipso facto as vassals of the earls.

During the reign of William the Lion, the feudalisation of Angus went on apace directed from the chancery of the king rather than by Earl Gillebride and his successors.⁶ To the lands of Invergowrie and the church of Liff which had been granted to the abbey of Scone by Malcolm the fourth⁷ and which marked the first appearance of a royal demesne within Angus, were added the enormous number of grants issued by William the Lion, Alexander the second and Alexander the third to other religious foundations and lay feudatories. The abbey of Arbroath enjoyed special favour from its royal founder, William the first, his successors, and other magnates of the realm. From its foundation in 1178 to the close of the thirteenth century, the lordships

5. Regesta Regum Scottorum I: The Acts of Malcolm IV, 1153-1165, ed. G. W. S. Barrow (Edinburgh, 1960), p. 252. Cited hereafter as RRS Malcolm IV.

6. G.W.S. Barrow, "The Beginnings of Feudalism in Scotland," Bulletin of the Institute of Historical Research, XXIX (1956), p. 11.

7. RRS Malcolm IV, pp. 263-265, 268-269. Liber Ecclesie de Scon, Bannatyne Club (Edinburgh, 1843), nos. 16, 32. Cited hereafter as Scone Liber.

of Arbroath, Dunnichen, Ethie and Kingoldrum; the lands of "Achinglas," "Aldenkrokro," "Aldandouen," Bolshan, Boysack, Conan, Dunbarrow, "Drumsled," Portincraig and Rossie; and the churches of Aberlemno, Arbirlot, Foethmuref (Barry), Glamis, Guthrie, Inverkeilor, Inverlunan, Kirriemuir, Monifieth, Monikie, Murroes, Newtyle, Old Montrose, Panbride, Ruthven and Strathdicty-comitis were given to Arbroath.⁸ The priory of Restenneth received the lands of Cossans within the thanage of Glamis from William the Lion;⁹ the churches of Tealing and Tannadice were granted to the priory of St. Andrews;¹⁰ the church of Barry was given to the abbey of Balmerino after the abbey of Arbroath had resigned it into the king's hands;¹¹ and the church of Airlie and the lands of Bellaty, Craignity, Frouchie, Drimie, Ericht and Auchinleish, all of which were in the lordship of Glenisla, were given to the abbey of Coupar-Angus.¹²

Ecclēsiastical foundations were not the sole recipients of royal munificence of lands and estates within the sheriffdom of Angus. The lay abbots of Abernethy acquired the lands and lordships of Dunlapple, Inverarity, Lour and Stracathro in the twelfth and thirteenth

8. Regesta Regum Scottorum II: The Acts of William I, 1165-1214, ed. G.W.S. Barrow (Edinburgh, 1971), pp. 250-53, 268, 272, 308, 334-5, 352, 392, 420-22, 455-6, 461-65. Cited hereafter as RRS William I. Liber S. Thome de Aberbrothoc, eds. P. Chalmers and C. Innes, Bannatyne Club (Edinburgh, 1848-56), I, nos. 14, 21-23, 39, 42, 45, 51, 54, 62-4, 74, 103, 113, 196, 312; II, Appendix, no. 1. Cited hereafter as Arbroath Liber.
9. RRS William I, pp. 345-6.
10. Ibid., p. 354. Liber Cartarum Prioratus Sancti Andree in Scotia, Bannatyne Club (Edinburgh, 1841), pp. 230-1. Cited hereafter as St. Andrews Liber.
11. The Chartularies of Balmerino and Lindores, ed. W.B.D.D. Turnbull, Abbotsford Club (Edinburgh, 1841), nos. 1, 8. Cited hereafter as Balmerino Liber.
12. The Rental Book of the Cistercian Abbey of Coupar Angus with the breviary of the Register, ed. Charles Rogers, Gramplan Club (Edinburgh, 1880), 1, p. 327. Cited hereafter as C.A. Rent. Charters of the Abbey of Coupar Angus: 1166-1608, ed. David Easson, Scottish History Society, 3rd series, Vol. XL (Edinburgh, 1947), I, pp. 93-6, 159-61, 171-5. Cited hereafter as Coupar Angus Chrs.

centuries¹³ while another family of lay abbots controlled the lordship of Edzell during the same period.¹⁴ The de Berkeley family was given the lands of Inverkellor and Redcastle;¹⁵ the de Valonias and Maule families held the lands of Fowlis Easter and the barony of Panmure;¹⁶ the de la Carnelle family possessed the lands of Guthrie,¹⁷ while the Giffard, Lamberton and Glenesk families controlled the lordships of Tealing, Linlathen, Glenesk and Lethnott respectively.¹⁸ Walkelin, the king's brewer, received the lands of Innerpeffer in Panbride,¹⁹ Anselm de Camelon was granted the thanage of Inverlunan,²⁰ Gilbert Hay held the lands of Dronley²¹ while Gilbert, the ancestor of the Ogilvies, was given the lands of Pourie (in Murroes) and Ogilvie and Kilmundie (in Glamis).²² The lands of Newtyle and the thanage of Tannadice were Crown estates²³ and the lordship of Brechin was both royal demesne and the seat of a bishopric.²⁴

13. RRS William I, pp. 197-8, 478; Fraser, Douglas Book, III, p. 3; William Fraser, History of the Carnegies, Earls of Southesk and of their Kindred (Edinburgh, 1867), II, p. 479. Cited hereafter as Fraser, Carnegies. The Bishop of Brechin also had some claim to the lordship of Stracathro. Cf. Douglas Book, op. cit. pp. 350-1.
14. Arbroath Liber, I, nos. 72-3; RRS William I, op. cit., p. 445.
15. Ibid., p. 242.
16. RRS William I, p. 390. Registrum de Panmure, ed. John Stuart (Edinburgh, 1874), II, pp. 80-1, 84, 132-3. Cited hereafter as Panmure.
17. RRS William I, op. cit., p. 436.
18. Ibid., p. 398; National Library of Scotland, Adv. MS 34.6.24, p.271; Panmure Registrum, op. cit., I, p. CLV; APS, I, p. 85.
19. RRS William I, op. cit., p. 260.
20. Fraser, Carnegies, II, p. 479.
21. Aberdeen-Banff Illustrations, IV, p. 696.
22. RRS, ibid., pp. 212-3; Fraser, Douglas Book, III, p. 349.
23. RRS, op. cit., pp.257, 337-8; SRO, Crawford and Balcarres Muniments, I, 14.
24. The lordship of Brechin was probably identical in extent to the lands held by the lay abbots of Brechin, who preceded the bishops. Brechin Registrum, I, p.V; cf. Scots Peerage, II, p. 216; Chartulary of Lindores Abbey, ed. John Dowden, Scottish History Society, 1st series, Vol. XLII (Edinburgh, 1903), no. 93. Cited hereafter as Lindores Chartulary.

It is not beyond the realm of possibility that many of the estates which had been given to religious houses and feudal landowners in the sheriffdom of Angus had once been an integral part of the comital demesne although the exiguity of documentary evidence makes it impossible to corroborate a definitive description of the extent of the ancient earldom. What is evident, however, is that the Crown and the abbey of Arbroath before the end of the thirteenth century held estates which were comparable in extent to those possessed by the earls of Angus.²⁵ Within a short time after the first emergence of the comital family from historical obscurity, it seems apparent that it controlled only a part of the vast province from which it derived its title.

Gillsbride, Earl of Angus, set the pattern of co-operation and loyalty to his sovereign which was followed unflinchingly by his descendants until the Scottish War of Independence. From his appearance as a witness to a charter granted by David the first to the monks of Deer circa 1150 until his death over thirty years later, Gillebride was present frequently as a witness of charters granted by Kings Malcolm the fourth and William the Lion.²⁶ He was succeeded in his dignity

25. A prominent local historian of Angus in the nineteenth century asserted that the earls of Angus were the superiors of the lands of Kinalty, Bondington, Newton, Balmadies in the Parish of Rescobie, Inverpeffer in the parish of St. Vigean, and the baronies of Downie, Lintrathen and Reedie but cited no documentary evidence to support his assumption. Cf. Alexander Warden, Angus or Forfarshire: the Land and People (Dundee, 1880-85), I, p. 269, II, p. 357, III, p. 395, IV, pp. 161, 211-2, 419, V, pp. 85, 128.
26. RRS Malcolm IV, p. 252; APS, I, pp. 87, 364-5; Scone Liber, pp. 8, 13; Arbroath Liber, I, pp. 9, 134; St. Andrews Liber, pp. 129, 133, 144, 147, 203, 213, 216-7; Liber Insule Missarum Abbacie canonicorum regularum B. Virginis at S. Thomis de Inchaffray registrum vetus, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1847), p. 23. Cited hereafter as Inchaffray Liber. Registrum de Dunfermelyn, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1842), p. 22, 24. Cited hereafter as Dunfermline Registrum.

and estates by his sons, grandson and great-grandson, Earls Adam, Gilchrist, Duncan and Malcolm, who held the comitatus until 1242.²⁷ The last Celtic Earl of Angus was survived by an only daughter, Matilda, who married in rapid succession two members of the Anglo-Norman aristocracy, John Comyn and Gilbert de Unphraville.²⁸ Countess Matilda of Angus survived both her husbands but was dead prior to 1264 when the earldom was in the king's ward as her heir was a minor.²⁹ Within two years after her death, however, Matilda's son, Gilbert de Unphraville, who was as much an Anglo-Norman as he was a Celt,³⁰ entered into complete possession of his maternal inheritance.³¹ The new Earl of Angus, like so many of his peers, was a vassal of both the kings of England and of Scots. His dual ties of vassalage did not trouble him unduly until the disputed succession to the Scottish throne following the death of Alexander the third in 1286, although his personal inclinations appear to have been more concerned with his paternal heritage

27. Scots Peerage, I, pp. 162-166; RRS William I, pp. 308, 420-22, 461-65; APS, I, p. 91; Dunfermline Registrum, op. cit., p. 45; Registrum Episcopatus Moraviensis, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1837), p. 464. Cited hereafter as Moray Registrum. Fraser, Douglas Book, III, p. 351; Register House Calendar of Charters, I, nos. 29, 31, 38.
28. John Comyn was the son of the earl of Buchan while Gilbert de Umphraville was the possessor of the lordships of Prudhoe and Redesdale in Northumberland. After the death of her second husband, Countess Matilda of Angus married Richard of Chilham or of Dover, an illegitimate grandson of King John of England. The Complete Peerage by George Cockayne, eds. Vicary Gibbs and Geoffrey White (London, 1910), I, p. 146. Cited hereafter as Complete Peerage.
29. Exch. Rolls, I, p. 9.
30. Scots Peerage, I, p. 167; Complete Peerage, op. cit.
31. Exch. Rolls, op. cit., p. 28.

rather than the estates and earldom bequeathed to him by his Celtic forebears.³² Once affairs between the two kingdoms entered into a state of belligerence and civil war engulfed Scotland, the Earl of Angus remembered his ties with England and completely supported the claim of feudal superiority over the northern kingdom advanced by Edward the first.³³ De Umphraville's defiance towards Robert the Bruce and the Scottish nationalists³⁴ led to his eventual expulsion from Scotland and the forfeiture of his earldom. Gilbert de Umphraville and his descendants never recognized the legality of his forfeiture and continued to regard themselves ad de jure earls of Angus until the death of the fourth de Umphraville earl in 1381 without issue.³⁵

Because of the lack of evidence, it is impossible to determine the degree to which the actual comitatus of Angus was feudalised either by grants to monastic foundations or to secular vassals by the Celtic and de Umphraville earls of Angus. However, Earl Gillebride and his descendants granted the churches of Strathdichty-comitis, Kirriemuir, Monifieth, Murroes, and the lands of "Aldenkrokro," "Aldendouen," and

32. Only three charters have survived which were granted by Gilbert de Umphraville, Earl of Angus, to vassals of the earldom from 1264 until his death in 1307. Fraser, Douglas Book, III, pp. 4-6, 353-4.

33. Exch. Rolls, op. cit., p. LIX.

34. The earl of Angus's opposition to Robert the Bruce was, in part, based upon familial antipathy as his wife was Elizabeth Comyn, who was the daughter of Alexander Comyn, Earl of Buchan. The Comyns were consistent supporters of their kinsman, King John Balliol, in his struggle against the Bruces over the Scottish succession. Cf. Complete Peerage, op. cit., p. 147; Scots Peerage, I, p. 167.

35. Complete Peerage, ibid., pp. 149-51. After the death of Gilbert the fourth de Umphraville earl in 1381, the claims of the "English" Earls of Angus went into abeyance.

Portincraig to the abbey of Arbroath.³⁶ In addition, the lands of the Abthen of Monifieth were given to Nicholas, the son of Brice, by Earl Malcolm³⁷ while Duncan the king's justice in Angus received the lands of Petmulin, Adam Wishart received the lands of Ballindarg and Logyn, and Alexander Allardyce received the lands of Inverquharity from Gilbert de Umphraville, Earl of Angus.³⁸ The exiguous documentary record indicates that the two earliest comital families followed a policy of subinfeudation within the comital demesne and their grants were not nullified by the de Umphraville forfeiture.³⁹ However, for the majority of the estates and comitatus of Angus there is a total break in the writs and charters which denote possession from the beginning of the fourteenth century until the end of the reign of Robert the Bruce.

After an hiatus of almost a generation, King Robert the first reinstated the earldom of Angus and bestowed it upon his kinsman, Sir John Stewart of Bonkyll. The Stewarts of Bonkyll were a lowland family with estates in various regions of the kingdom and had no consanguineous connections with either the Celtic or de Umphraville earls of Angus. Sir Alexander Stewart, the father of the first Stewart earl of Angus, had acquired the barony of Bonkle in Berwickshire as a result of his marriage to its heiress⁴⁰ and had been given the lands

36. Arbroath Liber, I, nos. I, 39, 43-4, 51; 113; RRS William I, pp. 420-22.

37. Register House Calendar of Charters, I, no. 31; Fraser, Douglas Book, III, pp. 351-2.

38. Ibid., pp. 4-6, 353-4.

39. The Allardice family possessed the lands of Inverquharity until the beginning of the fifteenth century while the Wishart family still retained Ballindarg and Logy at least until the death of James the fifth. SRO, Inverquharity Writs GD 205/3/1; RMS, III, no. 2150.

40. Fraser, Douglas Book, op. cit., II, p. 10.

of Preston, Lintlaws and Kimmerghame in Berwickshire,⁴¹ Garmilton Dunning, Elvinston and Fischerflat in Edinburghshire,⁴² Adamtoun in Ayrshire,⁴³ and Ethiebetoun, "Ethilkilbychere" and "Scottisbiryn" in Angus⁴⁴ in reward for his loyal service to Robert the Bruce. Thus from the outset of their possession of the earldom of Angus, the Stewarts of Bonkyll and their descendants, the Douglas earls, had two completely separate blocs of estates: the comitatus and other estates in Angus and the Bonkyll inheritance situated south of the Forth.

The acquisition of extensive estates within the sheriffdom of Angus by the new family^{of} earls was begun auspiciously by the marriage of Sir John Stewart to Margaret Abernethy. She was the senior co-heiress of Sir Alexander Abernethy and appears to have brought the majority of her progenitors' estates, which were the barony of Inverarity and the lands of Stracathro, Balmady, Bondington, Dunlappie, Newton and Lour in Angus, and the lordship of Abernethy and Barony of Baltrody in Perthshire, into her husband's possession.⁴⁵ However, the continued

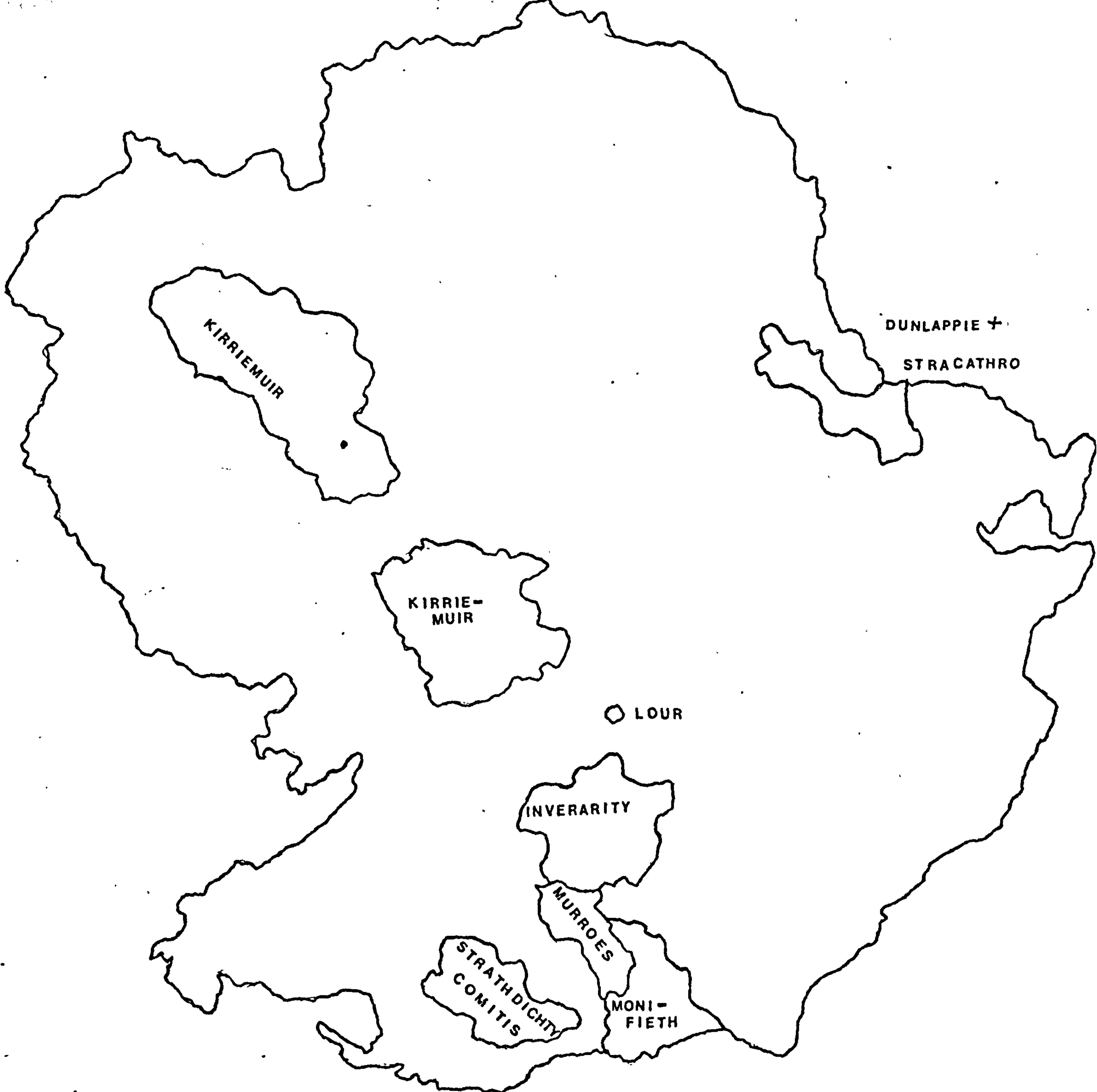
41. RMS, I, no. 5; App. II, no. 119.

42. Ibid., nos. 63-4, 66; App. II, nos. 177-8, 180.

43. HMC Supplementary Report on the MSS. of the Earl of Mar and Kellie, p. 5.

44. RMS, op. cit., App. II, nos. 13-4. Sir John Stewart of Bonkyll was given a reversionary claim to the lands of Longformacus in Berwickshire but this was never implemented and these estates were not possessed by any future earl of Angus. Fraser, Douglas Book, III, p. 14. The lands of Garmilton Dunning, Elvinstoun and Adamtoun were not possessed by the Douglas earls of Angus as they had been alienated before the middle of the fourteenth century. The ultimate destination of the lands of "Ethilkilbychere" and "Scottisbiryn" is unknown. Cf. RMS, ibid., App. II, no. 1286; HMC Supplementary Report on the MSS. of the Earl of Mar and Kellie, ibid; Morton Registrum, II, pp. 51, 141-2.

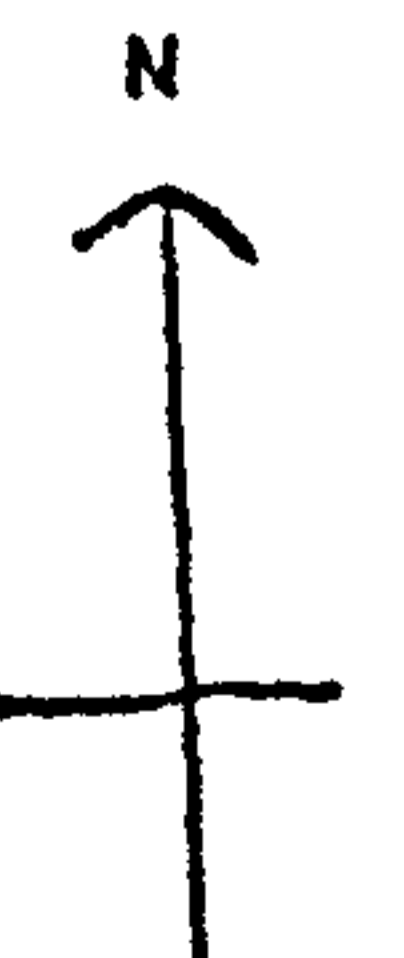
45. RRS Malcolm IV, p. 286; RRS William I, pp. 197-8, 478; Fraser, Douglas Book, III, pp. 350-1.



**THE COMITAL ESTATES IN
ANGUS
C A. 1350**



SCALE OF MILES



expansion of the possessions of the Stewart earls of Angus within that province ended abruptly upon the death of Sir John Stewart in December 1331.⁴⁶

The earldom devolved upon his son, Thomas, who married Margaret Sinclair, a daughter of the laird of Roslin, who appears to have been dowerless.⁴⁷

Thomas Stewart was survived by two legitimate daughters, Margaret and Elizabeth, who shared the comital estates in common until 1379, while the aged Dowager Countess of Angus, Margaret Abernethy, proceeded to follow a policy of disposing her inheritance which virtually stripped her granddaughters of the vast Abernethy estates in Angus. In January 1369/70 and in April 1374, Margaret Abernethy resigned the baronies of Inverarity and Baltrody in favour of her nephew, Sir Alexander Lindsay.⁴⁸

Sir Norman Leslie of that Ilk, another nephew of the dowager countess of Angus, obtained possession of the lands of Dunlappie and Lour which received royal confirmation prior to 1390.⁴⁹ Between February 1362/3 and May 1370 the lands of Balmady, Bondington and Newton were alienated by Margaret Abernethy to William Fassington and Patrick Inverpeffer.⁵⁰

Of the extensive

46. Scots Peerage, I, p. 169.

47. Andrew Stuart, A Genealogical History of the Stewarts, from the Earliest Period of their authentic History to the Present Time, (London, 1798), pp. 57, 435.

48. RMS, I, nos. 337, 489. Cf. also no. 612.

49. Ibid., no. 808. Scots Peerage, VII, p. 272.

50. RMS, op. cit., nos. 7, 141, 371; App. II, no. 1471; Robertson, Index, p. 73, no. 45.

Abernethy patrimony which had been inherited by the Stewart earls of Angus, only the lordship of Abernethy in Perthshire was retained by Margaret Stewart suo jure Countess of Angus and her son, George Douglas.⁵¹

Margaret Stewart, the senior co-heiress of the comitatus of Angus, became, with probable paternal approval, the wife of Thomas, Earl of Mar. The relations between the earls of Angus and Mar had been cordial since at least 1356 and both noblemen had shared the common experience of being sent simultaneously to England as hostages for the political good behaviour of their king, David the second.⁵² Angus was occasionally present as a witness to charters granted by Mar,⁵³ who was his successor in the office of Chamberlain of Scotland.⁵⁴ As both of these earls were among the major tenants-in-chief of the kingdom in the region between the Forth and the Moray Firth, it is not surprising that they became allied by marriage although the disparity in age between the Earl and Countess of Mar was immense.⁵⁵ Although it has been asserted that Mar married his child-bride in 1357/8,⁵⁶ this is extremely doubtful as he was free to marry whomever he chose two years later.⁵⁷ As the Earl of Mar was almost regularly in attendance at

51. The barony of Ethiebetoun in Angus which had been acquired by Sir Alexander Stewart of Bonkyll, was given by Thomas Stewart, Earl of Angus, to his cousin, Sir Alexander Lindsay. There were two important factors which differentiated Angus's grant from those which his mother made in favour of the same kinsman. Ethiebetoun had never been the property of the Abernethy family and the superiority of the barony remained vested in the hands of the earls of Angus whereas the baronies of Inverarity and Balthrody left their possession altogether. Cf. Robertson, Index, p. 62, no. 18; APS, II, p. 329.
52. Cal. Docs. Scot., III, no. 1629; Rot. Scot., I, pp. 807, 828, 833.
53. Register House, Calendar of Charters, I, no. 169; HMC Report on the MSS of the Earl of Mar and Kellie (1904), p. 2.
54. Exch. Rolls, I, p. 595; II, p. CXXIV.
55. The Earl of Mar was married to his first wife even before Thomas Stewart, Earl of Angus had been granted a dispensation to marry Margaret Sinclair in 1352. Cal. Papal Letters, III, p. 512.
56. Complete Peerage, VIII, p. 407. In another part of this work, it is stated that she married the Earl of Mar between 1361 and 1374. Ibid., I, p. 154.
57. Rot. Scot., p. 836.

at the English court during this period, the most probable date for his espousal of Margaret Stewart was circa 1362 or 1363.

As a result of the marriage of Margaret Stewart to Thomas, Earl of Mar, the absorption of half of the comital estates of Angus, the Bonkle lands in Berwickshire, and the lordship of Abernethy in Perthshire into the latter's earldom seemed inevitable. However, the tenure of Mar as superior of his wife's estates terminated with his death in 1374.⁵⁸ Indeed, he had followed such a peripatetic pattern of behaviour subsequent to his marriage that it suggests that his regard for his wife was marked more by formality rather than by affection.⁵⁹ The frequent absences of the Earl of Mar from Scotland probably provided both a motive and an opportunity for the young Countess of Mar to enter into an illicit relationship with her husband's brother-in-law, William, Earl of Douglas. As a result of this liaison, Margaret Stewart gave birth to her only child, George Douglas. The repugnance with which the countess viewed the matri-

58. *Melrose Liber*, II, pp. 478-80.

59. From October 1357 until his death in 1374, Thomas, Earl of Mar received a total of twelve safeconducts which permitted him complete freedom of travel between the English and Scottish kingdoms. If he made use of all of these licences, and there is enough evidence of a negative nature to suggest that he was not in Scotland during most of this period, Mar would have been residing outside of the Scottish kingdom from October 1357 until January 1357/8; from August 1358 until April 1359; from February 1359/60 until the winter of 1361; from November 1362 until February 1362/3; from the spring of 1363 until December 1364; from September 1367 until May 1368; from October 1368 until the beginning of 1370; and from January until October 1373. *Rot. Scot.*, I, pp. 833, 839, 842, 866, 870, 890, 915, 921, 944, 954, 960; *Aberdeen-Banff Illustrations*, IV, pp. 151-58, 715-6; *Exch. Rolls*, II, pp. CLXXII, 164, 166, 251.

monial state is indicated by the fact that she remained a widow in secular society for over forty years until her own death. Margaret Stewart seems to have been motivated by a desire to be her own mistress in order to retain control of her estates without any outside interference.

The estates and earldom of Mar reverted to the heir general of the Earl of Mar upon his death, although his widow was given extensive lands in right of her claims of terce. The final settlement of Margaret Stewart's claims upon her husband's estates was not decided until July 1377 at an inquest held under the direction of the sheriff of Aberdeen. It was stipulated that the lands of Glengarachy, the two Inveratys, Culgarry, Newyth, the two Argethlys, Balnaboth of Glenbuchet, Balnaboth of Kynbethok, Kynclune, Wester Cloveth, the burgh of Kyndromy (Kildrummy), the two parts of Contellach, Gleneglys, Ardach, Glenrey, Auchyndrayn, Cambosnakyst, Inverchanowyk, Ercodil, Kelauch, Pethnamone, Davauch, Menach, Kyncragy, Tulyprony, Balcrosk, Grody, Kynnaldy, Estyr Mygve, the forest of Glencaladore, More and Beg Glennochty, Burkys, Nether Tolly, Abirzelly, Culglacachy, Archorthy, Dromy, Calever, Ballyn de Dyn, the two Fowles, Tulyfowre, Hogtyrheyght, Dursale, Auchlown, Esbachlach, Inverurie, Selby, Cloktyllok, Wreyghill, Duncanestoun, Bourty, Rossneth, Inglystoun, Auchynlevyn, Segydene, Drumrossy and the three davachs of Obyn, all of which were in the Garioch, were to be held by the dowager Countess of Mar in liferent.⁶⁰ By the terms of this judicial decision, Margaret Stewart had been given vast estates in Aberdeenshire and the Mearns, but she held them as a result of conjugal and not hereditary right. None of these lands could be transmitted to her heirs and, in fact, only three years after her right of

60. Fraser, Douglas Book, III, pp. 24-25.

possession had been acknowledged, Margaret Stewart agreed to renounce all her claims to these estates in favour of the Earl of Douglas and Mar in return for an annual pension of two hundred merks.⁶¹ This agreement between mistress and lover effectively terminated her connection with the comital demesne of Mar.

The question of the superiority of her paternal inheritance induced the dowager Countess of Mar to conclude an agreement with her sister which settled the succession to the comitatus and dignity of Angus. From 1362 until 1379, the comital title appears to have been in desuetude and was not resumed until Elizabeth Stewart had renounced her claim to the earldom. Although it has been suggested that the earldom of Angus which was bestowed upon Sir John Stewart was governed by an heir male destination, such an assumption can only be considered conjectural in view of the lack of evidence.⁶² The right of ownership of the comital estates should have been vested in Margaret Stewart as she was the senior co-heiress of Thomas Stewart, Earl of Angus, but it seems probable that her right as feudal superior was not unquestioned until after the agreement with her sister was concluded.⁶³ In February 1378/9, King Robert the second informed his chancellor that he had granted special permission to Elizabeth Stewart to infeft

61. Fraser, *Ibid.*, pp. 29-30. By the beginning of the sixteenth century, the majority of these estates had been alienated from the earldom of Mar and were in the possession of Andrew Elphinstone of Inverochty, the first Lord Elphinstone, John Forbes of Tollies and William Leslie of Balquhain. Cf. RMS, II, nos. 2812, 3115, 3159, 3251, 3600, 3875.

62. Fraser, *op. cit.*, II, pp. 12-3.

63. Shortly before the agreement between the two sisters was concluded, Margaret Stewart granted the lands of Kimmerghame in Berwickshire to John Sinclair of Herdmanston but had done so only after her sister had resigned all her claims to these estates. Register House, Transcripts of Miscellaneous Charters and Papers, RH 1/2/141.

her sister Margaret in all of her lands and estates.⁶⁴ The renunciation by Elizabeth Stewart of her claims as a co-heiress of her father prevented a wholesale division of the comital, Bonkle and Abernethy estates which had been held by the late earl of Angus. Margaret Stewart was not ungrateful to her sister and granted to Elizabeth and her husband, Sir Alexander Hamilton, the lands of Innerwick in Edinburghshire, Balnabyne and Drumcarne in the lordship of Abernethy in Perthshire, and Fastfurland in the barony of Bonkle in Berwickshire.⁶⁵ The destination of these estates was limited to the legitimate heirs of the grantees and if these failed, the lands were to revert to the granter's son, George Douglas, and his legitimate heirs. The lands which were given to Elizabeth Stewart by her sister had formerly been either the property of the Stewarts of Bonkyll or of the lay abbots of Abernethy. The succession question between the two Stewart co-heiresses had been answered without the alienation of a single comital estate from the earldom of Angus.

After the claims of Elizabeth Stewart to her paternal inheritance had been removed, Margaret Stewart pursued a course of action which was aimed at the preservation of her progenitor's estates in order that they might be inherited by her son without question. However, the fact that her son was illegitimate caused the Countess of Angus to enter into an agreement with her sovereign which perturbed former historians of the Douglas family. It was customary during this period

64. Register House, Calendar of Charters, I, no. 173.

65., Ibid., no. 198; SRO, Yule Collection GD 90/1/36; Fraser, Douglas Book, III, p. 400; Aberdeen-Banff Illustrations, IV, pp. 161-2; Register House, Transcripts of Miscellaneous Charters and Papers; RH 1/2/144.

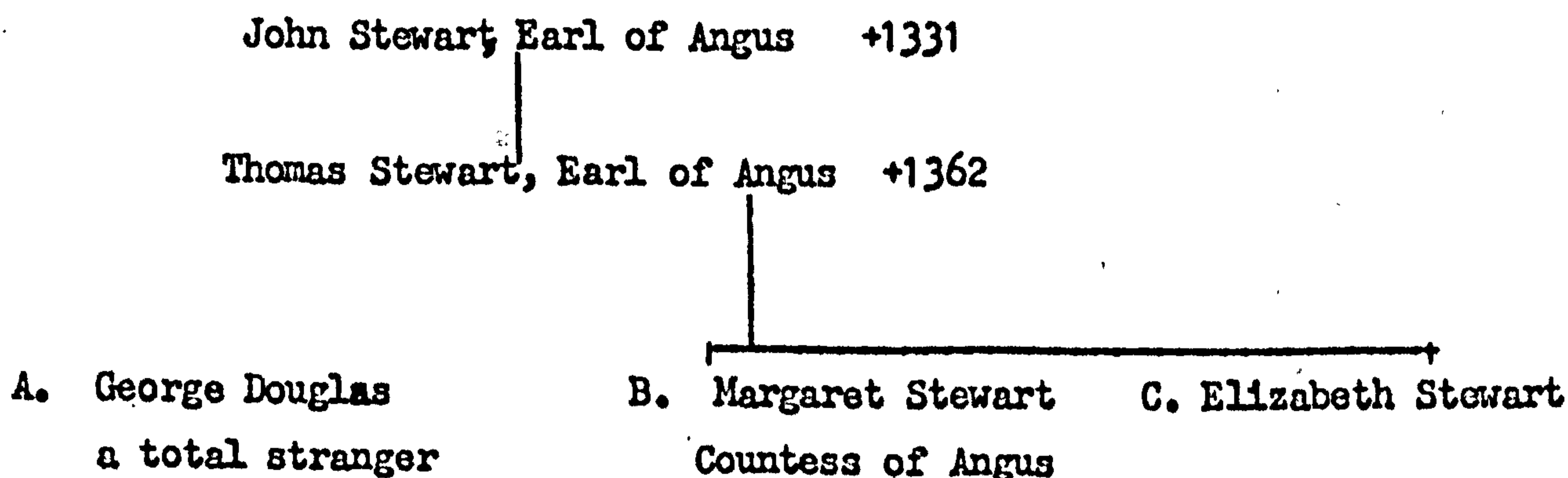
for nobles who had illegitimate issue to have them legitimated as only by this legal process would they be entitled to inherit property and chattels. As the Countess of Angus did not have George Douglas legitimated, it was generally believed that he was the lawful son of the first earl of Douglas.⁶⁶ This hypothesis of the paternity of George Douglas which was first expressed by David Hume of Godscroft, went unchallenged until the nineteenth century when an eminent authority on Scottish peerage law demonstrated quite convincingly that the first Douglas earl of Angus must have been illegitimate as he did not inherit the earldom of Douglas which was open to the legitimate heirs male of the first earl.⁶⁷ Although Margaret Stewart did not have her son's defect of birth annulled, she entered into a special compact with King Robert which determined the succession of the earldom of Angus. The king on 10 April 1389, and in the presence of the Three Estates of Parliament, confirmed George Douglas's possession of the comitatus of Angus, the lordship of Abernethy in the sheriffdom of Perth and the barony of Bonkle in the sheriffdom of Berwick. All of these lands had been resigned by the former superior, Margaret Stewart. The comital lands of Ludainche and Wester Ednathy with an annual rent from the lands of Baldorane in the barony of Kirriemuir in Angus, and the lands of Litilpoty, Petversy, Petblay and Petyinydy in the lordship of Abernethy in Perth were retained by the Countess of Angus. The earldom of Angus and the lordships of Abernethy and Bonkle were to be held in fee by George Douglas and his legitimate heirs whom failing, they were to devolve upon Elizabeth Stewart and her husband, Sir Alexander Hamilton and their heirs, whom failing to the heirs "whomsoever"

66. Godscroft, House of Douglas, II, p.207.

67. John Riddell, the noted jurist, discussed this matter exhaustively in his analysis of the claims of the family of Sanfillands of Calder to be the heirs general of the earls of Douglas. SRO, Inventory of Torphichen Writs, Appendix I, pp. 74-6.

(i.e. general) of Elizabeth and Margaret Stewart. The franktenement of the earldom of Angus remained vested in the Countess of Angus.⁶⁸

The resignation by Margaret Stewart of the comitatus of Angus marked the end of the earldom which had originated in Robert the Bruce's grant to Sir John Stewart of Bonkyll. The royal grant issued by Robert the third, with parliamentary approval, in effect created a new earldom of Angus in favour of George Douglas, who, according to the terms of the patent, was a total stranger to the former possessor. However, it is to be noted that in the event of the failure of the legitimate heirs of the superior of the comitatus, the comital estates and title would revert to the legitimate heirs general of the original superior. The complicated legal structure created by the resignation and regrant of the earldom of Angus in 1389 can best be demonstrated by the following chart:



B. resigned the earldom of Angus on 9 April 1389 in favour of A., with the proviso that upon the failure of the heirs of A, then the earldom would revert to C. or to B. and C.'s heirs general.⁶⁹ But the change of superior of the comitatus of Angus was grounded upon a legal

68. APS, I, pp. 565-6; Fraser, Douglas Book, III, pp. 364-5.

69. Ibid.

fiction. George Douglas, the "lord of the fee" of Angus, was the son and nearest kinsman to the former superior and the major vassals of Margaret Stewart accepted their new feudal overlord without equivocation. Sir Thomas Hay of Lochowart had given the lands of Glaswell and Torbrwyne in the barony of Kirriemuir to Walter Moray of Drumsargard with the approval of the superior, Margaret Stewart. After the countess had resigned her earldom, George Douglas, the new superior, ratified this transaction almost immediately after his accession.⁷⁰ Margaret Stewart also granted to her half-brother, Sir Walter Sinclair, the lands of Lilitpoty, Petversy and one half of the lands of Petblay, which were in the lordship of Abernethy. These estates had been specifically exempted from Margaret Stewart's resignation of her lands into the hands of the Crown, yet Sir Walter Sinclair was to hold the lands in fee from the Countess of Angus and George Douglas.⁷¹ The resignation by Margaret Stewart in 1389 merely transferred the superiority of her paternal inheritance into the hands of her son. The solidarity of the comitatus of Angus and the lordships of Bonkle and Abernethy remained unaffected by the change of feudal superior.

The dignity of earl of Angus, however, was not bestowed upon George Douglas until the spring of 1397. In May of that year an agreement was negotiated by Margaret Stewart and Robert the third which provided for the marriage of George Douglas to a daughter of the king's. In addition, the king agreed to confirm George Douglas's possession of all of his estates which were to be erected into a free regality; to grant to Douglas the annual rent due to the royal exchequer

70. Calendar of the Laing Charters: A.D. 854-1837, belonging to the University of Edinburgh, ed. John Anderson (Edinburgh, 1899), no. 379, p. 98. Cited hereafter as Laing Chrs.

71. Fraser, Douglas Book, III, pp. 34-5.

from the lordship of Abernethy with the profits of the sheriff courts of Angus; and to approve all tailzies and grants of land which Isabella Douglas, Countess of Mar and Sir James Sandilands of Calder had made or would make in favour of the new earl of Angus.⁷² This contract solidified George Douglas's position vis-à-vis his mother and his sovereign. The earldom of Angus and the estates of the Stewarts of Bonkyll and the Abernethys were to be transmitted to Margaret Stewart's son and were to be restricted to his legitimate heirs male. The succession to the comitatus had been altered from an inclusive one which would allow the heirs general of Margaret Stewart to ultimately possess the earldom, to a specific one which limited its possession to the heirs male of George Douglas, the "stranger" introduced as superior to the comital estates in 1389. Even more importantly, the king had also committed himself to give a carte blanche confirmation of all grants which the superior of the unentailed Douglas estates and her nearest legitimate heir had or would make to George Douglas's advantage.

Once the settlement of the succession to his maternal inheritance had been reached, George Douglas, with the support and help of his mother, began to initiate arrangements which would result in some sort of modus vivendi between the nearest heirs and claimants to the Douglas estates which had been inherited by Isabella Douglas, suo jure Countess of Mar. Isabella Douglas, who was the half-sister of the earl of Angus, had been married to Sir Malcolm Drummond for almost ten years but they were childless. In view of the Countess of Mar's barrenness the question of whom would succeed her in the unentailed Douglas estates

72. Miscellany of the Spalding Club, Vol. V, "Miscellaneous Charters and Contracts from copies at Panmure House," no. XIII, pp. 252-3; Fraser, op. cit., pp. 38-9; Aberdeen-Banff Illustrations, IV, pp. 165-7.

was of primary concern to both the Earl of Angus and the laird of Calder.⁷³ Apart from her brother's illegitimate sons William and Archibald, Isabella Douglas's nearest legitimate heir general was Sir James Sandilands and her nearest agnate kinsman was her illegitimate half-brother, George Douglas. The problem of the inheritance of the comitatus of Mar was of no concern or interest to either Calder or Angus as the Mar estates could only be inherited by the heirs general of Isabella Douglas's mother, Margaret of Mar. But the lands, lordships and baronies of Cavers, Jedburgh Forest, Liddesdale, Buittle, Drumlanrig and the burgh of Selkirk were Douglas possessions which were not restricted by any tailzie and could be disposed of by the Countess of Mar to whomever she wished. The Countess's reluctance to allow these estates to become the property of the heir of the Douglas entail enacted in 1342 probably led her to give tacit support to the contracts and agreements which were drawn up between her kinsmen, Angus and Calder. The absence of strong opposition from the new earl of Douglas strengthened the alliance between Sir James Sandilands and George Douglas which virtually recognised the latter's claims to be considered the unquestioned heir of Isabella Douglas's paternal inheritance.

In the spring and autumn of 1397, the tacit understanding between the laird of Calder and the Earl of Angus was given expression in three contracts which, in essence, were a family compact. In April Sir James Sandilands promised to deliver to George Douglas and Margaret Stewart the castle of Calder for the duration of five years and to support "at quhat landis, rentis and possessions that Dame Isabel Countess of

73. Cf. Scots Peerage, III, pp. 153-4.

Mar and of the Garviach likis to take and gif, pertenant til her on her fader side, til her lufide bruthir, George of Dowglas." Sandilands bound himself to support any tailzie which Countess Isabella made on behalf of her brother as long as it stipulated that upon the failure of George Douglas's heirs, the entailed estates would revert to the lairds of Calder. He was not merely content with a reversionary claim to an hypothetical entail which might never be implemented and insisted that two hundred marks worth of lands be given to him if the earl of Angus inherited the Douglas lands possessed by Isabella Douglas. In return for Sandilands's support, Angus acquiesced in his demands.⁷⁴ In the following month, with the advice and consent of his nearest kinsmen, Sir James Sandilands entrusted the custody of his lands and the guardianship of his son to George Douglas in the event of his predeceasing the earl of Angus. It was also agreed that if the legitimate heirs male of Sandilands failed, then the barony of Wester Calder (which had been granted to Sandilands's parents by the first Earl of Douglas) would revert to George Douglas. The laird of Calder's grant was witnessed by Sir John Sinclair, Lord of Herdmanston, William Abernethy, lord of Saltoun, William Borthwick, lord of Ligertwood, James and Walter Sinclair, William Stewart of Angus and John Ledale. Four of these men, John, James and William Sinclair, and William Stewart, were the uncles of the grantee while William Abernethy was his cognatic kinsman. The friends and relatives who had advised Sir James Sandilands to come to an agreement with the young earl of Angus, whom Sandilands referred to as "a nobil man to the quhilk I am of kyn," were also among the closest kinsmen of the young earl.⁷⁵

74. Fraser, Douglas Book, III, pp. 37-8.

75. Cf. Scot. Peerage, I, pp. 170-171; VII, pp. 578-579.

Finally, in November 1397, the laird of Calder renounced in favour of the Earl of Angus, all the right and claim which he had or might have, following upon the death of Isabella Douglas, Countess of Mar, to the barony of Cavers with the office of Sheriff of Roxburgh, the lordship, town, castle and forest of Jedburgh, including the lands of Bonjedburgh, and the lordship of Liddesdale, all of which were in Roxburghshire; the burgh of Selkirk; the superiorities of the baronies of Buittle and Drumlanrig in Dumfriesshire; an annual rent of two hundred merks from the customs of the burgh of Haddington; the lands and baronies of Dounebuk, Cabrath and Cloveth in Banffshire; and the barony of Tilliecoultry in Clackmannanshire.⁷⁶

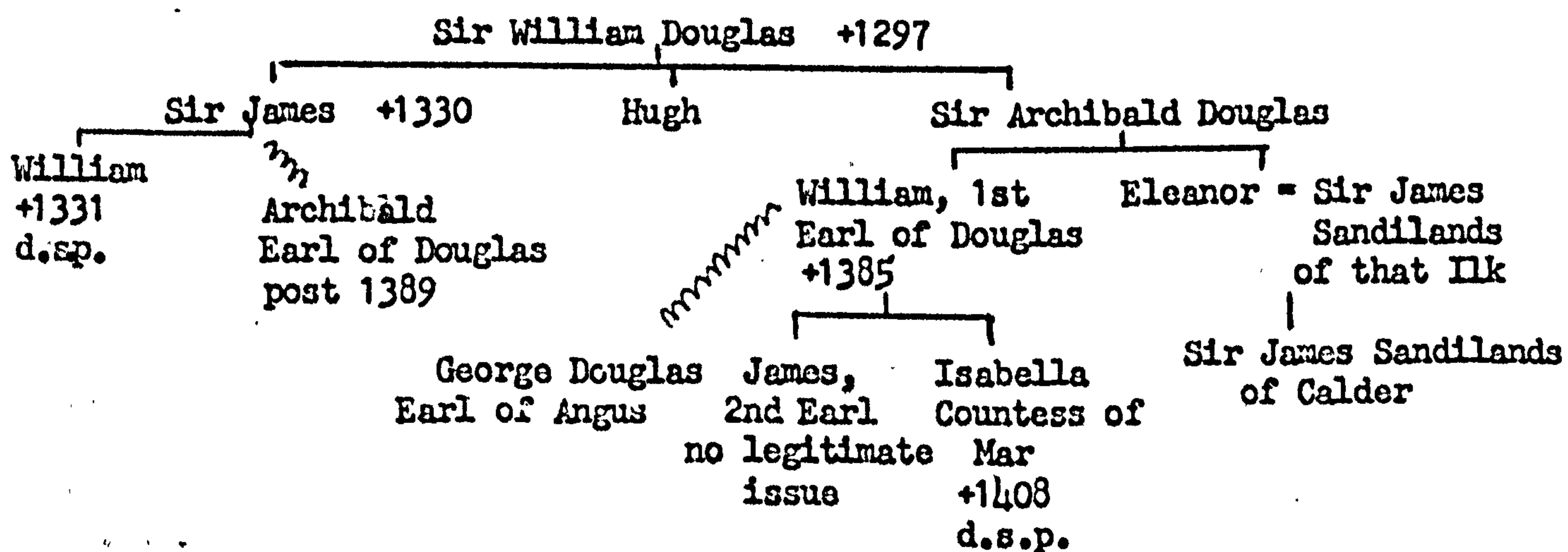
The policy reflected in these multiple arrangements between the Earl of Angus and the laird of Calder appears to have been a double-edged one which aimed at the preservation of the unentailed Douglas estates as a corporate unit and their undisputed devolution to the nearest agnate of the Countess of Mar. The valuable concessions which Sir James Sandilands made in favour of his kinsman did not negate any of the former's reversionary claims as ultimate heir general of the first earl of Douglas but recognised and reinforced them. The laird of Calder, was, after the Earl of Angus, the nearest legitimate agnate and heir general to Isabella Douglas. In the event that Angus should have illegitimate children, Calder was not committed to support any claim which they might advance to the Douglas lands unentailed in

76. Fraser, *op. cit.*, pp. 40-1; RMS, I, App. 1, no. 154; HMC Appendix 7th Report, MSS of James Douglas of Cavers, no. 2, p. 727.

1342.⁷⁷

However, the expectation of the Earl of Angus that he would succeed to all of the unentailed estates which had belonged to his father, the first Earl of Douglas, was not fulfilled. The Countess of Mar apparently did not want her brother to inherit her paternal estates en masse and granted the baronies of Drumlanrig and Cavers to her illegitimate nephews, William and Archibald Douglas,⁷⁸ and the barony of Bonjedburgh to her illegitimate sister, Margaret Douglas.⁷⁹ The superiority of the barony of Buittle became vested in the third Earl of Douglas in his capacity as Lord of Galloway,⁸⁰ while the baronies of Dounebuk, Cloveth, Cabrauch and Tilliecultry left the

77. The following short genealogical table illustrates the position of the Douglas heirs in 1397:



78. HMC 15th Report, Appendix Part VIII, MSS. of the Duke of Buccleuch, no. 4, p. 10; HMC Appendix 7th Report, MSS of James Douglas of Cavers, no. 4, p. 727.

79. Aberdeen-Banff Illustration, IV, p. 731.

80. Morton Registrum, II, pp. 203-4.

possession of the Douglas family after the Countess's death.⁸¹ In fact, Isabella Douglas did grant the lordships of Jedburgh Forest and Liddesdale to the Earl of Angus but only after his mother had renounced all claims which she had to the comital demesne of Mar.⁸² Although Jedburgh Forest was given to Angus in 1398,⁸³ within three years after the earl's death in 1402, the lordship was in the possession of Isabella Douglas's second husband, Alexander Stewart.⁸⁴ Thus despite the elaborate precautions undertaken by George Douglas and the laird of Calder to insure the former's acquisition of vast Douglas estates, they had failed to achieve their intended goal. When the first Douglas earl of Angus died shortly after the Battle of Homildon Hill, he left as a legacy to his son only one Douglas estate securely in his grasp, the lordship of Liddesdale, although the reversionary claim of his descendants to be considered the heirs of Isabella Douglas's paternal lands remained intact.

The acquisition of estates by George Douglas was not limited to those lands which had once pertained to his father, however. In July 1402, just a few months before his death, the Earl of Angus was given the barony of Cortachy in the sheriffdom of Angus by his distant kinsman,

81. The baronies of Dounebuk, Cabrach and Cloveth were an integral part of the comitatus of Mar and the claim of Sandilands and George Douglas were based upon the grant which Robert the second issued in favour of the first Earl of Douglas. These baronies were later claimed by the heir general of the earl of Mar, Sir Robert Erskine, in 1435. Aberdeen-Banff Illustrations, IV, pp. 188-9. The barony of Tilliecoultry, after being in the possession of John Stewart and Elizabeth Douglas, Earl and Countess of Buchan, was Crown demesne by the middle of the fifteenth century. Cf. RMS, II, nos. 37, 462, 1143.

82. Fraser, Douglas Book, III, pp. 44-6; HMC Supplementary Report, MSS. of the Earl of Mar and Kellie, p. 12.

83. Robertson, Index, p. 139, no. 7.

84. Ibid., p. 147, no. 7.

Archibald, fourth Earl of Douglas.⁸⁵ This extensive and important barony had been acquired by Joanna Menteith, Countess of Strathearn,⁸⁶ whose daughter Joanna Moray of Bothwell and Drumsargard had brought it with her other estates into the possession of the earls of Douglas by her marriage to Archibald Douglas, Lord of Galloway. Cortachy was adjacent to the barony of Kirriemuir which formed the centre of the comitatus of Angus and its acquisition enlarged the comital demesne considerably. However, the barony of Cortachy was only controlled by the earls of Angus for less than a decade, as it was in the possession of Walter Stewart, Earl of Atholl by 1409.⁸⁷ The attempt of the first Douglas earl of Angus to add extensive lands to his comital estates was only a short-lived success. His son would inherit a comitatus which was virtually unchanged from the one which had existed during the fourteenth century.

Despite the setbacks to their attempts to obtain several Douglas possessions and estates within the sheriffdom of Angus, the importance of the policy pursued by Margaret Stewart and George Douglas should not be underestimated. The earldom of Angus and the lordships of Abernethy and Bonkle had been preserved intact for their Douglas descendants while the reversionary claims of Elizabeth Stewart and her family had been eliminated. The important lordship of Liddesdale whose possession raised the earls of Angus to the position of being among the major magnates of the Middle March, had been successfully acquired by George Douglas and was inherited by his son. The question of whether future earls of Angus would continue to add to the solid foundation bequeathed to them by the first Douglas earl would be answered in the course of the following century.

85. HMC 11th Report, Appendix Part VI, MSS. of the Duke of Hamilton, no. 128, p. 209.

86. Robertson, op. cit., p. 24, no. 7 (1).

87. Brechin Registrum, II, no. XI, pp. 14-6.

Chapter III

The Expansion of the Comital Demesne

The acquisition of lands and estates, upon which the wealth and influence of the feudal nobility of Scotland was based, was of primary concern to the heirs and successors of the first Douglas earl of Angus. George Douglas was survived by two infant children, William and Elizabeth Douglas; his widow, Mary Stewart, remarried within three years after his death and, in all probability, the children were brought up by their paternal grandmother.¹ The indefatigable Margaret Stewart, suo jure Countess of Angus, had insured to her son her paternal inheritance and she did not permit these estates to be alienated from her grandson's control. It was she who arranged the marriage between the second Earl of Angus and Margaret, the daughter of Sir William Hay of Lochowart, and she enlisted the aid of her nephew, William Sinclair

1. Mary Stewart married her second husband, James Kennedy, fiar of Dunure, before the end of January 1405/6, when they received the barony of Dalrymple in Ayrshire. RMS, I, App. 11, no. 1952. Relations between the children of her first marriage and those of her subsequent ones were not close. Neither the second Earl of Angus nor his successors received or witnessed any charters from or by their closest agnatic kinsmen, the Kennedys of Dunure and the Edmonstones of Duntreath. Only the Grahams of Auld Montrose maintained contact with the earls of Angus, but this was grounded more upon tenurial rather than consanguineous bonds. Cf. SRO, Ailsa Muniments, GD 25; Duntreath Muniments, GD 97. Margaret Stewart appears to have exercised unquestioned control over her son's estates after his death. She granted to Patrick Lindsay, a kinsman of the Laird of Calder, an annual rent from the lands of the Kirkton of Strathdichty-comitis in the regality of Kirriemuir and bound the tutors of her grandchildren to confirm the grant as it was made for their benefit. RMS, II, no. 195.

of Herdmanston, in completing this marital alliance.² The estates of the comitatus remained unaltered by William Douglas's marriage and only the regalities of Abernethy and Bonkle appear to have been given to his wife in conjunct fee. After the death of the aged Margaret Stewart, however, Earl William was confronted with the problem of the tocher which was to be given to his sister, Elizabeth. In November 1423, Angus entered into an agreement with his sister and her husband, Sir Alexander Forbes of that Ilk, in which the earl solemnly promised never to wadset, alienate, sell or entail any of his patrimony to the detriment of their legitimate heirs if his own lawful descendants should fail.³ In effect, this contract obligated the earl ^{to} of change the original entail which governed the comitatus when it has been established in 1397. The earldom of Angus had been granted to George Douglas under the provisions of an heir male tailzie, but his son undertook to open the succession to heirs general as well. In actuality, however, the proposed entail was never formally ratified by the king and the Laird of Forbes only received the lands of Whitefield in the regality of Kirriemuir and those of Easter Cluny in the regality of Abernethy, which his descendants held as tenants-in-chief from the earls of Angus.⁴ The succession to the earldom remained limited to heirs male and a dispersal of the comital estates had

2. Calendar of Writs preserved at Yester House, eds. Charles Harvey and John MacLeod, Scottish Record Society, Vol. 55 (Edinburgh, 1930), no. 45, p. 41. Cited hereafter as Yester Writs.
3. Fraser, Douglas Book, III, p. 415; Aberdeen-Banff Illustrations, IV, pp. 387-8.
4. Fraser, *op. cit.*, pp. 60-61; SRO, Murthly Castle Writs GD 121/3/9, nos. 66-7.

been prevented.

The lands of the Douglas earls of Angus at the beginning of the fifteenth century were not contiguous but were located in the widely scattered sheriffdoms of Angus, Berwick, Perth and Roxburgh; they were comprised of the regalities of Kirriemuir, Bonkle, Abernethy, and the lordships of Jedburgh Forest and Liddesdale. From the death of the first earl in 1402 until the beginning of the sixteenth century, successive earls would increase their holdings in Berwickshire and would acquire extensive lands in Selkirkshire, Lanarkshire and Ayrshire, but some of these estates would be controlled only for a comparatively short period of time. A chronological discussion of both the acquisition and the alienation of estates by each of the earls of Angus is instructive as it clearly demonstrates the successes and failures which marked their attempts to enlarge the comitatus.

Almost from his accession to the comital title, William Douglas and his curators were faced with the problem of preserving his estates intact. Alexander Newtoun of that Ilk, in his capacity as an agent of the Crown, claimed that the lordship of Selkirk had been recognised into the king's hands, but Angus's kinsman, the Laird of Herdmanston protested that the earl was still feudal superior of the lordship.⁵ Selkirk was one of the unentailed Douglas lands and although Earl William's father had had a reversionary right to these estates,⁶ there is no evidence to suggest that the lordship was actually given to

5. Fraser, Douglas Book, III, p. 48

6. Cf. Chapter II, pp. 82-3.

George Douglas. However, the former feudal superior, Isabella Douglas, Countess of Mar, was dead by the spring of 1408 and the reiteration of the claim of the earls of Angus upon the lordship of Selkirk was successful as it was inherited by his descendants without opposition. Another unentailed Douglas possession, the lordship of Jedburgh Forest had been granted to the first earl of Angus but was under the control of Alexander Stewart, Earl of Mar in 1405.⁷ The earls of Angus never relinquished their rights to the lordship and in August 1427, even while the de jure superior of the lordship was alive, William Douglas designated himself Lord of Jedburgh Forest in a charter which he granted to the monks of Coldingham.⁸ After the decease of Alexander Stewart in 1435, his heirs never put forward any further pretensions to Jedburgh Forest, which became an integral part of the Angus earldom.⁹ The third unentailed Douglas lordship in the possession of the earls of Angus, the lordship of Liddesdale, was inherited by the second Earl without incident. In March 1408/9 formal sasine of the lordship (which had been in the hands of the Crown since the death of George Douglas) was given to Earl William by command of the Governor of Scotland.¹⁰ All of the estates which George Douglas had inherited from his maternal progenitors were unaffected by the claims put forward

7. HMC Supplementary Report: MSS. of the Earl of Mar and Kellie, p. 12; Robertson, Index, p. 139, no. 7; p. 147, no. 7.

8. Coldingham Corresp., no. CXII, p. 100.

9. Cf. HMC 12th Report, Appendix, Part VIII: MSS. of the Earl of Home, no. 293, pp. 174-5.

10. Fraser, Douglas Book, III, p. 49. Liddesdale was not regranted to the earl until he had promised to pay into the royal exchequer the requisite mails due from the lordship while it was in the hands of the Crown.

upon his Douglas holdings and were retained by his son.

Apart from confirming his family's possession to the lordships of Selkirk and Jedburgh Forest, the second Earl of Angus was able to add only the lands of Easter Cluny in Perthshire to his patrimony. The estates of Easter Cluny belonged to a family who derived their cognomen from their possession of the lands, but in July 1418, William Cluny of that ilk resigned and quitclaimed them in favour of Angus, who promptly incorporated them into his regality of Abernethy.¹¹ These lands were afterwards given to the earl's brother-in-law, Sir Alexander Forbes, and although they were capable of being inherited by Forbes' heirs "whomsoever"¹² they were never alienated from the rest of the regality. Notwithstanding the fact that the second Earl failed to obtain large estates which enhanced the earldom, his importance as the conservator of his family's inheritance cannot be underestimated. All of the various lordships of the comitatus of Angus were preserved and provided a solid basis ^{to} upon which his second son, and eventual successor, would add significantly.

William Douglas, Earl of Angus was survived by three sons, the eldest of whom, James Douglas, who controlled the earldom for a comparatively short and uneventful period of time. Shortly after his father's death, the third Earl of Angus received sasine of the regality of Kirriemuir and, although there is no record of his having received formal possession of the other family estates, he granted charters to free vassals in the regality of Abernethy and reclaimed lands within

11. Fraser, *ibid.*, p. 412; Aberdeen-Banff Illustrations, *op. cit.*, p. 384; SRO, Lord Forbes Collection GD 52/1/1036.

12. Fraser, *Ibid.*, pp. 60-61.

the regality of Bonkle,¹³ which clearly indicates that his sway of his parental lands was unquestioned. However, the entire earldom, which had been preserved with such meticulous care from the last decade of the fourteenth century, was placed in jeopardy for the first time in the summer of 1445. By a decree issued on 1st July by the Three Estates, James, Earl of Angus was deprived of all his property as he had committed crimes of rebellion against his sovereign. He was not forfeited outright but was given a period of grace in which to make his peace with his king.¹⁴ What the exact nature of the crimes which Angus was supposed to have committed is not disclosed, although the consensus of recent scholarship is that he was a partisan of Sir William Crichton, who had been ousted from political power by the earl of Douglas.¹⁵ Two years previously, the latter earl had attacked Barnton Castle which was then held by Sir George Crichton who, along with his cousin, Sir William Crichton, ^{was} ~~were~~ declared[^] rebels.¹⁶ The Crichtons retaliated by ravaging several lands which belonged to the Earl of Douglas¹⁷ but there is no direct proof of Angus's complicity. He continued to take the burgh mails and duties of North Berwick in spite of the fact that he had been officially deprived of this source of revenue,¹⁸ but this would hardly have warranted his being threatened

13. Ibid., p. 426; pp. 69-70; SRO, Curle Collection GD 111/3/1.

14. APS, II, pp. 59-60.

15. Fraser, op. cit., II, p. 38; Dunlop, Bishop James Kennedy, p. 62. George Buchanan wrote that GEORGE, Earl of Angus gave assistance to the Crichtons, but the events which he placed in 1455 occurred a decade earlier. Buchanan, History, II, pp. 135-6.

16. Chron. Auchinleck, pp. 5, 36.

17. Ibid.

18. Exch. Rolls, V, pp. 127, 177, 182, 226.

with official proscription. In the Parliament which placed Angus under the ban of rebellion, no other individual is mentioned as an accomplice and, in fact, one of his chief vassals, Alexander Ogilvy of Inverquharity was appointed by the government to be keeper of Methven Castle, which had recently been wrested from the Crichtons.¹⁹ Sir William and Sir George Crichton were restored to favour in early July 1445²⁰ and the earl of Angus made his peace with the Crown before the following September when Robert Fleming of Cumbernauld promised to enter himself in ward for the burning of the Earl's lands in the barony of North Berwick earlier that year.²¹ When Angus was summoned before Parliament to answer for crimes of rebellion, a protest was lodged by James Forbes, the son and heir of Sir Alexander Forbes of that Ilk, that the earl's forfeiture should not prejudice any rights which he - that is, Forbes - had to the earl's estates by entail.²² The tailzie upon which James Forbes based his claim has not survived and there is no evidence to suggest that it was ever enacted. The claims of the Forbes family were not implemented; the third Earl of Angus was completely restored and within two years afterwards, was dead.²³ He was succeeded by his more energetic and forceful younger brother, George Douglas.

19. *Ibid.*, pp. 201, 219, 230.

20. Register House, Calendar of Charters, II, no. 311.

21. Fraser, Douglas Book, III, p. 427; SRO, MSS. of Mis Piper Milleane of Auchterarder, GD 1/479, no. 1.

22. APS, II, p. 60; Aberdeen-Banff Illustration, IV, p. 397; SRO, Lord Forbes Collection GD 52/1/1042.

23. The third Earl of Angus was dead before 11 October 1446, when George Douglas, Earl of Angus witnessed a royal confirmation of a charter granted by William Cardeny of that Ilk to Sir David Murray of Tullibardine. HMC 7th Report, Part II, Appendix: MSS. of the Duke of Atholl, no. 37, p. 207.

The new possessor of the comital dignity was the first earl to add considerably to the family patrimony since the earldom was bestowed upon the son of Margaret Stewart in 1397. In his acquisitiveness, the fourth Earl of Angus was aided by the tempestuous political struggles within the Scottish kingdom during the fourth and fifth decades of the fifteenth century, and by his consistent loyalty to his sovereign. In 1447, George Douglas received official recognition of his possession of the regality and lordships of Abernethy, Jedburgh Forest and Liddesdale,²⁴ and although formal sasine to the earl of the regality of Kirriemuir is not recorded, he unquestionably controlled the lands of the original comital domain.²⁵ Angus was granted the same customs of North Berwick which his predecessor had enjoyed,²⁶ and was also given part of the great customs of Haddington from July 1447 until the spring of 1460/1.²⁷ His possession of the lordship of Liddesdale and the regality of Bonkle made the earl a border magnate, and as his support was valuable, James the second appointed him Warden of the East March.²⁸

24. Exch. Rolls, IX, Appendix: Index to the Libros Responsionum, p. 660.

25. For example, cf. Fraser, Douglas Book, III, pp. 433-4.

26. Payment by the customars of North Berwick to the fourth Earl of Angus commenced in 1447. Exch. Rolls, V, p. 300.

27. *Ibid.*, pp. 300, 305, 336-7, 371-2, 493; VI, pp. 124-5, 406; VII, p. 20.

28. Angus received sums of money from the customs of North Berwick and Haddington in order to defray his expenses incurred in the performance of his duties as warden. Although the amounts paid to the earl were erratic, they covered a period of years and the total amount was considerable: in 1447 and 1448, he received £30 from the customs of North Berwick and Haddington; in 1448/9, he received £10 from the customs of North Berwick and £123. 14s. 5½d. from the customs of Haddington; in 1449/50, he received £30 from the customs of North Berwick; in 1451/2, he received £58. 6s. 8d. from the customs of Haddington; in 1455/6, he received £12. 0s. 8d. from the customs of North Berwick, and, finally, in 1458/9, £29. 13s. 9d., again from North Berwick. *Ibid.*, V, pp. 300, 305, 337, 369-71, 372, 492-3; VI, pp. 125, 494, 580.

In addition, in the summer of 1452, the king granted the castle of Tantallon with its lands of Castleton, Bondington, Farmilton and Halfpleuland to George, Earl of Angus, who was to hold them as a free barony.²⁹ The superiority of Tantallon had been vested in the first Stewart Dukes of Albany in their capacity as Earls of Fife. With the forfeiture and execution of Murdoch, Duke of Albany in 1425, the castle and its dominical lands had reverted to the Crown and for the next quarter of a century, Tantallon was used as a State prison. Isabella, Duchess of Albany, was sent there in 1425 and remained there until the death of James the first;³⁰ Alexander, Lord of the Isles was incarcerated in the formidable fortress in 1429.³¹ Although the earl of Angus had controlled the castle from the autumn of 1448, he held possession undoubtedly by virtue of a royal appointment rather than as a descendant of Margaret Stewart, Countess of Angus, who had been given carte blanche licence to reside there in 1388/9.³² The gift of Tantallon to George Douglas changed the nature of his occupancy from that of one by royal fiat to one by permanent feudal right.

Other lordships which were granted to the fourth Earl of Angus were the lordships of Ewesdale and Eskdale in Dumfriesshire and Douglas in Lanarkshire, while the barony of Cluny in Fife was given to the Earl's brother, William Douglas. Robert Graham, the feudal superior of Ewesdale, and Angus's uncle, resigned his estates prior to December

29. Fraser, *op. cit.*, pp. 79-80; RMS, II, no. 584.

30. Cf. Ext. Var. Chron., p. 228; Buchanan, History, II, p. 93; Major, History, p. 355; Exch. Rolls, IV, Preface, p. CXVI.

31. *Ibid.*, p. CV.

32. *Ibid.*, V, pp. 337, 372; cf. Fraser, Douglas Book, III, pp. 32-3.

1456 in favour of his nephew, who received them from the king shortly thereafter,³³ but in return the former Lord of Ewesdale was given extensive lands in the regality of Kirriemuir as compensation.³⁴

The rebellion and forfeiture of the ninth Earl of Douglas, coupled with the support and assistance rendered to the monarchy by Angus, enabled him to acquire Douglas and Eskdale. Both lordships were erected into a free barony and a free lordship respectively but in the process of being transferred from one Douglas family to another, lost their regalian status.³⁵

It is not known when the barony of Cluny was first granted to William Douglas, but it was inherited by his nephew, the fifth Earl of Angus.³⁶ Thus a combination of political events and royal patronage had increased the comital domain of the fourth Earl of Angus to include baronies and lordships in the sheriffdoms of Dumfries, Lanark and Fife, where previous earls had not held any possessions except for the lands of Balmaddy (Balmeadow in Dunbog) in Fife. Although the acquisition of the barony of Cluny was not permanent, the other lands gained by Angus were to be enjoyed by his successor.

Political upheavals were not confined exclusively to Scotland during the mid fifteenth century, for civil war engulfed the neighbouring realm of England. As a direct result of the struggle between the

33. Ibid., pp. 84-7, 434.

34. Ibid., pp. 88-9.

35. However, the actual extent of both these baronies remained unaltered. RMS, II, no. 670; Fraser, Ibid., pp. 86-7.

36. Cf. RMS, II, no. 1213.

Lancastrians and Yorkists for domination, an unique opportunity presented itself to George, Earl of Angus, to become simultaneously an English duke as well as a Scottish Earl. The fugitive King Henry the sixth and his wife fled to Scotland after the defeat of their supporters at Towton in March 1460/1 and at once entered into negotiations with the Scots to obtain the necessary armed assistance for their return to their kingdom.³⁷ Among the more prominent Scottish magnates, it appears that the earl of Angus alone became entangled in the intrigues to restore the deposed monarch.³⁸ What promises of assistance and aid which Angus made to Henry are unknown, but they must have been considerable in view of the contract which was drawn up in 1462 between them. In November of that year, an indenture was made between the two contracting parties whereby, for Angus's material aid to restore him to his throne, Henry promised to create Angus an English duke and to give him a castle, lordship, towns and manors between the Trent and Humber rivers worth 2,000 merks per annum. Elaborate precautions were included in this agreement which gave special assurances to Angus's rights to his dukedom and which explicitly recognised that the earl, as a subject to the King of Scots, owed certain duties to his native sovereign which might contravene those which the English king might impose upon him. By careful procedures which were specified in this original patent, Angus was given legal rights which would protect his rights to his English possessions even if England and Scotland were at

37. Cf. Andrew Lang, A History of Scotland from the Roman Occupation, I (Edinburgh, 1900), pp. 334-8. Cited hereafter as Lang, History; John Hill Burton, The History of Scotland, III (Edinburgh, 1876), pp. 1-2.

38. Lesley, History, pp. 33-4; Dunlop, Bishop James Kennedy, pp. 219-20; Exch. Rolls, VII, Preface, pp. XLII, XLVII.

war.³⁹ He obviously aimed at a policy which would guarantee him his rights and would not put him in the predicament which had confronted several English and Scottish nobles who had held, and later lost, estates in both kingdoms as a result of the Scottish Wars of Independence. But the provisions established in the indenture between the Lancastrian king and the Scottish earl were unworkable, although Henry considered Angus's support so important that he was willing to give Crown lands as well as estates held by such Lancastrians as the Duke of Suffolk, the Earl of Northumberland, and Lords Grey, Welles, Hastings and Roos, who possessed the major part of Lincolnshire between the Humber and the Trent.⁴⁰ With the capture of Henry the sixth in 1463, the prospect of an English dukedom for the earl of Angus vanished completely, but the loss of a mere promise had no discernible effect upon George Douglas or his comitatus in Scotland. Considerable gains had been made by the fourth Earl and when he died in 1463, he bequeathed to his son a much larger earldom than he had inherited himself.

It has been remarked of George Douglas that "it was this earl who transferred the power of the Angus Douglasses from Forfarshire to the borders."⁴¹ Nothing could be further from the truth. Not only had the earls of Angus been in possession of the lordships of Jedburgh Forest, Liddesdale and the regality of Bonkle since the beginning of the fifteenth century, but both the second and third Earls had also

39. Fraser, Douglas Book, III, pp. 92-3.

40. Cf. Cambridge Mediaeval History VIII, Map 84; E.F. Jacob, The Fifteenth Century: 1399-1485 (Oxford, 1961), Map 5; Complete Peerage, II, pp. 62-3; XII, Pt. 1, pp. 444-5, 447-8. Only one noble who held large estates in this region of England was pro-Yorkist: Lord Cromwell. Complete Peerage, III, p. 554.

41. A.J.G. Mackay, "George Douglas, 4th Earl of Angus," Dictionary of National Biography, V (Oxford, 1937), p. 1201.

been appointed Wardens of the East March. Undeniably, the acquisition of the lordships of Douglas, Eskdale and Ewesdale had enlarged the comital family's holdings south of the Forth, but this did not introduce a completely new trend in their obtaining control of more estates. The anomaly of two separate blocs of lands joined together merely by the accident of having the same feudal superior had existed from the very inception of the Douglas earldom of Angus. It was not until the end of the fifteenth century that the lands of the earls of Angus situated south of the Forth outstripped, in numerical importance at least, the original comital demesne within Angus proper. All of the baronies and lordships which were acquired for the first time by Archibald, the fifth Earl of Angus, were located in the south and southwestern areas of the kingdom and he failed to obtain any additional lands in the sheriffdom from which he derived his dignity. Thus Archibald Douglas, and not his father, was mainly responsible for the increased interest and importance of the earls of Angus in border affairs in their capacity as border magnates.

The processes of law which insured the undisputed inheritance of Archibald Douglas to his father's earldom began almost immediately after the latter's decease. In the spring of 1463, various inquests were held which returned the new earl in the regality of Abernethy⁴² and the lordship of Selkirk⁴³ and within three years, Archibald Douglas, in spite of the fact that he was a minor, had been formally invested with the majority of his patrimony.⁴⁴ Actual control

42. Fraser, Douglas Book, III, p. 435.

43. *Ibid.*, pp. 94-5.

44. In 1464, the fifth Earl of Angus was given formal sasine of the lordships and regality of Jedburgh Forest, Liddesdale and Abernethy, and in 1466 the earldom of Angus and the regality of Kirriemuir. Exch. Rolls, IX: Index to the Libros Responsionum, pp. 669-70, 672.

of the comital estates was in the hands of William Douglas of Cluny, Angus's uncle, as it was customary in Scots law for the nearest agnate to assume the office of tutory for a minor.⁴⁵ In September 1461, a marriage alliance between the earls of Angus and Huntly, which provided that the Master of Angus should marry Katherine Gordon, was devised. It was agreed that in return for the payment of 2,000 merks as tocher, Angus would infest his heir and future daughter-in-law, in 100 merks worth of lands in the regality of Kirriemuir which the earl of Huntly was to retain until the marriage was completed.⁴⁶

However, neither Earl George's widow nor his brother proved anxious to implement the contract and the marriage alliance between the two families proved abortive. In the absence of litigation and acrimonious debates between Huntly and his intended son-in-law, it seems likely that the former did not pay any of the dowry which he had promised. At any rate, the marriage of the fifth Earl was to be determined by the political machinations of Robert, Lord Boyd, whose daughter Elizabeth became Countess of Angus in the spring of 1468.⁴⁷ The Laird of Cluny's control of the comitatus terminated in the summer of 1470 when he resigned to his nephew, the ward of the lands of Tantallon and of the earldom of Douglas.⁴⁸ From the time of Cluny's resignation

45. But the wardship and marriage of the young earl's sisters were given to their mother, Isabella Sibbald, Countess of Angus. RMS, II, no. 829.
46. SRO, Gordon Castle Muniments GD 44/13/10/4; "Papers from the Charter Chest of the Duke of Richmond at Gordon Castle," Miscellany of the Spalding Club. IV (Aberdeen, 1849), no. IV, pp. 131-3.
47. Cf. Fraser, op. cit., pp. 96-7; RMS, op. cit., no. 945.
48. Fraser, op. cit., pp. 98-9. The use of the phrase "omnium et singularum terrarum comitatus de Douglas" is of the utmost significance. It emphatically demonstrates that the lordship (formerly regality) of Douglas in Lanarkshire was co-extensive with the earldom. However, most of the other possessions of the earls of Douglas as well as their comital dignity, was never given to their distant kinsmen.

until November 1513, the fifth Earl of Angus held undisputed control of his family estates.

Among the first estates obtained by Archibald Douglas, the new earl of Angus, were some of those which had belonged to his uncle and former Tutor. With the death of William Douglas in 1474, his barony of Cluny in Fife became absorbed into the comitatus of Angus for a very short period.⁴⁹ The Laird of Cluny had been given the barony prior to 1465,⁵⁰ and had also acquired the lands of Sunderlandhall in Selkirkshire, Cranstoun in Edinburghshire, Traquair and Lethamehope in Peebleshire.⁵¹ These estates had been forfeited by William Cockburn of Henderland and William Murray for their support of the banished earl of Douglas, but the lands could only be inherited by the male children of William Douglas. After Douglas's death without issue, all of these lands reverted to the Crown, although Sunderlandhall was given back to its original proprietor, Henderland, in July 1474;⁵² Cranstoun was granted to David Cranston of Cranstoun-Riddel in January 1477/8;⁵³ and Traquair, which had been alienated to Lord Boyd, was given to the king's uncle, the Earl of Buchan, in February 1478/9, after Boyd's forfeiture.⁵⁴ Angus retained control of Cluny for only

49. William Douglas was dead before 23 June 1474. Exch. Rolls, VIII, p. 204; cf. Scots Peerage, I, p. 174.
50. HMC 4th Report, Appendix: MSS. of the Countess of Rothes, no. 31, p. 496; SRO, Transcripts of Miscellaneous Charters and Papers, RH 1/2/254. William Douglas's rights to Cluny were disputed, unsuccessfully, by the Abbot of Dunfermline. cf. APS, II, pp. 88.
51. RMS, II, nos. 774-5.
52. Ibid., no. 1180; cf. Thomas Cockburn-Hood, The House of Cockburn of that Ilk (Edinburgh, 1888), pp. 175-6.
53. RMS, op. cit., no. 1356.
54. Ibid., no. 1418. The lands of Lethamehope had been granted to the Abbey of Newbattle by King Alexander the second, and continued in its possession after the death of the Laird of Cluny. Cf. Registrum S. Marie de Newbotle, ed. Cosmo Innes, Bannatyne Club (Edinburgh, 1849), p. 90; RMS, IV, no. 1351.

one year after he had become its superior as he resigned the barony into the hands of the king in September 1475, who granted the lands to the Laird of Cranstoun-Riddel.⁵⁵ None of the estates which had been held by William Douglas remained in the permanent possession of his heirs, the earls of Angus.

During the last twenty-five years of the fifteenth century, the extent of the Douglas earldom of Angus reached its territorial apogee. In fact, regardless of the difficulties which beset the fifth Earl's relations with James the third, it was not that king but his son who deprived Angus of some of his paternal lands. Perhaps Angus's marriage to the daughter of James's putative guardian, Robert, Lord Boyd, had created in the king's mind an initial distrust of the earl which he never forgot even though Boyd's attempt to gain a faithful ally in his son-in-law was not successful. Both Angus and his uncle were present in the Parliament which forfeited the Boyds in November 1469,⁵⁶ and the earl did not suffer any loss of lands because of his kinship to the proscribed rebels. His possession of the castle of Tantallon was confirmed four times in the decade from 1471 until August 1481,⁵⁷ and by the latter year, Angus had become Warden of the East March, an office which had almost become an hereditary one in his family.⁵⁸ But despite royal favour, the earl became deeply committed to Alexander, Duke of Albany in his schemes against the king. When an agreement was reached between the estranged royal brothers in the spring of 1482/3, all of Albany's closest allies

55. HMC 4th Report, Appendix: MSS. of the Countess of Rothes, nos. 34, 35, pp. 496.

56. APS, II, p. 93.

57. Frazer, op. cit., pp. 104-6, 109; RMS, II, no. 1430.

58. Ibid., no. 1487. Angus had assumed the office of Warden at the specific request of the Three Estates. APS, op. cit., p. 132.

were penalised for their support of the duke. Archibald Douglas, Earl of Angus was among the most severely punished: he was forbidden to approach the royal court nearer than six miles; he was stripped of his offices of Sheriff of Lanark, Steward of Kirkcudbright and keeper of Threave Castle; and he was deprived of the wardship of the Laird of Dalhousie.⁵⁹ There is no evidence to suggest when the earl was given the important posts of the sheriffship and stewardship of Lanark and Kirkcudbright except for a notation in an inventory of the Douglas family papers compiled in the following century,⁶⁰ but the acquisition of such offices indicates Angus's aim to strengthen his power in the southern regions of Scotland. During the summer of 1483 when Albany had momentarily taken over the actual control of the kingdom, the earl of Angus was given a lease of the lands of Hartwood, Whitehill, Black Myddings, Warmanhope, half of Berybuss, and the captaincy of Newark Castle for five years.⁶¹ The lands of Earlston alias Cowdenknowes in Albany's earldom of March were also given to Angus,⁶² but in 1484 these estates were alienated to Lord Home.⁶³ The earl, not surprisingly, was one of the chief instigators of the rebellion in 1488 which led to the defeat and death of James the third at Sauchieburn. With the accession of James the fourth,

59. *Ibid.*, XII, pp. 32-3.

60. Cf. Appendix IV, p. 774.

61. Fraser, *op. cit.*, pp. 114-6. In 1483, the Earl of Angus was appointed one of the royal commissioners to set Ettrick Forest in feuferm. Three years later, Angus was no longer a Crown official and only held one part of the lands of Hartwood, one-half of Berybuss, Cartarhalch, and Cathmuirle for his constablenesship of Newark Castle. *Exch. Rolls*, IX, pp. 607, 615-7.

62. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 97, pp. 117-8.

63. Cf. *APS*, II, p. 205.

Archibald, Earl of Angus undoubtedly hoped for tangible rewards which would be translated into more lands for his comitatus.

During the first year of the new reign, the lands of Earliston were restored, while the castle of Tantallon, the regality of Bonkle, and the baronies and lordships of Douglas, Jedburgh Forest, Liddesdale, Selkirk, Ewesdale and Eskdale were confirmed to Angus, who resigned them in favour of his heir.⁶⁴ The newly reclaimed Earliston, however, was quitclaimed by the earl and given to John Home of Whiterig before the end of 1489,⁶⁵ while in return, his brother, Alexander, Lord Home resigned the lands of Scrogtoun and Dene in the barony of Douglas to their feudal superior.⁶⁶ The granting of the bulk of the estates of the earldom to George Douglas, Master of Angus, was probably done as a condition for his marriage to Elizabeth Drummond,⁶⁷ but the liferent of all of these lands remained vested in Angus and his wife, who also retained the superiority of the regalities of Abernethy and Kirriemuir. However, Archibald Douglas did not receive any immediate addition to his comital estates and was even deprived of his position as Warden of the East and Middle Marches.⁶⁸

Perhaps the earl believed that James the fourth had ill requited him for his assistance in the insurrection against James the third, and,

64. HMC 12th Report, Appendix: Part VIII; MSS. of the Earl of Home, nos. 100-1, p. 118; Fraser, Douglas Book, III, pp. 121-3; RMS, II, no. 1827, 1828.

65. Ibid., no. 102, p. 118.

66. Fraser, op. cit., pp. 123-4.

67. There is a much mutilated document among the Castle Drummond writs which purports to be a dispensation for the marriage of George Douglas and Elizabeth Drummond, who were married before the spring of 1488. SRO, Castle Drummond Writs GD 160/112.

68. RMS, II, nos. 1874, 1875.

if so, this treatment must have rankled. Whatever the cause, Angus appears to have determined not to submit to royal neglect meekly and by the autumn of 1491 entered into diplomatic negotiations with the English which were of the most devious duplicity.⁶⁹ Affairs between the malcontented magnate and the Scottish king deteriorated to such an extent that James felt impelled to besiege the earl's strongest castle, Tantallon, in October 1491.⁷⁰ The forcefulness of the young king duly impressed Angus that James would not tolerate disobedience; Tantallon withheld the royal army for only one week⁷¹ and before the end of the year, Angus was, once again, in favour.⁷² But a consequence of the quarrel between sovereign and subject was to result in a major alteration of the comital demesne. The earl, undoubtedly due to royal pressure, resigned the important lordship of Liddesdale in December 1491, and received in return the lordship of Kilmarnock in Ayrshire; while Angus's resignation of Liddesdale was irrevocable, his grant of Kilmarnock was only one of liferent or until such time as his former possession was returned to him.⁷³ The tenor of the Crown grant indicates quite clearly that Liddesdale had been forcibly wrested from

69. Letters and Papers Illustrative of the Reigns of Richard III and Henry VII, ed. James Gairdner (London, 1861), I, pp. 385-7.

70. Exch. Rolls, X, Preface, p. LV; Comptum Thesaurariorum Regum Scotorum: Accounts of the Lord High Treasurer of Scotland, ed. Thomas Dickson (Edinburgh, 1877), I, pp. 170, 180-81. Cited hereafter as TA.

71. Siege operations against the castle were begun on the 11th of October and Tantallon was in the king's hands by the 16th. Ibid., p. 181.

72. Ibid., p. 188.

73. Fraser, Douglas Book, III, pp. 127-8; RMS, II, no. 2072.

Angus's control and the agreement between him and James was, in reality, a unilateral decision of the royal will. James had no intention of returning such a valuable possession as Liddesdale to a magnate whose political career had been as chequered as Angus's had been, and in the following spring granted the lordship to the earl of Bothwell.⁷⁴

Liddesdale, which had been in undisputed possession of the earls of Angus since the beginning of the century, had been taken from their grasp permanently. In its place, Archibald Douglas had been given a lordship to which he had a claim of most dubious legality. Kilmarnock had formed the core of the ancestral estates of Robert, Lord Boyd, and, upon his forfeiture in 1469, it had been annexed to the Crown estates.⁷⁵ Thereafter, the lordship had been granted to the consort of James the third,⁷⁶ but as Queen Margaret was dead by the end of July 1486,⁷⁷ Kilmarnock reverted to the king's direct control. Upon the accession of James the fourth, these lands should have been bestowed on James, Marquess of Ormond, the king's younger brother and heir-presumptive, but the king decided to mollify Angus for his loss of Liddesdale by granting to the earl lands to which his wife had some

74. *Ibid.*, no. 2092; Fraser, *op. cit.*, pp. 130-31.

75. The lands of Kilmarnock were annexed on 22 November 1469 and were specifically reserved for the eldest son of the king of Scots. *APS*, II, p. 187.

76. *RMS*, *op. cit.*, nos. 992, 1340.

77. S.B. Chandler, "An Italian Life of Margaret, Queen of James III," Scottish Historical Review, XXXII (April 1953), p. 53.

reversionary claim. James undertook to maintain Angus's right of possession to Kilmarnock, but the earl was its feudal superior for only three years: by August 1495 he was only the lessee of the lordship.⁷⁸ Two years later, Archibald, Earl of Angus resigned all of his claims to Kilmarnock in favour of his son-in-law, Cuthbert, Lord Kilmaurs,⁷⁹ who rendered accounts of the fermes of the lordship into the royal exchequer until the summer of 1499.⁸⁰ Kilmarnock was then leased to Alexander Boyd, its former chamberlain,⁸¹ and was among the dower lands given to Queen Margaret Tudor by her husband in 1504.⁸² In spite of the king's promises, Angus had actually controlled the lordship for a mere six years.

However, a marked change in the career of the fifth Earl of Angus occurred in 1492. The king, it seems, once more placed great confidence in Archibald Douglas, who received in July the barony of Bothwell in Lanarkshire, with its annexed lands of Easter Dunsiar, Westoun, Todhollis, also in Lanarkshire, and the lands of Trottaneshaw, Byrecleuch, Handaxwood, Horshop/Horshopcleuch, Hartshaw-meadow, called Somerscheill and Kettilscheill in Berwickshire. All of these estates had belonged to Patrick, Earl of Bothwell, who had resigned them into James's hands, and then were given to Angus in perpetuity.⁸³ In the

78. Exch. Rolls, X, p. 516.

79. SRO, Glencairn Muniments GD 39/1/22. This was done in order to fulfil the terms of the marriage contract between Lord Kilmaurs and the earl's daughter, Marion Douglas. Cf. Fraser, Douglas Book, III, p. 158.

80. Exch. Rolls, XI, pp. 195-7.

81. Ibid., X, p. 91; Scots Peerage, V, p. 150.

82. RMS, II, no. 2772; APS, II, pp. 271-2.

83. RMS, op. cit., no. 2106; Fraser, op. cit., pp. 134-5.

following month, the earl of Angus became Chancellor of the kingdom⁸⁴ and this led to his obtaining substantial material benefits for himself and his family. It was precisely at the same time as he occupied the highest civil office in the realm that Angus received gifts and negotiated contracts which would add significantly to his wealth and power and his dismissal from office would be followed by a concomitant loss of influence. In the autumn of 1492 he acquired for his son, William Douglas, the ward and marriage of Elizabeth Auchinleck, the heiress of the baronies of Glenbervie, Barras and Kemnay in the sheriffdoms of Aberdeen and Kincardine;⁸⁵ in July 1493, Angus arranged for his daughter Elizabeth Douglas to marry Robert, Master of Lyle, who was granted in fee all of his paternal estates;⁸⁶ and, in the following October the Chancellor received the ward of the lands of Gavin Niddrie of Luchin.⁸⁷ Two years later, in November 1495, the marriage of Angus's daughter Janet Douglas to Andrew, Master of Herries, was completed;⁸⁸ in the following month the lands and baronies of Terregles and Kirkgunzeoune in Dumfriesshire, one-half of Urr in

84. He appeared as Chancellor for the first time on 12th August 1492 and remained so at least until 22 September 1497. Cf. RMS, op. cit., nos. 2111, 2374.
85. Fraser, Douglas Book, III, pp. 136-7. William Douglas eventually married the heiress of Glenbervie and, in spite of a long and bitter controversy, managed to retain control of her maternal lands. Cf. Ibid., pp. 142-3, 147-9, 53-5; Acta Dominorum Auditorum: The Acts of the Lords Auditors of Causes and Complaints: A.D.M.CCCC. LVI. - A.D.M. CCCC. XCIV., ed. Thomas Thomson (Edinburgh, 1839), pp. 170, 179-80, 183-4. Cited hereafter as ADA; The Acts of the Lords of Council in Civil Causes: A.D.M. CCCC. LXXVIII-M. CCCC. XCV., ed. Thomas Thomson (Edinburgh, 1839), I, pp. 427-8; cited hereafter as Acts of Council, I.
86. Fraser, op. cit., pp. 140-2. There is some doubt as to whether the marriage was actually completed. Cf. Scots Peerage, V. p. 555.
87. Registrum Secreti Sigilli Regum Scotorum: The Register of the Privy Seal of Scotland, eds. M. Livingstone et al. (Edinburgh, 1908), I, no. 20. Cited hereafter as RSS.
88. Fraser, op. cit., pp. 149-51.

Galloway, Hoddam, Tollingarth, Lockerbie, Hutoun, Avaundale, Moffatdale and Kirkandrews in Annandale, Fewroule in Roxburghshire, Barnweill and Symontoun in Ayrshire, were all given to the new Mistress of Herries in conjunct fee.⁸⁹ In January 1495/6, James the fourth granted the barony of Crawford Lindsay in Lanarkshire to Angus, as it had been recognosed into the king's possession because David, Duke of Montrose had alienated its lands without royal permission.⁹⁰ Montrose's son and successor, John, Earl of Crawford, acquiesced in the gift made to the Chancellor upon the condition that Angus would give him 100 merks worth of lands in the regality of Kirriemuir.⁹¹ The last year in which Angus held the chancellorship, 1497, coincided with the last territorial acquisitions which he gained for his earldom. Margaret Dunbar, dowager Countess of Crawford, granted to the earl, in return for his assistance in obtaining a charter under the great seal of the lands of Cockburn in Berwickshire in favour of her son, Sir Alexander Lindsay of Ochtermozie, forty-four husbandlands of Ryweilhauch and

89. RMS, op. cit., no. 2294. An alliance with the Chancellor of Scotland was judged to be of such importance that Andrew Herries divorced his first wife in order to marry Janet Douglas. Fraser, op. cit. However, their marriage was not a successful one and in the beginning of 1500, the Mistress of Herries resigned all of her husband's lands which she had received in fee. RMS, op. cit., no. 2526. It has generally been assumed that the marriage between Andrew Herries and Janet Douglas was never consummated, but in a manuscript genealogy of the family she is stated to have borne him two children, Andrew and Elizabeth Herries. Scots Peerage, IV, p. 406. Although there is no direct corroboration of this, in a dispute between Andrew Herries (younger) and his half-brother, William, Lord Herries carried on from March 1525/6 until the spring of 1527, the former was consistently supported by the sixth Earl of Angus, his brother George Douglas, his uncle Archibald Douglas, and James Douglas of Drumlanrig, which would indicate that a bond of consanguinity existed between the parties. Acta Dominorum Concilii, XXXVI, ff. 10-11;16; XXXVII, ff. 98, 128, 173, 194-5. Cited hereafter as ADC.

90. RMS, II, no. 2298; Fraser, Douglas Book, III, pp. 152-3.

91. A contract implementing the agreement between the former and the new superior of the barony was drawn up in June 1496. Three acres of dominical lands of Crawford Lindsay were allowed to be retained by the earl of Crawford in order for him to keep his comital dignity. Fraser, op. cit., pp. 155-7.

half of the dominical lands of Erigham in Berwickshire.⁹² Finally, in May 1497, the king granted the barony of Braidwood in Lanarkshire to his chancellor after it had been resigned by its former proprietor.⁹³

The fifth Earl of Angus, not merely content with grants and gifts which he received as a result of royal magnanimity, entered into a series of negotiations which he hoped would further increase his possessions. Even before he had become Chancellor, Archibald Douglas had been given the wardship of the second Lord Fleming⁹⁴ and proceeded to use his position as tutor of the young nobleman for his own advancement. A long standing dispute between the Kennedy and Fleming families over the possession of the barony of Thankerton provided Angus with an opportunity which he did not fail to utilise to his own profit. Lord Kennedy made an agreement with the Chancellor which bound the latter to use his influence with the king to have Thankerton given to the former. In return for this assistance, Kennedy agreed to set the lards of the barony in feuferm to Angus who agreed that upon receipt of 300 merks and a ten year lease of the barony, that he would resign all rights to Thankerton.⁹⁵ In spite of his position at court, however, Angus was unable to induce James the fourth to give Thankerton to Lord Kennedy.⁹⁶ The earl continued to exert pressure on Lord Fleming

92. RMS, op. cit., no. 2339; cf. Fraser, op. cit., pp. 158-9.

93. RMS, op. cit., no. 2351.

94. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 53, pp. 28-9.

95. Fraser, Douglas Book, III, pp. 162-3.

96. The barony of Thankerton had been the subject of bitter legal disputes since Robert, Lord Fleming consented to infeft Gilbert, Lord Kennedy in the barony in February 1465/6. SRO, Ailsa Muniments GD 25/1/97, 99-101. Although Kennedy received sasine of Thankerton in the spring of 1466, the Flemings never relinquished its superiority and, in spite of repeated attempts to dislodge them, they retained control of the barony. Cf. SRO, Ailsa Muniments GD 25/1/105, 154, 168; Wigtown Charter Chest (GF 101), nos. 77-8, 452; RMS, II, no. 2310; III, nos. 50, 1774.

who, in order to end Douglas's control over his estates, alienated the barony of Biggar in Lanarkshire to Angus for the sum of 900 merks.⁹⁷ The king granted Fleming letters of regress⁹⁸ to this barony but was unwilling that Angus should keep Biggar for long; within five months of the alienation of the barony to Angus, Fleming had reimbursed the former chancellor and once again was unquestioned feudal proprietor.⁹⁹

During Angus's tenure as chancellor, Mr Hugh Douglas, Dean of Brechin, hoped that his prominent kinsman would exert his influence in his behalf. Two indentures were drawn up, one in May 1493 and the other early in 1497, in which it was stipulated that Angus would attempt to persuade James to restore the lands of Avondale, Pettinain and Gladstones in Lanarkshire and Glenholm in Peebleshire, to the Dean of Brechin, who as the son of Hugh Douglas, Earl of Ormond, was the nearest heir male to the earls of Douglas. In exchange for Angus's help, Hugh Douglas agreed to resign these estates after he had obtained possession (reserving only his liferent), to the earl,¹⁰⁰ and to nominate Angus as heir at law to the last earls of Douglas, James Douglas, Earl of Avondale, and Hugh Douglas, Earl of Ormond.¹⁰¹ But Angus was unable to obtain the king's consent to implement these agreements, and he was left with only the empty promise of a tacit recognition of his claim to be considered the heir general of the forfeited earls of Douglas. By the summer of 1497, the comitatus of Angus had reached its maximum territorial extent. No major acquisitions

97. Wigtown Charter Chest, op. cit., no. 440.

98. RSS, I, no. 365.

99. Ibid., nos. 442-3.

100. Fraser, op. cit., pp. 139-40, 160-61.

101. Ibid.

were to be added until after the death of the sixth Earl in 1557.

The fifth Earl of Angus was deprived of the chancellorship in 1497 and after his removal from office, he no longer received grants of estates from the king or occupied a prominent political position in affairs of state. From the commencement of the sixteenth century until shortly before the battle of Flodden, he suffered almost a total eclipse in his fortunes. For reasons which are not apparent, he was placed in ward in Dumbarton Castle by December 1501,¹⁰² and he spent most of the next decade residing on the island of Bute.¹⁰³ Angus suffered official displeasure during these years and in 1502 and 1506 was deprived permanently of his sole possessions in Dumfriesshire, the lordships of Eskdale and Ewesdale respectively.¹⁰⁴ Although the earl had received sasine of Eskdale in 1496,¹⁰⁵ the actual control of the lordship was probably in the hands of Lord Home, who had been made hereditary bailie in the preceding year.¹⁰⁶ Indeed, Angus had resigned Eskdale in favour of his eldest son, George Douglas, before the end of 1499,¹⁰⁷ but the Master of Angus later renounced all

102. Acta Dominorum Concillii: 26 March 1502-January 1502-3, ed. James, Lord Clyde, Stair Society, Vol. 8 (Edinburgh, 1943), p. 108. Cited hereafter as Acta Concillii.
103. The Earl of Angus and his third wife were on Bute from 1503 until the spring of 1508. Protocol Book of John Foular, eds. Walter MacLeod and Marguerite Wood, Scottish Record Society, vol. 64 (Edinburgh, 1930), pp. 182-3; cited hereafter as Prot. Bk. of John Foular, I.; SRO, Ogilvy of Inverquharity Writs GD 205, Box 6, Bundle XI.
104. Fraser, Douglas Book, III, pp. 178-80; FMS, II, no. 2962.
105. Exch. Rolls, X, Appendix: Index to the Libros Responsionum, p. 772. Cf. Fraser, *op. cit.*, p. 151.
106. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 150, pp. 133-4. Angus's presence as one of the witnesses would imply that he consented to the king's choice.
107. Fraser, *op. cit.*, pp. 168-70.

claim to the lordship. The deprivation of these two lordships from the comitatus of Angus marked the end of the Earls' power in the most south-western area of Scotland. Never again was an earl of Angus to acquire estates in either Dumfriesshire or Galloway.

After the loss of Eskdale and Ewesdale, a series of lawsuits ^{was} were instituted against the fifth Earl for recognoscing or alienating the major part of his lordships without the king's consent. The most involved case was concerned with the core of the comital demesne itself, the regality of Kirriemuir. Angus was declared by the Lords of Council to have forfeited the regality as he had not received proper sasine since his father's death and had alienated most of its lands. However, Kirriemuir was regranted to the earl in August 1510 but only after he had paid a considerable sum as composition.¹⁰⁸ The regality of Kirriemuir as restored to the fifth Earl had reached its maximum extent and comprised the lands of Crumble, Inchbrachty, Banneshocht, Inchemyre, Pettarittye (Pitcarity), Dalinch, Daldano, Glennowik, Carnowis, Billich, Kintyrie, the village of Kirriemuir, Erlis-Stradichty (Strathdichty-comitis alias Mains), Kinwherries, Balnagarro, Chapelton, Auchanlussy, Ballargus, Kirkton of Erlis-Stradichty, Whitefield, Balmure, Balrossy, Justingleis, Eggismaniechty

108. Owing to a gap in the Treasurer's Accounts from 1508 until 1512, the full amount of the composition which was levied upon the earl of Angus for a new infeftment of the regality of Kirriemuir will never be known, but he was expected to pay at least £1465. 22¹/₂d. The earl did pay £649. 12s. 9d. before the end of 1512 and he was ordered to pay a further £285. 19s. 5d. to a Crown official, Mr Thomas Dickson. James, however, did not show himself ungrateful for Angus's past services - although perhaps he believed that he would never receive the full amount anyway - and remitted to the earl £510. 9s. 6¹/₂d. TA, IV, p. 155.

(Eglismonechty), Balmuckety, Monifieth, Ethiebetoun, Kingenny, Easter Brichty, Lawis, Munniachty, Panlathy, Barnhill, Pitcondrum, Petconra, Petmowie, Finlarg, Gagy, Glaswell, Torbirnis, Logie, Ballindarg, Ballinshoe, Inverquharity, Crieff, Little Migvy, Netoun, Kinnordy, Hirdhill, Mains, Easter and Wester Lednathie, Balbride, Bruchty, Cramond-Inche, Scottistoun, and the Whitefield of Kirriemuir.¹⁰⁹

In 1511 the barony of Crawford Lindsay, which had also been recognised into the king's hands, was regranted to George, Master of Angus and erected into the barony of Crawford Douglas; the new barony consisted of the lands of Crawford, Howcleuch, Racleuch, Hardtop, Budhouse, Ellershaw, Powtrale, Over and Nether Newtown, Little Clyde, Glaspen, Mudlow, Granys, Kowhill, Westshaw, Whitecamp, Kirkhope, Southouse, Crymperamp, Normangill, Haircleuch, Bonyngton, and Halkshaws.¹¹⁰

James's attitude towards his former chancellor had mellowed considerably since Angus's virtual exile from the capital for the previous decade, and in the last years of his reign, the king also regranted the regality of Abernethy to the Master of Angus,¹¹¹ and confirmed the earl's gift of the barony of Braidwood to his son, Sir William Douglas of Glenbervie.¹¹² The bulk of the comitatus was reconfirmed and restored to Angus and his sons at least one year before Flodden.

One method of acquiring estates utilised by all noble families was that of advantageous marriage alliances, but in this respect, the earls of Angus, unlike their kinsmen, the earls of Douglas, were

109. RMS, II, no. 3489; Fraser, Douglas Book, III, pp. 195-8.

110. Ibid., pp. 200-2; RMS, op. cit., no. 3532.

111. Ibid., no. 3543; Fraser, op. cit., pp. 199-200.

112. Ibid., pp. 202-3; RMS, op. cit., no. 3544.

singularly unfortunate. None of the various countesses of Angus were heiresses or brought with them as tochers estates which were then absorbed into the earldom.¹¹³ Indeed, Margaret Hay, the wife of the second earl, and Isabella Sibbald, the wife of the fourth earl, were especially long-lived and were involved in disputes over their terce rights to the barony of Bonkle which they shared.¹¹⁴ The problem of setting aside lands for the maintenance of the earls' wives was complicated by the marriages of Archibald, the fifth earl. In May 1468, his wife Elizabeth Boyd was given the regality of Abernethy in conjunct fee,¹¹⁵ but after her death in 1498, the regality was given to their son, the Master of Angus. The earl of Angus granted to his second wife, Janet Kennedy, the baronies of Bothwell, Braidwood and Crawford Lindsay in the summer of 1498,¹¹⁶ but this marriage was of extremely short duration.¹¹⁷ Undaunted by his unsuccessful second marriage, Angus espoused Katherine Stirling shortly after June 1500 and granted the regality of Kirriemuir to her.¹¹⁸ The new Countess of Angus received the lands of Kettilsheill in Berwickshire six years later.¹¹⁹ Unfortunately, relations between Angus and his third wife were no better than those which had existed between him and Janet Kennedy; before the spring of 1513, she had formed a liaison with

113. It has been asserted that Isabella Sibbald, the wife of the fourth Earl, was the heiress of the lands of Balmaddy (Balmeadow in Dunbog) in Fife, but this assumption is erroneous. Balmaddy was a detached portion of the regality of Abernethy. Compare Scots Peerage, IV, p. 564 with G.W.S. Barrow, "The Beginnings of Feudalism in Scotland," Bulletin of the Institute of Historical Research, XXXIX (1956), p. 24.

114. ADA, p. 4

115. RMS, II, no. 945; Fraser, Douglas Book, III, p. 96. Margaret Hay, the senior dowager Countess of Angus also possessed terce rights to Abernethy. Cf. Fraser, *op. cit.*, pp. 424-5.

116. RMS, *op. cit.*, nos. 2434, 2457; RSS, I, no. 258.

117. Although some authorities have doubted that Angus and Janet Kennedy were ever married, in May 1531 she founded a prebendary in the collegiate church of St. Mary in the Fields, who was to say masses for the soul of her husband, Archibald, Earl of Angus. RMS, III, no. 1029.

118. RMS, II, no. 2539.

119. RSS, I, no. 1254.

Lord Home and had borne him a son.¹²⁰ However, the "reputed" Countess of Angus still maintained her rights to Kirriemuir as late as March 1512/13¹²¹ but she disappeared from historical record shortly afterwards. It was Janet Kennedy, who outlived both her former husband and her successor, who tenaciously retained her grip on those estates which Angus had bestowed upon her. She refused to relinquish the baronies of Crawford Lindsay (later Crawford Douglas), Braidwood, and the lands of Dunsiar, Trottaneshaw, Byrcleuch, Hairhope, Handaxwood, and Kettilsheill until she had received compensation. This impasse led to a compromise with her ex-husband in December 1509 whereby he resigned the barony of Bothwell minus its Berwickshire lands to her to enjoy for her lifetime and she resigned all claim to the baronies of Braidwood and Crawford Lindsay.¹²² This settlement was confirmed by a Crown charter in February 1510/11 and Janet Kennedy, in spite of serious efforts to dislodge her from Bothwell made by her former husband's grandson, the sixth Earl, maintained her position as feudal superior.¹²³

120. Fraser, Keir, no. 88, p. 296.

121. ADC, XXIV, ff. 190-91.

122. ADC, XXI, ff. 41-4.

123. RMS, II, no. 3413. However, if none of the countesses of Angus were great heiresses, so too the daughters of the comital family rarely brought lands into the possession of their husbands. As we have seen, Elizabeth Douglas, the sister of the second Earl brought various estates in the regalties of Abernethy and Kirriemuir to her husband, Sir Alexander Forbes, who then became a vassal of the earls of Angus. Of the daughters of the fourth Earl, only two, Elizabeth and Janet Douglas, had estates given to them. Elizabeth, brought the lands of Inchbrachty, Inchmylne, Glennowik, Balnabothy, Daldano, and Pettarittye/Pitcarity, to her husband, David Graham, fiar of Fintry, who also became Angus's vassal; while Janet's husband, David Scott of Buccleuch was made heritable bailie of Liddesdale and received lands within that lordship. The fifth Earl granted the lands of Drumalbane, Udingstoun and Likeliok in the barony of Douglas to his daughter, Marion Douglas and her husband, Lord Kilmaurs, but these lands had returned to their superior's possession before the mid sixteenth century. None of the daughters of George, Master of Angus received lands as tochers. Cf. RMS, II, no. 1560 (Fintry); Fraser, Buccleuch, II, pp. 70-3 (Buccleuch); RMS, II, no. 2102; III, no. 2892 (Kilmaurs).

At first glance, the political and matrimonial misadventures of the fifth earl of Angus (who possessed the comital dignity for a longer period than any of his predecessors or immediate successors) had stripped and alienated vast areas of the paternal estates (Liddesdale, Eskdale, Ewesdale and Bothwell); however, this earl had acquired other lands whose superiorities would remain with future earls of Angus. It is a measure of his achievement that, like his predecessors, he was able to maintain the comital demesne in spite of a troubled career.

Chapter IV

The Vassals and the Structure of Land Ownership
in the Estates of the Earls of Angus
during the Fifteenth and early Sixteenth Centuries.

One of the most salient features of mediaeval Scottish society was the existence of vassal dependents or clients who held their lands from powerful feudal magnates. The privileges and duties which each party had in the contractual structure of the "feudal system" was given explicit expression in the conditions upon which grants of land were made to vassals by a feudal overlord. A discussion of the relationships between the free vassals of the earls of Angus and their feudal superior (there is no documentation whatsoever for tenants and the tillers of the soil) from the first Douglas earl until the death of the fifth Douglas earl is of great importance as it is the longest single period in which the inheritance and succession to the comitatus were uninterrupted either by forfeiture or exile of its possessor. Notwithstanding the severe limitations imposed upon us by the meagreness of the available sources, a study of the vassals and their estates is useful for the insights which it gives into the social structure of a major Scottish magnate and his feudal subordinates. For purposes of analysis, the description of the heritable proprietors has been divided into a geographical and chronological one. The earldom of Angus (by this we mean, of course, all the estates which were possessed by the earls as feudal superior) consisted of four distinct groups of lands: firstly, the original comital estates at the time of the decease of the first Douglas earl of Angus; secondly the lordships which were once part of the unentailed Douglas estates once possessed by the earls of Douglas and given to George Douglas by

Isabella Douglas, Countess of Mar; thirdly, those estates which accrued to the earls of Angus as a result of the forfeiture of the earls of Douglas; and, finally, the lands which were acquired by the fourth and fifth Earls of Angus either by an exchange of property or by royal gift. The first group consisted of the regalities of Kirriemuir in Angus, Abernethy in Perthshire, Bonkle and Preston in Berwickshire; the second, the lordships of Liddesdale and Jedburgh Forest in Roxburghshire¹ and Selkirk in Selkirkshire; the third, the lordships of Eskdale in Dumfriesshire and Douglas in Lanarkshire; and the last, the barony of Tantallon in Edinburghshire, the lordship of Kilmarnock in Ayrshire, and the baronies of Braidwood, Crawford Lindsay and Bothwell in Lanarkshire. In the following analysis, each vassal family will be discussed independently according to seniority in their introduction into the respective component parts of the comitatus.

Group I

Within the regality of Kirriemuir there were thirty-nine distinct families who held lands in chief from the Douglas earls of Angus, more than in any other lordship of the entire earldom. Of these vassals, four had been tenants-in-chief of the de Umphraville earls of Angus: the Wisharts of that Ilk, who later assumed the designation of Logie-Wishart, the Allardyces of Inverquharity, the Liddels of Panlathy and the Maules of Panmure. As early as 1272, Adam Wishart had been granted the lands of Ballindarg and Logie by Gilbert de Umphraville, Earl of Angus.²

1. The lordship of Jedburgh Forest became a regality by the mid-fifteenth century. Cf. infra, p. 157.
2. Fraser, Douglas Book, III, p. 56; Alexander Warden, Angus or Forfarshire: the Land and People (Dundee, 1884), IV, p. 116; Charles Rogers, Life of George Wishart the Scottish Martyr with his Translation of the Helvetic Confession and a Genealogical History of the Family of Wishart (Edinburgh, 1876), pp. 77, 99-102; NLS Adv. MS. 34.6.24, p. 52.

As the family writs of the Wisharts have not survived, it is not possible to give any sort of detailed account of their estates in the regality prior to the sixteenth century, but their continued possession is implied by the fact that in 1420 one John Wishart of Ballindarg was appointed as one of the procurators by the Laird of Lintrathen to resign his estates in Kirriemuir,³ while half a century later another John Wishart of Ballindarg was a member of an inquest which determined the boundary between the baronies of Downie and Inverarity.⁴ The Lairds of Ballindarg continued to hold on to their lands well into the sixteenth century when yet another John Wishart had his estates in the regality erected into a barony by James the fifth.⁵

Contemporaneous with the Wisharts' introduction as landowners in Kirriemuir was that of the Allardyces of that Ilk; their ancestor Alexander Allardyce was given the lands of Invercarechi, later Inverquharity, in Kirriemuir.⁶ Inverquharity continued to remain in the possession of the Allardyces until the beginning of the fifteenth century when Sir John Allardyce of that Ilk resigned ^{it} them in favour of Walter Ogilvy of Carcary and Lintrathen.⁷ Allardyce's resignation effectively terminated both his family's possessions within the regality and his status as a vassal to Angus.

The Liddels of Panlathy were in a unique position for they were not only free tenants of the earls of Angus, but were also vassals of their (i.e. the Liddels') immediate superiors, the Maules of Panmure, who held

3. Fraser, *ibid.*, pp. 413-4.

4. *RMS*, II, no. 1038.

5. Cf. *Ibid.*, III, no. 2150.

6. Fraser, *Ibid.*, pp. 353-4.

7. Fraser, *Ibid.*, p. 413; SRO, Inverquharity Writs GD 205, Box 3, Bundle 1.

the lands of Panlathy, Balbany and Pitconra in Kirriemuir. These estates had originally been in the possession of the De Valonias one of the earliest Anglo-Norman families who had been given vast territories in Angus. Philip de Valonias was granted the baronies of Panmure and Benvie and the lands of Panlathy and Balbany ("Balbanein") by William the Lion.⁸ Panlathy came into the possession of Sir John Baliol of Redcastle after his marriage to Philip de Valonias's daughter, Lora,⁹ but the superiority was inherited by Philip's son and successor, William de Valonias of Dalginch who, in turn, bequeathed ^{it} them to his daughter, Christian de Valonias, who married Sir Peter Maule.¹⁰ The heiress of the de Valonias family brought her ancestors' considerable properties in Angus into the control of the Maules but even before the end of the thirteenth century, Panlathy, Balbany and Pitconra (Pitcondrum) had been subinfeudated to Thomas Liddel, the progenitor of the Liddels of Panlathy.¹¹ The paucity of evidence on the Liddels coupled with the fact that the majority of the Maule muniments are concerned with property which was not a part of the earldom of Angus prevents a complete analysis of how they retained their lands, but both the Liddels and Maules remained vassals of the earls of Angus without difficulty. In the spring of 1412, the

8. Panmure Registrum, I, p. XVIII; II, pp. 124-5. Only Panlathy, Balbany and Pitconra were a part of the comitatus of Angus.

9. *Ibid.*, I, p. XIX.

10. *Ibid.*, pp. XX-XXII.

11. *Ibid.*, II, pp. 140-41; Miscellany of the Scottish History Society, IV: "Miscellaneous Charters 1165-1300 in the Collection of the late Sir William Fraser," (Edinburgh, 1926), pp. 322-3. This charter has only survived in the form of a transumpt which was made two centuries after the original grant was issued.

Governor of Scotland commanded the baron of Kirriemuir - i.e. the earl of Angus - to infeft Thomas Maule of Panmure in two parts of the lands of Panlathy which had belonged to his ancestors.¹² Some sixty years later, the Laird of Panmure regranted the lands of Panlathy to his kinsman, William Liddel and obligated himself never to question Liddel's right of possession under penalty of paying a substantial financial compensation.¹³ The relations between the Liddels and the Maules remained amicable until after Flodden.¹⁴ In July 1500, Robert Liddel of Panlathy protested both for himself and Sir Thomas Maule of Panmure against Angus's attempt to recognosce his lands, and was successful in maintaining control of these estates;¹⁵ the bonds between these families were further strengthened by the marriage of David Liddel, fiar of Panlathy, to Elizabeth Maule in 1510.¹⁶ Although formal sasine of Panlathy was granted to the Laird of Panmure a few months before Flodden, actual possession of the lands remained vested with the Liddels.¹⁷ However, after the death of David Liddel in 1513, relations between his family and the Maules became strained as a long series of acrimonious legal debates over the custody of Liddel's daughters was initiated. In this controversy, the earl of Angus remained aloof and the status of both families as his vassals was unaltered.

12. Op. cit., pp. 187-8.

13. Ibid., pp. 245-7; SRO, Dalhousie Muniments GD 45/16/2255, 2256, 2257.

14. Cf. Panmure Registrum, II, pp. 250-51, 260-62.

15. Ibid., pp. 270-72; SRO, Dalhousie Muniments GD 45/16/2260.

16. SRO, Dalhousie Muniments GD 45/16/2261.

17. Op. cit., pp. 281-2; SRO, Dalhousie Muniments GD 45/16/2263.

There were other vassals who had acquired property within Kirriemuir before the fourteenth century: Nicholas, son of Brice, who was given the abthen of Monifieth by Earl Malcolm of Angus,¹⁸ and Duncan, the king's judge, who received the lands of Petmulin from the de Umphravilles, but there is no trace of their descendants retaining possession of these estates.¹⁹ Of the six vassals for whom there is evidence of their having held lands in Kirriemuir prior to the reign of Robert the Bruce, four were still in control of their properties after the Douglases acquired the comitatus. Thus, this regality enjoyed the distinction of having an important substratum of landowners who held their estates undisturbed by the dislocation and upheavals caused by the Scottish Wars of Independence.

When the Stewarts of Bonkle were granted the earldom of Angus in the fourteenth century, it was expected that they would proceed to introduce new vassals into the regality. However, during the half century in which the Stewarts were superiors of Kirriemuir, only two tenants-in-chief were given lands within the comitatus for, although Margaret Abernethy was involved in several transactions dealing with extensive lands within the sheriffdom of Angus, none of the estates concerned were a part of the earldom.²⁰ Sir Alexander Lindsay of Crawford and Glenesk, a close kinsman to the new earls of Angus,²¹ and Andrew Parker, a burghess of Dundee, were granted lands in the regality

18. Fraser, Douglas Book, III, p. 351-2; Register House Calendar of Charters, I, nos. 31, 35.

19. Fraser, Ibid., p. 4. It is conceivable, however, that Duncan was the ancestor of the Dempsters of Carraldston who held the lands of Easter and Wester Petmowe (Petmulin?) in the sixteenth century. Cf. RMS, III, no. 654.

20. Cf. RMS, I, no. 321; Appendix II, no. 1651; Robertson, Index, p. 87, no. 225; Scots Peerage, VII, p. 397.

21. Ibid., III, pp. 10-11.

of Kirriemuir by the second Stewart earl and their descendants continued to hold on to their possessions after the earldom had been granted to George Douglas. The Laird of Crawford was granted the lands and barony of Ethiebetoun which, although geographically noncontiguous to Kirriemuir proper, was an integral part of the regality.²² The barony of Ethiebetoun had been the solitary addition to the comitatus in the sheriffdom of Angus acquired by the Stewarts of Bonkle as it had never belonged to either the Celtic or de Umphraville earls. Sir David Betoun was its feudal superior at the beginning of the fourteenth century but was dispossessed for his support of the English during the Wars of Independence; his estates were given to the father of the first Stewart earl of Angus.²³ The new immediate superiors of Ethiebetoun, the lairds and later earls of Crawford, retained unquestioned control of the barony for over two centuries after their initial acquisition, but they did not increase their holdings within the comitatus.²⁴ Andrew Parker received the lands of Kingennie and Carntoun, which were situated within the barony of Ethiebetoun, from Thomas Stewart, Earl of Angus,²⁵ and they were in the possession of his family until 1443 when his namesake and descendant resigned them in favour of William Strachan, who was also a burghess of Dundee.²⁶ As a result of the resignation by Andrew Parker (II), one Dundonian burghess family had been replaced by another

22. FMS, op. cit., no. 18; Appendix II, no. 1313.

23. Ibid., Appendix II, no. 13.

24. The earls of Crawford did subinfeudate various parts of the barony but there is no evidence of their doing so prior to the sixteenth century. Cf. FMS, I, Appendix II, no. 1833; III, no. 617; APS, II, p. 329.

25. Fraser, Douglas Book, III, p. 80; FMS, I, no. 236.

26. SRO, Scrimgeour-Wedderburn Writs GD 137/1/1/63 (1); 8/4/1.

in the possession of Kingennie and Carntoun with the apparent approval of Angus. James Douglas, the third Earl, accepted William Strachan as his vassal in the regality,²⁷ while the latter's daughters, Elizabeth, Marjorie and Margaret Strachan received sasine of Kingennie and Carntoun in April 1464.²⁸ A decade later all claims of possession to these lands ~~was~~^{were} vested in Marjorie Strachan and her husband, Malcolm Guthrie, whose descendants remained heritable proprietors until the seventeenth century.²⁹ Kingennie and Carntoun were held in subinfeudation by the Parkers, Strachans and Guthries for over ^{wo}ten and a half centuries; these lands although a part of Ethiebetoun remained autonomous from the control of the immediate lords of the barony, the earls of Crawford, during this entire period.³⁰

Under Margaret Stewart, suo jure Countess of Angus and the mother of the first Douglas earl, the subinfeudation and introduction of new vassals within the regality continued without interruption. Four families became heritable proprietors of estates in Kirriemuir during the last quarter of the fourteenth century: the Lyons of Glamis, the Hays of Lochorward (later Yester), the Murrays of Cullow, and the Borthwicks of Ludeinch. Sir John Lyon acquired the lands of Balmuckteis and Over and Nether Ballinshoe from the first Earl of Douglas in 1381 but Douglas himself held them from the Countess of Angus, who acknowledged

27. Ibid., 1/1/63(2); 8/4/3.

28. Ibid., 1/1/1; 8/4/6.

29. SRO, Scrimgeour-Wedderburn Writs GD 137/8/4/7, 8, 10, 11.

30. In none of the precepts and charters issued in favour of members of these families is there any mention of their holding Kingennie and Carntoun from the earls of Crawford, although in one such precept an earl of Crawford is present as a witness. Ibid., GD 137/8/4/6.

his grant to Lyon.³¹ Whatever rights the earls of Douglas had to these estates ended probably with the second earl's death, as there is no mention of their being a part of the unentailed Douglas patrimony inherited by the countess of Mar in 1388. Balmuckteis and Ballinshoe remained in the hands of the Lyon family, despite a temporary recognition of these estates carried out by the fourth Earl of Angus,³² from their first entry as heritable proprietors until after the battle of Flodden.³³

Almost a decade after the Lyons family had been introduced into the regality of Kirriemuir as vassals, the Hays of Lochorwart appeared as tenants-in-chief in possession of the lands of Glaswell and Torburnes, which were subinfeudated to Walter Moray of Drumsargard. The paucity of historical evidence makes it impossible to determine when the lairds of Lochorwart first acquired these estates from the earls of Angus.³⁴ The immediate superiority of Glaswell and Torburnes remained vested in the Hays of Lochorwart, who later became Lords Hay of Yester,³⁵ while the Drumsargard family was replaced by the Murrays of Cullow (who were possibly their cadets) during the early fifteenth century.³⁶ The lairds of Cullow retained their grip on Glaswell and Torburnes until after the death of the fifth Earl of Angus,³⁷ when actual possession descended to the last laird's heirs general.³⁸ The last

31. Fraser, Douglas Book, III, p. 332; HMC 14th Report, Appendix: Part III: MSS. of the Earl of Strathmore, no. 11, p. 181.
32. Angus claimed that Lord Glamis had illegally alienated Balmuckteis and Ballinshoe but the recipients of Glamis's grants are unknown. HMC 14th Report, Appendix: Part III: MSS. of the Earl of Strathmore, no. 14, p. 182.
33. Cf. RMS, III, nos. 2020, 2233; ADC, XXV, f. 119; XXXI, f. 59; XXXVI, f.6.
34. But cf. Laing Chrs, no. 379(7), p. 98.
35. Ibid., no. 379 (9, 11, 12, 14), pp. 98-9; RMS, II, no. 1729. There is no mention of these lands among the extant papers at Yester House until the early seventeenth century when the immediate superiority of Glaswell and Torburnes still rested with the Hays of Yester. Cf. Yester Writs, nos. 1076, 1179, pp. 295, 327-8.
36. Laing Chrs., no. 379(14), p. 99; cf. SRO, Airlie Muniments GD 16/4 1-8.
37. Laing Charters, Edinburgh University Library, Box 34, no. 1284.
38. Acts And Decrees, III, pt. 1, f. 141; X, f. 228.

vassal introduced by Margaret Stewart, Countess of Angus was William Borthwick, who was given the lands of Ludeinch and Wester Lednathie before the end of the fourteenth century.³⁹ However, the descendants of Borthwick did not keep these estates for long, as within the space of a single generation, Ludeinch and Wester Lednathie had been relinquished by them permanently.

During the comparatively short period of time when the first Douglas earl of Angus enjoyed the feudal superiority of the regality of Kirriemuir, no new landowner received estates in the regality. But while the second Earl possessed Kirriemuir, several vassals appeared as heritable proprietors for the first time. One of these new tenants-in-chief, John Ogilvy, the first Laird of Inverquharity, became the founder of the most powerful and influential family of the entire regality. The lands of Inverquharity had become the property of Walter Ogilvy of Carcary in 1403⁴⁰ and he, in turn, resigned them to his brother John Ogilvy in the summer of 1420.⁴¹ Angus quickly gave his approval to this change of proprietors and thereafter the rise of the family to unquestioned pre-eminence as the major vassals of Kirriemuir was almost meteoric.

In the space of a twenty year period, the Ogilvys of Inverquharity acquired the lands of Crieff,⁴² Newton, Hirdhill, Balbryde, Kinnordy Mains, Easter and Wester Lednathie, Ludeinch and Little Migvie,⁴³ as

39. RMS, I Appendix II, no. 896. The lands of Ludeinch and Wester Lednathie had been reserved to Margaret Stewart, Countess of Angus in liferent when she resigned her earldom in 1389. SRO, Inverquharity Writs GD 205, Box 3, Bundle 1.

40. Ibid.

41. Ibid.; Fraser, Douglas Book, III, p. 414.

42. RMS, II, no. 550(2); SRO, Inverquharity Writs GD 205, Box 3, Bundles 1, 11.

43. SRO, Inverquharity Writs GD 205, Box 12, Bundle 1; Box 20: Seton Documents in a black box labelled "Seton Seals", no. 1.

well as the office of hereditary bailie of the regality.⁴⁴ The estates of Newton, Hirdhill, Balbryde, Kinnordy Mains and Easter Lednathie had been granted by the second Earl of Angus to Sir Alexander Seton of Gordon in the autumn of 1429,⁴⁵ but he resigned his claims to the lands to Alexander Ogilvy of Inverquharity six years later. What agreements were reached between the lairds of Gordon and Inverquharity is unknown, but Angus recognised the latter's possession almost immediately after the transference of property was completed.⁴⁶ The lands of Judeinch and Wester Lednathie had been in the possession of the Borthwick family since the last quarter of the fourteenth century and were inherited by Nicholas Borthwick. He entered into a compact to resign his estates in exchange for those of Barnton in Midlothian, which belonged to Alexander Ogilvy's wife, Janet Towers.⁴⁷ When the second Laird of Inverquharity died childless in 1445,⁴⁸ his widow asserted her claim to Judeinch and Wester Lednathie which she attempted to control for the benefit of her son by a later marriage, William Strachan. So determined was Janet Towers in her desire to retain these lands that she exerted sufficient influence to obtain formal sasine from the fifth Earl of Angus in 1475.⁴⁹ However, Alexander Ogilvy's brother

44. Ibid., Box 3, Bundle 11; RMS, II, no. 1550(5).

45. Op. cit., Box 6, Bundle XI; cf. Box 20: Seton documents in a black box labelled "Seton Seals", nos. 1-4.

46. RMS, ibid., no. 1550(3).

47. Janet Towers was the senior co-heiress of her father, William Towers of Barnton to his estates. SRO, Inverquharity Writs GD 205, Box 5, Bundle VIII; RMS, op. cit., no. 1550(4).

48. Ext. Var. Chron., p. 242; Dunlop, Bishop James Kennedy, pp. 79, 400; Lord Alexander Lindsay, Lives of the Lindsays or a Memoir of the Houses of Crawford and Balcarres, I (London, 1849), pp. 130-31.

49. SRO, Inverquharity Writs GD 205, Box 5, Bundle VIII; Inventory of Documents relating to the Scrymgeour Family Estates, ed. J.M. Thomson; Scottish Record Society, Vol. 42 (Edinburgh, 1912), no. 816, p. 50. Cited hereafter as Scrymgeour Inventory.

and heir, Walter Ogilvy of Inverquharity refused to accept the loss of Ludeinch and Wester Lednathie; he continued to press his rights to them and the dispute between the rival claimants became so heated that the feudal superior ordered Ogilvy and Strachan to reach an amicable settlement or face the consequence of having the lands recognosced.⁵⁰ The earl of Angus appears to have been partial to Inverquharity's claim and granted sasine to Ogilvy in the summer of 1483,⁵¹ but title to the lands was still disputed at the time of the latter's death.⁵² William Strachan stoutly resisted the pretensions of the Ogilvys to Ludeinch and Wester Lednathie and his rights became vested in Elizabeth Strachan, who was presumably his daughter, and her husband, Mr John Scrimgeour of Glaister.⁵³ The laird of Glaister and John Ogilvy of Inverquharity maintained opposing claims to these lands for over twenty years, until the earl of Angus finally opted to give unconditional support to Inverquharity's rights to Ludeinch and Wester Lednathie just before Flodden.⁵⁴ The pretensions of the Strachans and Scrimgeours were never enforced afterwards and these lands were absorbed into the rest of the Inverquharity estates in the regality. The lands of Little Migvie in Kirriemuir were purchased by the first Laird of Inverquharity

50. Cf. Fraser, Douglas Book, III, p. 436.

51. Scrymgeour Inventory, nos. 814, 823, 840, pp. 50-52; SRO, Inverquharity Writs. GD 205, Box 4, Bundle V.

52. *Op. cit.*, no. 821, p. 51.

53. Her parentage is nowhere stated but the supposition that Elizabeth Strachan was, in fact, William Strachan's daughter is strengthened by the fact that Mr. John Scrimgeour claimed to be the heritable proprietor of these estates by right of entail. *Ibid.*, nos. 825, 834-6, pp. 51-2.

54. *Ibid.*, nos. 815, 837, 844-6, pp. 50-52; National Library of Scotland, Charter 5770. From 1491 until 1511, the debate over Ludeinch and Wester Lednathie was discussed before the Lords of Council on at least six occasions. Cf. ADC, XXII, ff. 2-3; XXIII, ff. 46, 58-9, 64-8; XXIV, ff. 52, 55, 165; XXV, f. 47.

from its former proprietor, William Gifford in 1439 and these estates were incorporated into Ogilvy's possessions without difficulty.⁵⁵

Although they were not to acquire any more lands in the regality for over a century after they obtained control of Little Migvie, the Ogilvys of Inverquharity maintained their position as the chief vassals of Kirriemuir unchallenged.

However, the lairds of Inverquharity were not alone in acquiring estates in the regality of Kirriemuir from the second Earl of Angus. William Blair of Ardblair was given the lands of Widdershalch and Lochmagrully in the barony of Strathdichty-comitis (Mains), an integral part of the regality of Kirriemuir, in 1424,⁵⁶ and Thomas Clerk, a burgess of Dundee, received the lands of the Kirkton of Strathdichty-comitis in the following year, but in both instances, the new landowners ceased to be vassals of Angus within the space of a single generation.⁵⁷

But other new vassals were more fortunate in retaining their lands.

Elizabeth Douglas, the second Earl's sister, and her husband, Sir Alexander Forbes of that ilk, were granted the lands of Whitefield, also within the barony of Strathdichty-comitis and the regality of Kirriemuir in 1424.⁵⁸

Twenty years later an indenture was drawn up between Sir Robert Lyle of Duchal and the laird of Forbes for the purpose of exchanging the latter's lands in Kirriemuir for Lyle's estates of Stradee and Kyndrocht. It was emphatically stated in the

55. RMS, II, no. 1550(5); SRO, Inverquharity Writs GD 205, Box 3, Bundle 11 (2 writs).

56. Fraser, Douglas Book, III, pp. 59-60.

57. HMC 5th Report, Part 1: Appendix: MSS of the Earl of Lauderdale, p.612; Fraser, Ibid., pp. 87-9.

58. SRO, Murthly Castle Writs GD 121/3, Box 9, nos. 66-7.

terms of the contract that the transference of proprietary rights should not be the cause of the alienation of Whitefield either from the regality or from the feudal overlordship of the earl of Angus.⁵⁹

But the substitution of the Lyles of Duchal in place of the lairds of Forbes as landowners in Kirriemuir never materialised. James, first Lord Forbes received sasine to the lands of Whitefield in 1452,⁶⁰ and his descendants continued to possess these lands after the death of the fifth Earl of Angus in 1513.⁶¹

William Gifford was granted the lands of Balnagarro/Balnagarrach and Achlusy/Auchanlussy by the second Earl of Angus in 1426, under a special reversionary clause which stipulated that if Gifford's heirs failed, then the lands were to be inherited by Sir Patrick Ogilvy of Grandoun, later Auchterhouse, Sheriff of Angus.⁶² Two years later, the new laird of Balnagarro acquired the lands of Little Migvie, which he resigned ten years later to the laird of Inverquharinity.⁶³

By the fourth decade of the fifteenth century, William Gifford had probably died as he was replaced in the possession of these estates by Sir Alexander Ogilvy of Auchterhouse, the heir of the laird of Grandoun.⁶⁴ The laird of Auchterhouse was succeeded by his daughter and heiress, Margaret Ogilvy, who became Countess of Buchan and who, in March 1478/9, subinfeudated Balnagarro to one Andrew Ogilvy.⁶⁵ He assumed the designation of Balnagarro

59. Aberdeen-Banff Illustrations, IV, pp. 194-5.

60. A. Taylor, The House of Forbes, Third Spalding Club (Aberdeen, 1937), no. 21, p. 41.

61. SRO, Murthly Castle Writs GD 121/3, Box 9, Bundle 1, nos. 1, 3, 6/1.

62. RMS, II, no. 111; SRO, Inverquharinity Writs GD 205, Box 3, Bundle 11.

63. Ibidl, ; op. cit., no. 1550(5).

64. SRO, Inverquharinity Writs GD 205, Box 4, Bundle V.

65. The original grant made by the countess of Buchan to Andrew Ogilvy is dated 7 March 1428/9, but this is quite definitely a scribal error as she was not married to the earl of Buchan until after 1470. The paternity of Andrew Ogilvy cannot be ascertained. SRO, Inverquharinity Writs GD 205, Box 4, Bundle V.

and his successors held these lands from the earls of Buchan,⁶⁶ who retained the immediate superiority.⁶⁷ Both of these vassals were still in possession of their estates after Kirriemuir had been recognised into the king's hands and regranted to the fifth Earl of Angus in August 1510.⁶⁸ Thus, of the seven vassal families who had received lands in Kirriemuir from the second Earl of Angus, three of them, the Forbeses of that Ilk, the Ogilvys of Inverquharity and of Auchterhouse (and their heirs general, the Stewart earls of Buchan) were still heritable proprietors at the beginning of the sixteenth century.

From the succession of James Douglas, third Earl of Angus, in 1437, until the death of Archibald Douglas, fifth Earl of Angus, in 1513, the documentary evidence for the free vassals of the regality of Kirriemuir is much more abundant. The single heritable proprietor introduced into the regality of Kirriemuir by the third Earl was James Scringeour of Dudhope who, in January 1444/5 was given the lands of the Kirkton of Strathdichty-comitis alias Erlis-Stradichty (now Mains).⁶⁹ There was another claimant to these lands, but within six years after his initial acquisition, the laird of Dudhope had become sole proprietor.⁷⁰ Throughout the remainder of the century, various lairds of Dudhope

66. Ibid., Box 4, Bundle VI; Box 3, Bundle III.

67. Ibid., Box 4, Bundle VI.

68. SRO, Inverquharity Writs GD 205, Box 3, Bundle III.

69. HMC 5th Report, Part 1, Appendix: MSS. of the Earl of Lauderdale, p. 612. There was supposedly another grant of the lands of the Kirkton of Strathdichty-comitis to James Scringeour made exactly ten years after the first charter was issued, but it seems more likely that the two grants were, in reality, one. Scrymgeour Inventory, no. 730, p. 45.

70. Cf. HMC 5th Report, op. cit.

received ratification of their possessions in Kirriemuir and the Kirkton of Stradichty-comitis was controlled by the Scrimgeours in the following century as well. Parts of these lands were subinfeudated by the lairds of Dudhope to Robert Graham of Fintry in 1469⁷¹ and to Sir Alexander Scrimgeour and Mr John Scrimgeour in the first decade of the sixteenth century,⁷² without protest from the earls of Angus. But the extent of the Scrimgeour holdings within the regality was not increased; when a close kinsman attempted to gain control of the lands of Ludeinch and Wester Lednathie, his efforts met with failure.⁷³

In spite of the fact that the fourth Earl of Angus held the superiority of Kirriemuir twice as long as did his predecessor, only two new vassals acquired lands in the regality under his aegis. A third "vassal", Walter Ogilvy of Campsie received an obligation from George Douglas, Earl of Angus in which he promised to infeft Ogilvy in various lands in Angus, but there is no proof that the laird of Campsie actually became the earl's vassal.⁷⁴ The first of the new free tenants was the Annand family of Kinwherries, but there is no evidence to suggest when they acquired the lands from which they took their designation, apart from the solitary reference to David Annand of Kinwherries in July 1450.⁷⁵ However, the Annands appear to have retained ownership of

71. Fraser, Douglas Book, III, pp. 97-8. However, Fintry's possession seems to have ceased after his death. Cf. RMS, III, no. 885.
72. SRO, Scrimgeour-Wedderburn Writs GD 137/11/1/2 (sir Alexander Scrimgeour); 137/VI/1/12 (Mr John Scrimgeour of Glaister).
73. Cf. supra, p. 129.
74. Fraser, Douglas Book, III, p. 433; SRO, Inverquharity Writs, GD 205, Box 1, Deed Book, no. 248.
75. The first appearance of the laird of Kinwherries was not even as a witness of a charter granted by Angus, but to a Crown grant to the Bishop of Brechin. RMS, II, no. 494.

Kinwherries without hindrance during the sixteenth century.⁷⁶ The other new vassal, Robert Graham of Auld Montrose and later Fintry, founded a family which became the second most important landowners within the regality. The laird of Auld Montrose was an uncle by the half-blood to the earl of Angus, but it was not Graham's consanguineous ties with the earl which was the primary factor in the acquisition of property in Kirriemuir. The lands of Ballargus and the mains of Strathdichty-comitis were granted in 1456 to Robert Graham as compensation for his resignation of the lordship of Ewesdale in Dumfriesshire to Angus.⁷⁷ Barely six months after he first obtained lands in the regality of Kirriemuir, Robert Graham began a policy of expansion which only stopped with his death. In the period from the autumn of 1456 until the winter of 1478, the lands of Widderishalch, Lochmagrully (which had previously belonged to the lairds of Ardblair)⁷⁸ Inchbrachty, Inchmyle, Glennowik, Balnabothy, Daldano/Daldewo, Pitcarity/Pettarittye, the mill of Kirriemuir, Balloch, the forest of Glenprossin, the fishing at Broughty Craig, and an annual rent of 15 marks to be levied on the dominical lands of Strathdichty-comitis, and the office of bailie of the regality of Kirriemuir for fifteen years, were all given to either Robert Graham or to his son and namesake.⁷⁹ In addition, the original grant of the Mains of Strathdichty-comitis to Robert Graham was ratified

76. Cf. Laing Chrs., no. 929, p. 232; Acta Dominorum Concilii: Acts of the Lords of Council in Civil Causes: Vol. II; 1496-1501, eds George Neilson and Henry Paton (Edinburgh, 1918), p. 317. Cited hereafter as Acts of Council, II; Inquisitionem ad Capellam Domini Regis Retornatarum, quae in Publicis Archivis Scotiae Adhuc servanter, Abbreviatio, ed. Thomas Thomson (Edinburgh, 1811), I, Forfar, no. 278. Cited hereafter as Retours.

77. Fraser, Douglas Book, III, pp. 433.

78. Ibid., pp. 88-9.

79. Ibid., pp. 106-8; Laing Chrs., no. 170, p. 44.

by the fourth Earl of Angus's successor.⁸⁰ The majority of these estates were obtained by the Grahams as a result of the contract of marriage negotiated in August 1476 between Elizabeth Douglas, the sister of the fifth Earl of Angus and Robert Graham, fiar of Fintry. Such an advantageous alliance was not to be spurned and although the younger Robert Graham seems to have died before the contract was completed, his brother David married Elizabeth Douglas in due course.⁸¹ The patrimony of the Grahams of Fintry within the regality of Kirriemuir reached its maximum territorial extent during the lifetime of the first Laird. However, Robert Graham of Auld Montrose and Fintry had been married twice and his lands in Kirriemuir were divided between his grandson and namesake, who was descended from Fintry's first wife, Janet Lovell, and his eldest surviving son, John Graham, who was the child of Fintry's second wife, Marion Scrimgeour.⁸² In the spring of 1487, a compact was drawn up by the terms of which the lands of Ballargus with its mill, Widderishalch and the hereditary annual rent from the Kirkton of Strathdichty-comitis became the property of John Graham, whose descendants continued to possess them in the following century.⁸³ Robert Graham, the second Laird of Fintry, inherited the lands of Inchbrachty, Inchmyle, Glennowik, Balnabothy, Daldano, Pitcarity, the mill of Kirriemuir, the forst^e of Glenprossin and the mains of Strathdichty-

80. RMS, II, no. 1081; HMC Report on MSS. in Various Collections: V: MSS. of Sir John Graham of Fintry, p. 198.

81. All of the genealogists of both these families have assumed that Robert Graham, fiar of Fintry married Elizabeth Douglas, but this is erroneous as is proven by a compromise negotiated by Robert Graham, grandson of the first Laird of Fintry and son of the late David Graham, with his uncle John Graham of Ballargus. Fraser, Douglas Book, III, pp. 119-20; cf. Appendix V, Genealogical Tables.

82. Scots Peerage, IV, p. 316.

83. Fraser, Ibid.

comitis.⁸⁴ These estates were inherited by the laird of Fintry's son, David Graham in 1496, and his descendants retained possession after Flodden.⁸⁵

The last major influx of free vassals into the regality of Kirriemuir commenced only a decade after Archibald Douglas had succeeded his father as Earl of Angus in 1463. As a result of more abundant documentation, it is possible to differentiate between those vassals who acquired their lands from individuals who were already heritable proprietors in the regality (and were themselves tenants-in-chief of the earls of Angus), and those who held their lands directly from the feudal superior of the regality. In the first category were the Ochterlonys of Kelle, the Arbuthnotts of Easter Brichty and the Carmichaels of Crukitstane; in the second were the Strangs of Potcorthy, the Sinclairs of Finlarg, the Cramonds of that Ilk, the Lundys of Balgony, the Lovells of Ballumbie and the Fotheringhams of Powrie. All of the members of the first category were introduced into the regality as free tenants of the earls of Crawford.

James Ochterlony of Kelle, whose family had been landowners in Angus since the thirteenth century,⁸⁶ was granted some of the lands of Ethiebetoun by David, Duke of Montrose and Earl of Crawford, but after his death his widow claimed successfully that the barony of Ethiebetoun belonged to her by right of terce. The laird of Kelle was ordered by the Lords of Council in March 1498 to cease his occupation of these estates.⁸⁷ Undeterred by the initial setback of his attempt to acquire

84. RMS, II, no. 1560(1-5).

85. Laing Chrs., nos. 227-9, p. 58.

86. SRO, Airlie Muniments GD 16/14/2; cf. National Library of Scotland Adv. MS. 34.2.4, pp. 44-6.

87. Acts of Council, II, pp. 75-6, 148-9.

lands in the regality of Kirriemuir, James Ochterlony obtained possession of Pitconra in the first decade of the sixteenth century.⁸⁸

John Arbuthnott, the first Laird of Easter Brichty, acquired the lands from which he derived his designation, as well as one third of the lands of Monifieth, from John, Earl of Crawford only two years before Flodden, and these estates were inherited by his daughters, Katerine and Margaret Arbuthnott.⁸⁹

William Carmichael of Crukitstane, who was also a vassal of the earls of Crawford in their barony of Crawford Lindsay, was granted by Crawford the western half of the lands of Ethiebetoun in the spring of 1511⁹⁰ and continued undisturbed in his possession after the death of both the earls of Crawford and Angus in 1513. It seems that the fifth Earl of Angus did not oppose Crawford's policy of subinfeudating the lands of the barony of Ethiebetoun and accepted the latter's vassals as if they had been the recipients of his own generosity.

Documentary evidence for several of the new vassals introduced into Kirriemuir by Angus himself is, unfortunately, deficient in the extreme. For the lairds of Patcorthy there is only the single reference that at the commencement of the sixteenth century, Walter Strang of Patcorthy issued a precept of sasine in favour of James Wedderburn, a burghess of Dundee, to the lands of Bardowie in the regality, but there is no record to suggest that either Wedderburn or Strang continued to have

88. ADC, XXIII, f. 95.

89. RMS, VI, no. 1337; SRQ, Murthly Castle Writs GD 121/3, Box 6, no. 1. It has been supposed that the lands of Easter Brichty within the regality belonged to a family designated as the Balmakewans of that ilk whose heiress, Jonet Balmakewan, was the mother of John Arbuthnott, but this cannot be substantiated. Cf. Scots Peerage, I, pp. 279-80.

90. SRQ, Murthly Castle Writs GD 121/3, Box 6, nos. 4, 6; RMS, III, no. 617.

any claims of ownership to these lands thereafter.⁹¹ A similar dearth of information confronts us in regard to the Sinclairs of Finlarg, the Cramonds of that Ilk and the Lundy of Balgony. It is impossible to determine when the Sinclairs first acquired the lands of Finlarg in the regality of Kirriemuir, but by 1480 William Sinclair was heritable proprietor and was engaged in an attempt to obtain the lands of Wester Gagie, also within the regality.⁹² Sinclair's attempt to acquire more estates in Kirriemuir was unsuccessful but his son, John Sinclair, inherited the lands of Finlarg⁹³ and he received a new confirmation of his possessions by the earl of Angus after Kirriemuir had been released from the king's recognition.⁹⁴ Thomas Cramond of that Ilk was granted the lands of Cramond Inch in Kirriemuir in January 1481/2⁹⁵ and although this is the solitary instance when the Cramonds received a grant from their feudal superior, there is some data to suggest that these lands remained in the possession of Thomas Cramond's family during the following century.⁹⁶ Andrew Lundy of Balgony was an agnatic kinsman to the fifth Earl of Angus⁹⁷ but despite this relationship the latter showed himself quite reluctant to recognise Lundy's claims to the lands of Wester Gagie which he had acquired only a year before Angus's death.⁹⁸

91. HMC 9th Report, Part II: Appendix: MSS of Lord Elphinstone, nos.31, p. 189.
92. Acts of Council, I, pp. 62, 85*.
93. Ibid., II, p. 166.
94. SRO, Murthly Castle Writs GD 121, Box 2, Bundle V.
95. SRO, Inverquharity Writs GD 205, Box 4, Bundle V.
96. Cf. Acta Dominorum Concilii et Sessionis, I, f. 207. Cited hereafter as ADC et Sess.
97. Andrew Lundy's mother, Elizabeth Sibbald, was the niece of Angus's mother, Isabella Sibbald, Countess of Angus. Cf. Acts of Council, I, p. 55.
98. Andrew Lundy acquired the lands of Wester Gagie sometime between August 1511, when all of his patrimonial estates were erected into the free barony of Balgony, and November 1512. RMS, II, no. 3567; ADC, XXIV, f. 23.

However, the laird of Balgony had recourse to the royal council which ordered the earl ^{to} receive Andrew Lundy as his vassal, and Angus appears to have complied with this request.⁹⁹

The remaining vassals introduced into the regality of Kirriemuir by the fifth Earl of Angus, the Lovells of Ballumbie and the Fotheringhams of Powrie, were, without doubt, the most important, although both were also influential vassals of the earls of Crawford and maintained closer contact with that comital family than with the earls of Angus.¹⁰⁰ In the early months of 1476, Alexander Lovell of Ballumbie was given the estates of Eglismonechto, Balmossy, Brachan, Justingleis and two thirds of Monifieth, within the regality, and all these were incorporated into the lordship of Eglismonechto.¹⁰¹ These lands were inherited by Alexander Lovell's son, Sir Henry Lovell in 1510¹⁰² and he remained their heritable proprietor for almost forty years.¹⁰³

The lairds of Powrie had become prominent feudal landowners in the sheriffdom of Angus in the fifteenth century but it was not until the last quarter of the century that they became vassals of the earls of Angus.¹⁰⁴ In the spring of 1484 Thomas Fotheringham of Powrie was

99. *Ibid.*, f. 59; XXIX, ff. 185-6.
100. The Lovells possessed estates in the barony of Inverarity and the Fotheringhams also possessed lands in this barony as well as the barony of Fearn, but none of these were a part of the comital demesne of Angus. Cf. RMS, II, no. 768(1-2) (Lovell); *Ibid.*, no. 393; SRO, Murthly Castle Writs GD 121/3, Box 5, Bundles 1, 11 (Fotheringham).
101. *RMS*, op. cit., no. 1538.
102. Register House, Calendar of Charters, IV, no. 761; SRO, Dalhousie Muniments GD 45/16/2015.
103. *RMS*, op. cit., no. 3664; III, no. 780.
104. SRO, Murthly Castle Writs GD 121/3, Box 4, nos. 2, 3.

granted the lands of Balmuir in the regality of Kirriemuir by Angus, but Powrie's possession of the lands did not go unchallenged. Balmuir had belonged to Sir James Liddel of Halkerston but upon his forfeiture in 1483,¹⁰⁵ Angus had exerted his prerogative as feudal superior and assumed direct control.¹⁰⁶ James the third, however, insisted that the lands pertained to the Crown by virtue of Halkerston's proscription; he revoked Angus's grant to Thomas Fotheringham and restored Balmuir to John Liddel, the former proprietor's son.¹⁰⁷ But the king seems to have decided to extract substantial financial benefits from these estates and after Sir Alexander Lindsay of Ochtermozie had paid him £250, James revoked the grant made to John Liddel and invested Lindsay in these lands. The lairds of Ochtermozie and Powrie came to an agreement in April 1487 in which Powrie promised to reimburse Ochtermozie in the sums which he had paid for his grant of the lands of Balmuir, in return for the latter's renunciation of all rights to the lands in question.¹⁰⁸ But Sir Alexander Lindsay proved himself reluctant to resign Balmuir, although the earl of Angus never acknowledged Lindsay's claims and in October 1488 made a formal protest before Parliament that the superiority of Balmuir belonged to him.¹⁰⁹ The Three Estates confirmed Angus's claim and he, almost immediately afterwards, granted the lands to his political confederate, Alexander, Lord Home.¹¹⁰

105. APS, II, pp. 146-9, 152.

106. SRO, Murthly Castle *ibid.*, no. 22.

107. *Ibid.*, no. 7; Acts of Council, I, pp. *98-9*.

108. *Op. cit.*, no. 8.

109. APS, II, p. 205.

110. SRO, Murthly Castle Writs GD 121/3, Box 4, no. 11. Sir Alexander Lindsay protested in vain against this decision. *Ibid.*, no. 10.

However Home, perhaps unwilling to become involved in a legal dispute which promised to be a protracted one since there were already three other claimants to the ownership of Balmuir, resigned and quitclaimed all his rights to them in 1491.¹¹¹ Angus at this juncture appears to have finally agreed to enforce his initial grant to the laird of Powrie and recognised both him and his son, Nicholas Fotheringham, as heritable proprietors of Balmuir.¹¹² Thereafter, despite the rival claims of John Liddel and the laird of Ochtermozie, the Fotheringhams of Powrie enjoyed unquestioned control of Balmuir after the beginning of the sixteenth century.¹¹³ The Fotheringhams had also acquired several tenements within the burgh of Kirriemuir in 1485¹¹⁴ and these were integrated into their other lands within the regality without difficulty.¹¹⁵

Although the personnel of the vassal families of the regality of Kirriemuir was fairly fluid throughout the fifteenth century, more often than not, once a family obtained possession of lands they usually retained their proprietary control. A separate type of grant, those given in liferent, was an exception to the general rule, but were issued sparingly by the earls of Angus. During this entire period, only three such grants were made: to Sir Richard Comyn in 1389 of the lands of Mains, Balbryde, Daldano and "Ordcaldy"¹¹⁶ and two to Mr Patrick Lindsay

111. Ibid., no. 18.

112. Ibid., nos. 20, 21; ADC, XVI, f. 214.

113. John Liddel was bought off by the grant of a part of the lands of Balmuir in 1503 while the laird of Ochtermozie tenaciously asserted his claim to the lands as late as 1512 without success. Ibid., nos. 25 (Liddel); Box 6, nos. 3, 4; ADC, XXIV, ff. 45-6 (Ochtermozie).

114. RMS, II, no. 1664.

115. SRO, Murthly Castle op. cit., no. 26; Box 5, Bundle 1; Exch. Rolls, XII, Index to the Libris Responsionum, p. 716.

116. Fraser, Douglas Book, III, p. 33.

in about 1408 of an annual rent of £5 from the lands of the Kirkcoun of Strathdichty-comitis and 20 shillings from the lands of Ballargus.¹¹⁷

Once Comyn and Lindsay were dead, these lands and rents reverted to the feudal superior of the regality. Kirriemuir itself was recognised into the Crown's possession in 1510, but was regranted to Angus, who confirmed almost all of his vassals in their estates en masse.¹¹⁸

One area of the regality, the castle and lands of Broughty Craig, was permanently alienated when the fifth Earl of Angus resigned them in favour of Andrew, Lord Gray in the summer of 1490.¹¹⁹ Apart from this, the regality of Kirriemuir and its heritable proprietors became both the possession and the vassals of the sixth Earl when he succeeded to the comitatus in 1513.

The second lordship of the group which comprised the comital demesne of the Earls of Angus at the beginning of the fifteenth century was the regality of Abernethy in Perthshire. Originally, it had been an extensive and lucrative semi-secular, semi-ecclesiastical lordship which had included not only the lands of Abernethy, Mudgrum, Carpow, Balcolly,

117. RMS, op. cit., no. 195(1-2).

118. Cf. SRO, Murthly Castle Writs GD 121, Box 2, Bundle V (Sinclair of Finlary); National Library of Scotland Charter 5770 (Ogilvy of Inverquharity); Register House, E 23/1/1-6 (Maule of Panmure and Liddel of Panlathy); ADC, XXIII, f. 64 (Lord Glamis) and f. 95 (Ochterlony of Kelle); Scrymgeour Inventory, nos. 720-21, p. 44 (Scrymgeour of Dudhope); RMS, II, no. 3664 (Lovell of Ballumbie); VI, no. 1337 (Arbuthnott of Easter Brichty).

119. SRO, Murthly Castle Writs GD 121/3, Box 5, Bundle 11, nos. 1-2, 4; RMS, II, no. 1959. So complete was the alienation of Broughty Craig from the rest of the regality that it was not included in the grant made to Angus in 1510, and was unaffected by the forfeiture of the sixth Earl of Angus in 1528. Cf. *ibid.*, III, nos. 259, 2650, 2782; RSS, I, no. 2065; APS, II, p. 328.

Innerness, Carey, Ballo, Abdie and Dron in Perthshire, but only the lands of Dunlappie, Stracathro, Lour and Inverarity in Angus, and Dunbog, Balmaddy, Coultra and Pitlour in Fife.¹²⁰ By a combination of alienation and of private grants, only a much reduced lordship of Abernethy, which included the estates in Perthshire and the lands of Balmaddy (Balmeadow) in Fife, was inherited by the senior heirs general of the original feudal superiors, the Douglas earls of Angus.¹²¹ Unfortunately, the documentary evidence on the vassals of the regality of Abernethy is both extremely scanty and disparate. Although twelve individuals appear as heritable proprietors within the regality from the fourteenth until the sixteenth centuries, only for half of these is there a suggestion of continuity in ownership.

There is no mention of any vassals within the regality of Abernethy until the sixth decade of the fifteenth century when Margaret Abernethy, Dowager Countess of Angus and later her granddaughter, Margaret Stewart, Countess of Angus began to parcel out areas of the regality to various vassals. William and Margaret Fassington were granted the lands of Balmaddy in 1363;¹²² Elizabeth Stewart and her husband, Sir Alexander Hamilton, were given the lands of Balnabyn and Drumcarne in 1379;¹²³ Walter, son of Nicholas (Nicholson) received the lands of Fychlarland about 1380;¹²⁴ and Sir Walter Sinclair acquired the lands of Litolpoty, Petversy and Fetblay prior to March 1418.¹²⁵ There is no evidence

120. RRS William I, nos. 147, 339, pp. 219-20, 342-3.

121. Cf. Chapter II, pp. 70-71.

122. RMS, I, no. 3; App. II, no. 1471; cf. Andrew Jervise, The History and Traditions of the Land of the Lindsays. Revised edition (Edinburgh, 1882), pp. 232, 236.

123. Register House, Calendar of Charters, I, no. 198; SRO, Transcripts of Miscellaneous Charters and Papers, RH 1/2/145; Yule Collection GD 90/1/30.

124. Fraser, Douglas Book, III, p. 397.

125. Ibid., pp. 34-5, 50-51.

that the descendants of any of these vassals kept their possessions except, perhaps the Nicholsons, even those individuals who were closely connected to the feudal superior's family. According to Sir William Fraser, one Walter Nicholson was the recipient of a charter given in 1440 by Margaret Hay, Countess of Angus, of the lands of Balnacroch with pasturage rights to the moors of Innernethy and Carey in the barony of Abernethy. However, the similarity of name between him and an earlier grantee, coupled with the fact that Abernethy was raised to the status of a regality in 1397 make it probable that the two Walter Nicholsons were, in fact, one and the same individual.¹²⁶

The first grant issued by the Douglas earls of Angus after they had become feudal superiors of the regality of Abernethy was that given in 1425 by the second Earl to his sister Elizabeth Douglas and her husband, the laird of Forbes, of the lands of Easter Cluny.¹²⁷ Because of the exiguity of the evidence available, it is impossible to determine whether Elizabeth Douglas's heirs, the Lords Forbes, retained their estates in Abernethy.¹²⁸ One other vassal appears for the first time during the second earl's tenure as feudal superior of Abernethy. Before November 1427, David Ogilvy of that ilk had acquired the lands of Carey in the

126. Fraser, op. cit., pp. 424-5. This charter is supposed to be among the Gray Papers once kept at Kinfauns but which are now owned by the earl of Moray at Darnaway Castle. These papers are in great disorder and are not available for consultation. Unfortunately the charters to Walter Nicholson are not included in the Inventory of Kinfauns Muniments included in Survey 217 of the National Register of Archives (Scotland).

127. Ibid., pp. 60-61. Cf. Aberdeen-Banff Illustrations, IV, p. 384; SEO, Lord Forbes Collection GD 52/1/1056. Sir Herbert Maxwell believed that Margaret Stewart, Countess of Angus first acquired the lands of Maste Cluny in 1409, but this is an unwarranted assumption. Sir Herbert Maxwell, A History of the House of Douglas, II (London, 1902), p. 8.

128. Cf. A. Taylor, The House of Forbes. Third Spalding Club (Aberdeen, 1937), passim.

regality,¹²⁹ and these estates remained in the possession of the lairds of Ogilvy during the following century.¹³⁰

For the period of seventy-five years from the death of William Douglas, second Earl of Angus until the end of James the fourth's reign, only seven new vassals acquired estates within the regality of Abernethy: in May 1439 Robert Emery was granted the lands of Stokkarland¹³¹ and his son was confirmed as its heritable proprietor two months later;¹³² in 1442 Andrew Ireland received the lands of Fychlarland;¹³³ in 1454 Alexander Pitcairn of that Ilk was confirmed in his possession of the lands of Innernethy, which were also granted to his heir;¹³⁴ before 1439 one George Balmanno of that Ilk emerged as a landowner in the regality¹³⁵ and his kinsman, John Balmanno, had become joint proprietor of the lands of Nether Aberargy and one half of Mundy by May 1513;¹³⁶ prior to 1475 John Moncreiff of that Ilk obtained the lands of Balgonie¹³⁷ and these were inherited by his successors;¹³⁸ in 1508, the fifth Earl's half-brother Peter Carmichael had become the proprietor of the lands of Dron¹³⁹ and within a few years had acquired the lands of Nether Aberargy, Galtoquhy, Pettindy, one half of Mundy and was appointed hereditary bailie of Abernethy;¹⁴⁰ and, finally, in March 1511

129. Fraser, *op. cit.*, pp. 61-2.

130. *TA*, V, p. 343.

131. Fraser, *Douglas Book*, III, p. 68.

132. SRO, Curle Collection GD 111/3/1.

133. Fraser, *ibid.*, p. 426.

134. *Ibid.*, p. 430; SRO, Fraser Charters GD 86, vol. 1, no. 15; Yule Collection GD 90/1/41.

135. *RMS*, II, no. 202.

136. ADC, XXV, fo. 25.

137. National Library of Scotland Adv. MS. 34.6.24, p. 350.

138. *RMS*, III, no. 931. The genealogists of the Moncreiff family believed that the lands of Balgonie were forfeited by the earl of Angus in 1490, but these estates did not come into the Crown's possession until September 1528. Cf. F. Moncreiff and W. Moncreiffe, *The Moncreiffs and the Moncreiffes*, I (Edinburgh, 1929), p. 44.

139. ADC, XLIX, ff. 228-9.

140. *Ibid.*, XXV, f. 25; Fraser, *op. cit.*, pp. 188-90; *RMS*, *op. cit.*, no. 610.

Elizabeth Gray, Lady Glamis was granted the entire regality of Abernethy in liferent, but this grant was never implemented.¹⁴¹ Apart from the single grant made in liferent to Lady Glamis, all of these vassals held their lands in blenchferm; yet, only the Emerys, Pitcairns, Balmannos, Moncreiffs and Carmichaels appear to have held their properties for some time. But of these vassals, only the lairds of Balmanno, Moncreiff and Dron retained their possessions during the sixteenth century.

Unlike any other regality possessed by the earls of Angus, there was a powerful ecclesiastical landlord who controlled extensive lands within Abernethy and was in no way subservient to the feudal superior. William the Lion bestowed the parish church of Abernethy upon the Abbey of Arbroath.¹⁴² The church of Abernethy was raised to the status of a collegiate church prior to February 1363/4¹⁴³ although its provost or prior was an appointee of the Abbot of Arbroath.¹⁴⁴ There is at least one instance when a provost of the collegiate church granted lands in the regality to a layman. In 1395 John Dalrymple, Prior of Abernethy issued a charter in favour of Thomas Fotheringham of the lands of Great Poty, but Fotheringham held these estates as a vassal of Arbroath rather than as a vassal of the earls of Angus.¹⁴⁵ Like all monastic establishments the Abbey of Arbroath was determined to realise what profits it could

141. RSS, I, no. 2218.

142. RRS William I, no. 339, pp. 342-3; I.B. Cowan, The Parishes of Medieval Scotland. Scottish Record Society, Vol. 93 (Edinburgh, 1967), pp. 3-4. Cited hereafter as Cowan, Medieval Parishes.

143. Cal. Papal Letters, IV, pp. 214-5. In a petition to the Roman Curia presented in 1467, it was expressly stated that the collegiate church of Abernethy was founded by the earls of Angus. D.E.R. Watt, Fasti Ecclesiae Scoticae Medii Aevi ad annum 1638, second draft (St. Andrews, 1969), p. 342. Cited hereafter as Watt, Fasti.

144. Cowan, *op. cit.*

145. RMS, V, no. 964.

from the teinds and mails due from its possessions in the regality of Abernethy, but there is no evidence to indicate who acted in behalf of the abbey until the last quarter of the fifteenth century when the Perthshire laird, John Ramsay of Kilgour was appointed lessee or fermorar of the teinds of Abernethy. However Kilgour's claim as collector of the rents for the abbey might be grounded in legality, it was yet another matter to translate this into concrete material benefits for Arbroath. During the reign of James the fourth, the laird of Kilgour and his successor, John Ramsay in Petgorno, were engaged in involved and lengthy lawsuits to force the heritable proprietors of the regality to pay their rents to the abbey of Arbroath. In 1488, John Moncreiff of that Ilk was summoned to pay the rents due from the lands of Balgonie;¹⁴⁶ in 1490, David Ogilvy of that Ilk was ordered to pay the mails due from the lands of Carey;¹⁴⁷ in 1492 Michael Moncreiff and several accomplices were involved in a dispute over the rents from the lands of Carey, Cragpotty, Nether and Over Aberargy;¹⁴⁸ and in 1504 Peter Carmichael was accused of tampering with the teinds of the lands of Dron, Cragpotty, Collfergy and Petgrunze for the previous nine years.¹⁴⁹ In all of these lawsuits, the abbey of Arbroath proved its right to the sums in arrears, but it is doubtful whether the abbey received full compensation from its truant tenants.¹⁵⁰ In none of these cases was the earl of Angus mentioned,

146. ADA, p. 114; Acts of Council, I, p. 90.

147. Op. cit., p. 132.

148. Acts of Council, ibid., p. 219.

149. ADC, XII, ff. 184-6.

150. The dispute between Peter Carmichael of Dron and Arbroath was still unresolved a decade later. Ibid., XXXIV, ff. 164.

nor did he enter a protest against the proceedings of Arbroath as being prejudicial to his prerogatives as feudal superior of the regality. Thus, in a sense there were two superiors of Abernethy, one temporal and one ecclesiastical, in which the vassals of one were in many instances the tenants of the other; but a strict separation of the privileges and rights of both the earl of Angus and the abbot of Arbroath was rigidly maintained.¹⁵¹

The last lordship which formed an integral part of the original comital estates of Angus was the regality of Bonkle, with the adjacent barony of Preston, in Berwickshire. The barony of Bonkle was the patrimony of a family which derived its name from these lands and their heiress, Margaret Bonkle was the ancestress of the Stewart earls of Angus. The contiguous lands of Preston were given to the Bonkles of that ilk just before the end of the thirteenth century and were incorporated into their other estates.¹⁵² The barons of Bonkle also owned extensive properties in Northumberland and Cumberland, but these were appropriated by the English Crown as a result of the support which Margaret Bonkle and her first husband gave to the nationalist Scottish faction in the Wars of Independence.¹⁵³

151. However, during the reign of James the fifth, the abbots of Arbroath appear to have encountered little opposition in their attempts to collect rents from their lands in the regality. Cf. ADC, XXV-XLIII passim.
152. Fraser, Douglas Book, III, pp. 7-8.
153. For the properties of the Bonkle family in England, cf. Cal. Docs. Scot., I, nos. 542, 643, 1106, pp. 94, 113, 202-4; II, nos. 631, 651, pp. 147, 152. The estates of the Bonkles were restored to Margaret Bonkle and her second husband for a brief time before the death of Edward the first. Cf. ibid., nos. 1135, 1584, pp. 390, 410; III, nos. 1128, 1129, p. 204; Illustrations of Scottish History from the Twelfth to the Sixteenth Centuries, ed. Joseph Stevenson, Maitland Club (Glasgow, 1834), II, no. CCCLIX, p. 49.

With the exception of Kirriemuir, the barony and, later, regality of Bonkle is the only possession of the Douglas earls of Angus for which we have substantial evidence available on the vassals and their estates before the advent of the Douglasses as feudal superior in 1389. Three grants of subinfeudation issued by the first feudal superiors have survived. At the beginning of the thirteenth century, Ranulf de Bonkle gave to the cathedral church of Durham, the lands of Brockholes, Harewood and Deanwood situated within the barony;¹⁵⁴ about 1220, Robert, the grandson of Edmund Spoth resigned his lands in Bonkle to his feudal overlord;¹⁵⁵ just prior to the Wars of Independence, Patrick, Earl of Dunbar had acquired part of the lands of Billie in the barony.¹⁵⁶ When the Stewarts inherited the barony of Bonkle, its subinfeudation was continued. Before 1329, Gilbert Lummisden had replaced Henry Ellem as proprietor of the lands of Blanerne;¹⁵⁷ in 1344, John Renton obtained control of the lands of Billie;¹⁵⁸ before 1358, Thomas Redpath had been given fifteen husbandlands in Preston;¹⁵⁹ about 1379, the lands of Fastfurdland, which had formerly belonged to Robert Ayr, had become the property of Elizabeth Stewart and Sir Alexander Hamilton;¹⁶⁰ also in 1379,

154. James Raine, The History and Antiquities of North Durham, as subdivided into the Shires of Norham, Island and Bedlington, which from the Saxon Period until the year 1844, instituted parcels of the County Palatine of Durham, but are now united to the County of Northumberland (London, 1852), appendix no. CLXVIII. Cited hereafter as Raine, North Durham.
155. Register House, Transcripts of Miscellaneous Charters and Papers, RH 1/2/53. Cf. Fraser, Douglas Book, III, p. 352.
156. Raine, *ibid.*, Appendix no. CXXXIX.
157. Fraser, *ibid.*, p. 391. It has been suggested that Gilbert Lummisden acquired Blanerne by marrying its heiress. Andrew Thomson, Coldingham: Parish and Priory (Galashiels, 1908), p. 251. Cited hereafter as Thomson, Coldingham.
158. *Ibid.*, Appendix III: Renton of Renton. The actual grant to John Renton is no longer extant but he possessed Billie before February 1346/7 when Edward the third gave the lands to Richard Whitparis as they were forfeited by John Renton's support of the Scots. Cal. Docs. Scot. III, no. 1434, p. 270.
159. Fraser, *ibid.*, pp. 18-9; RMS, I, no. 667.
160. *Op. cit.*, pp. 23-4; Register House, Transcripts of Miscellaneous Charters and Papers RH 1/2/144.

John Sinclair of Herdmanston was granted the lands and village of Kimmerghame.¹⁶¹ Unlike several of the oldest vassal families of the regality of Kirriemuir, however, very few of those of Bonkle retained their lands long enough to become heritable proprietors under the aegis of the Douglas earls of Angus.

Of the earliest owners of estates within Bonkle (those who acquired their lands prior to the Scottish Wars of Independence), only a single one, the cathedral church of Durham held on to their properties. The church of Durham founded a daughter house at Coldingham in Berwickshire, and the lands of Brockholes, Harewood and Deanwood were given to the younger ecclesiastical establishment. Coldingham's possession was confirmed by both Margaret Stewart, Countess of Angus and her grandson, William Douglas, Earl of Angus, but only after they had been threatened with excommunication for their recalcitrance.¹⁶² The second Earl of Angus also agreed to resign all rights of superiority over Brockholes, Harewood and Deanwood, for which the prior of Coldingham paid 113 merks and promised to honour the fifteen year lease of these lands which Angus had given to Thomas Atkinson.¹⁶³ Thereafter, the priory of Coldingham retained control of these estates, although the lands of Brockholes were granted in 1495, first to Peter Carmichael (of Dron)¹⁶⁴ and then to

161. Ibid., RH 1/2/141.

162. Coldingham Corresp., nos. C, CXI, pp. 88, 99-100.

163. Coldingham Corresp., nos. CXII, CXVI, CLIII, CLIV, pp. 36, 100, 104-5.

164. Cf. Appendix IV, p. 761.

Elizabeth Drummond, Mistress of Angus¹⁶⁵ which indicates that they had not been completely alienated from the regality of Bonkle.

Among those vassals who had obtained control of estates in Bonkle by the largesse of the Stewarts, only the Lummsdens of Blanerne, the Rentons of Billie and the Sinclairs of Herdmanston retained possession after the Douglas earls of Angus had become the feudal superiors of the regality. The documentary record for the lairds of Blanerne and Billie is extremely sketchy but the Lummsdens appear to have retained Blanerne without interruption during the fifteenth and sixteenth centuries¹⁶⁶ while the Rentons similarly held on to Billie and acquired the lands of Fastfurdland by the first decade of the sixteenth century.¹⁶⁷ For the Sinclairs of Herdmanston, the evidence is sufficiently complete as to give us a reasonable account as to how they maintained their lands in Bonkle for one hundred years. In spite of their kinship with the feudal superiors of the regality, the lairds of Herdmanston were not able to extend their property in Bonkle beyond the initial grant of Kimmerghame given to John Sinclair, the brother of the Countess of Angus, in 1379. John Sinclair's descendants retained control of the lands of Kimmerghame until 1467¹⁶⁸ when the then laird, John Sinclair, died and was survived by two granddaughters, his heirs of line, and a son. Four years previously, William Sinclair, Herdmanston's oldest living son, had received sasine of Kimmerghame¹⁶⁹ but after his father's death, William's nieces Marion and

165. Fraser, Douglas Book, III, p. 146; cf. Thomson, Coldingham, p. 224.

166. Cf. ADC, XXXI, f. 82; ADC et Sess., XII, ff. 69-70; Laing Chrs., no. 634, p. 165-6.

167. HMC Report on the MSS. of David Milne-Home of Wedderburn, nos. 338-9, pp. 185-6; SRO, Home-Robertson MSS GD 267, nos. 3, 5, 6, 861-2.

168. Fraser, *ibid.*, pp. 64-5; Home-Robertson MSS., *op. cit.*, no. 660.

169. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 27, p. 257; Scots Peerage, VII, p. 580.

Margaret Sinclair claimed to be the heritable proprietors of their grandfather's estates in the regality of Bonkle.¹⁷⁰ In May 1470, both Sinclair sisters, who had married George Home of Wedderburn and Patrick Home respectively, were granted charters by the fifth earl of Angus which recognised their possession of Kimmerghame.¹⁷¹ In addition, Angus bound himself, in return for their bonds of manrent to him, to revoke his earlier confirmation of William Sinclair's rights to the lands of Kimmerghame with the additional proviso that he would never acknowledge Sinclair's pretensions in the future.¹⁷² The dispute between William Sinclair of Herdmanston and his nieces was carried on for several years, but this was due to the fact that Marion and Margaret Sinclair were also the reversionary heirs of the entire patrimony of the Herdmanston family.¹⁷³ Matters between the laird of Herdmanston and his kinswomen reached such a degree of hostility that George and Patrick Home seized Herdmanston Castle in 1473 and occupied it for a decade.¹⁷⁴ Only the threat of forfeiture combined with military action by royal forces was able to restore the castle to its legitimate proprietor.¹⁷⁵ By the end of James the third's reign, the lands of Kimmerghame were securely in the

170. HMC Report on the MSS of David Milne-Home of Wedderburn, no. 586, p. 258; HMC 14th Report, Appendix: Part III; MSS. of Sir Hugh Campbell of Marchmont, no. 6, pp. 65-6.

171. Op. cit., no. 10, p. 22; Laing Chrs., no. 126, p. 42 (Wedderburn); Register House, Transcripts of Miscellaneous Charters and Papers, RH 1/2/267; SRO, Curle Collection GD 111/1/1 (Polwarth).

172. Fraser, Douglas Book, III, pp. 99-101; HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 604, pp. 262-3.

173. Both Sinclair heiresses arraigned their uncle before the Lords Auditors for illegally withholding from them the papers and writs of the lands of Herdmanston, Carfra, Pencaitland and Polwarth. ADA, pp. 13, 15.

174. Ibid., p. 28.

175. Acts of Council, I, pp. 93*-4*, 105*.

grasp of the two Sinclair heiresses and their husbands, George Home of Wedderburn and Patrick Home of Polwarth, while the core of the Herdmanston patrimony had devolved upon William Sinclair. The lairds of Herdmanston ceased to be vassals of the earls of Angus after 1467, but they were replaced by two new vassals families, the lairds of Wedderburn and Polwarth, who retained their estates in the regality for an even longer period than had the original grantees.¹⁷⁶

During the fifteenth century, there were four new heritable proprietors introduced into the regality of Bonkle by the Douglas earls of Angus. Thomas, the son of Adam of Bonkle, was granted six husbandlands in Blanerne about 1420;¹⁷⁷ Alexander Home of that Ilk was given the lands of Lintlaws, Preston and Crukisfield in 1436;¹⁷⁸ George Roule of Eumonsfield appears as captain of Bonkle Castle and bailie of the regality in 1495;¹⁷⁹ and Alexander Cockburn of Newhall was possessor of the lands of Fastfurdland before 1508.¹⁸⁰ But none of these individuals or their families appear as vassals of the earls of Angus after the death of the fifth Earl in 1512.¹⁸¹ Thus of the fifteen heritable proprietors who

176. Cf. HMC 14th Report, Appendix: Part III: MSS. of Sir Hugh Campbell of Marchmont, no. 12, p. 67; HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 46, p. 33; SRO, Home-Robertson MSS. GD 267, no. 648/1. When William Sinclair, the next laird of Herdmanston, succeeded his grandfather and namesake in 1513, the lands of Kimmerghame were not included among those which he inherited. Edch. Rolls, XIV, Index to the Libros Responsionem, p. 516.
177. Laing Chrs., no. 98, p. 26.
178. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 293, pp. 174-5; Scots Peerage, IV, p. 446.
179. Acts of Council, I, pp. 127, 147.
180. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 388, p. 185.
181. There is no mention of any of these free tenants subsequent to the dates given above and the grant to the laird of Home was one of liferent only. Cf. Fraser, Douglas Book, III, pp. 69-70.

had acquired estates within the regality of Bonkle since the thirteenth century, only five, the priors of Coldingham, the Lummisdens of Blanerne, the Rentons of Billie, the Homes of Wedderburn and Polwarth, were vassals of the sixth Earl of Angus.

GROUP II

In the second major group of estates which pertained to the Douglas earls of Angus, there were the three lordships of Liddesdale, Jedburgh Forest in Roxburghshire and Selkirk in Selkirkshire. The evidence of the vassals and their estates in all these lordships is almost nonexistent, although perhaps their close geographic proximity to the Anglo-Scottish frontier together with the general social turbulence of the region accounts for the loss of most of the charters and family papers of the lairds of this region.¹⁸²

The most strategically important lordship of the three was Liddesdale and it is probably not accidental that, alone of all the estates owned by the earls of Angus, the grants which were of strictly limited duration outnumbered those which were not. From the first appearance of a vassal in the lordship, which was in the spring of 1429, until the end of the earls of Angus's overlordship in 1491, there are extant only eight charters granted exclusively to the lairds of Cavers and Buccleuch by the feudal superiors of Liddesdale. Sir Archibald Douglas, the founder of the Cavers family, was a close agnatic kinsman to the first Douglas Douglas Earl of Angus and in March 1429 he was given the lands of

182: The degree of disturbances within Liddesdale was notable even as late as the sixteenth century. Cf. T.I. Rae, The Administration of the Scottish Frontier 1513-1603 (Edinburgh, 1966), p. 35.

Malpatrickhope, Braidlee and the Schewis in the lordship of Liddesdale.¹⁸³
 Just over twenty years afterwards, the laird of Cavers was entrusted with the offices of keeper of Hermitage Castle (with its demesnal lands of Whitefield) and bailie of Liddesdale for his lifetime.¹⁸⁴
 Complicated arrangements were made which insured the transference of the castle and bailiary in the event of either Cavers's or his son's death.¹⁸⁵
 This was undoubtedly done to prevent an office which was given under the limitations of a liferent grant from becoming an hereditary one as a result of customary usage. The keepership of Hermitage Castle reverted to the feudal overlord after the demise of the first Laird of Cavers, for when his son, William Douglas of Cavers, received a confirmation of his possession of Malpatrickhope, Braidlee and the Schewis in 1470, neither the keepership of Hermitage Castle nor the bailiary of Liddesdale were included in his grant.¹⁸⁶ David Scott of Buccleuch, an important Roxburghshire laird, appears to have acquired the office of bailie of Liddesdale before the summer of 1469,¹⁸⁷ and in the following year obtained the keepership of Hermitage Castle along with its lands of Whitefield which had once belonged to the Douglasses of Cavers.¹⁸⁸ The position of Buccleuch vis-a-vis his new feudal superior was strengthened when his heir and namesake married Angus's sister Jane Douglas in 1472. His offices

183. HMC Appendix, 7th Report: MSS. of James Douglas of Cavers, no. 6, p. 728; R. B. Armstrong, The History of Liddesdale, Eskdale, Ewisdale, Wauchopdale and the debateable Land, Part I: from the Twelfth Century to 1530 (Edinburgh, 1883), p. 138. Cited hereafter as Armstrong, Liddesdale; Armstrong MS. 6116, NLS, p. 280.
184. Fraser, Douglas Book, III, pp. 78-9.
185. Ibid.
186. HMC Appendix, 7th Report: MSS. of James Douglas of Cavers, nos. 15, 16, pp. 728-9.
187. In the account rendered by Thomas, Lord Erskine, Sheriff of Selkirk, for the period from August 1469 until June 1471, the laird of Buccleuch is designated bailie of Liddesdale. Exch. Rolls, VIII, p. 5.
188. Fraser, Buccleuch, II, pp. 67-8.

and lands within Liddesdale were confirmed to David Scott of Buccleuch and, in addition, he was granted the bailiaries of the neighbouring lordships of Ewesdale and Eskdale and promised that of the lordship of Selkirk.¹⁸⁹ Within a period of five years, the laird of Buccleuch had been given the office of bailie of Liddesdale for the periods of nineteen, thirteen and seventeen years respectively,¹⁹⁰ but the fifth Earl of Angus resolutely upheld his father's policy and refused to make either the bailiary of Liddesdale or the keepership of Hermitage Castle hereditary. However, perhaps in order to alleviate Buccleuch's chagrin at not obtaining heritable possession of the bailiary of Liddesdale, Angus made him the reversionary heir to the estates held by the lairds of Cavers in the lordship.¹⁹¹ The earl of Angus also granted to David Scott the lands of Mangerton in 1482, which had been resigned by its former proprietor, Thomas Armstrong.¹⁹² This was the last grant made to the vassals of the lordship and when Liddesdale became the property of the Hepburn earls of Bothwell, both the Douglases of Cavers and the Scotts of Buccleuch severed their tenurial relationship with the earls of Angus permanently.¹⁹³

In the lordship, and, later regality, of Jedburgh Forest there was at the outset of the possession of the earls of Angus a family introduced as vassals which had very close ties of kinship with them. Margaret

189. *Ibid.*, pp. 70-72.

190. *Ibid.*, pp. 67-72.

191. HMC Appendix, 7th Report: MSS. of James Douglas of Cavers, no. 15, p. 728.

192. Fraser, *Buccleuch*, II, pp. 77-80. R. B. Armstrong wrote that "the chiefs of the armstrongs had been in possession of Mangerton in Liddesdale for considerably longer than a century" but there is no evidence to support this assumption. However, the Armstrongs appear to have kept actual control of Mangerton during the sixteenth century. Armstrong, Liddesdale, pp. 141-2.

193. Cf. Fraser, *op. cit.*, *passim*; HMC Appendix, 7th Report *passim*.

Douglas, the sister of the first Douglas Earl of Angus, and her husband, Thomas Johnson, were given the lands of Bonjedburgh within the lordship by Isabella Douglas, Countess of Mar in 1404,¹⁹⁴ Margaret and Thomas's descendants were known as the Douglasses of Bonjedburgh and they maintained possession of their lands in Jedburgh Forest during the fifteenth and sixteenth centuries.¹⁹⁵ The lairds of Bonjedburgh, similarly to the lairds of Herdmanston in the regality of Bonkle, were unable to utilise their blood relationship to the feudal superior to increase their lands in the regality of Jedburgh Forest, although in the total absence of the Bonjedburgh family muniments, any conclusions reached about their estates is at best tentative.

Evidence of the continued subinfeudation of the regality of Jedburgh Forest by the earls of Angus is not forthcoming until just before the death of the second Earl, when he granted to Sir David Home of Wedderburn the lands of Lee, Wolle and Wolfhoplee in 1436.¹⁹⁶ The laird of Wedderburn had witnessed a charter granted by Angus to the priory of Coldingham almost a decade earlier¹⁹⁷ and the new ties of vassalage drew

194. Aberdeen-Banff Illustration, IV, pp. 730-31.

195. Fraser, Douglas Book, III, pp. 68-9; RMS, II, nos. 1037, 1640, 1800; HMC Appendix, 7th Report; MSS. of James Douglas of Cavers, nos. 12, 28, p. 728, 730; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 114, p. 121; HMC 14th Report, Appendix: Part III: MSS. of the Duke of Roxburghe, no. 20, p. 14; SRO, Biel Muniments GD 6, no. 592.

196. HMC Report on the MSS. of David Milne-Home of Wedderburn, nos. 5, 6, p. 20. This grant of the laird of Wedderburn is the first occasion on which Jedburgh Forest was specifically referred to as a regality.

197. Coldingham Corresp., no. CXII, p. 100; Raine, North Durham, Appendix CLII, pp. 35-6.

heritable proprietor and feudal superior together in an attempt to retain the lucrative office of bailie of the lands which belonged to Coldingham. Wedderburn claimed to have prior right to the bailiary of the priory and the earls of Angus, who themselves for a brief period had exercised this office,¹⁹⁸ generally supported David Home in his claims.¹⁹⁹ But even with Angus's considerable assistance, the laird of Wedderburn, who received the office of bailie in 1443, could not maintain his position. He was outmanoeuvred by his nephew, Sir Alexander Home of that ilk, who possessed not only superior strength but who also enjoyed the official support of the Scottish Crown.²⁰⁰ The failure of the earls of Angus to give adequate aid to the Homes of Wedderburn in their struggle to retain the bailiary of Coldingham did not affect the relations between feudal overlord and vassal adversely. The lairds of Wedderburn continued to be landowners in the regality of Jedburgh Forest for over a century after their initial introduction as vassals; they acquired valuable lands in the regality of Bonkle; they became allied by marriage to the comital house shortly after the death of the fifth Earl of Angus.²⁰¹

Apart from the Homes of Wedderburn, other vassals who were given estates in the regality of Jedburgh Forest by the earls of Angus were Ralph Newlands, who was acknowledged proprietor of the lands of Newlands

198. In 1428 William Douglas, Earl of Angus was made official "protector" of Coldingham but the earl's attempt to utilise this office for his own aggrandisement led to his removal five years later. Coldingham Corresp., nos. CXIII, CXIX, p. 101-2, 106-7.
199. Ibid., nos. CXXXIX, CLX, pp. 123-4, 147; Raine, North Durham, Appendix, No. DLXVII. James, Third Earl of Angus appointed David Home of Wedderburn bailie to Coldingham Priory in 1443 but Angus had no legal right to do so. SRO, Home-Wedderburn of Paxton Papers GD 267, Box 1/20, f. 1.
200. Coldingham Corresp., op. cit., no. CLXIX, pp. 157-3.
201. HMC Report on the MSS. of David Milne-Home of Wedderburn, nos. 9, 11, 38, pp. 22-3, 31; Scots Peerage, I, p. 189; SRO, Home- Robertson MSS. GD 267, nos. 629, 634-5.

in 1440;²⁰² John Rutherford, who obtained possession of the lands of Hundalee prior to April 1452;²⁰³ Thomas Ker who became, perhaps by marriage, the possessor of the lands of Ferniehirst before 1474;²⁰⁴ Ralph Ker of Primsidloch, who was given the lands of Fawside, Langlee and Gillestongis at the beginning of the sixteenth century.²⁰⁵ Andrew Ker of Altonburn and Cessford was granted the lands of Lintalee and the office of bailie of the regality in 1457, but these possessions left his family's control upon his death.²⁰⁶ Of these vassals, only the Rutherfurds of Hundalee, the Kers of Primsidloch and the Kers of Ferniehirst retained their estates for a considerable period of time.²⁰⁷ The Kers of Ferniehirst became such influential landowners in the regality that Andrew Ker, the second laird claimed to be hereditary bailie of Jedburgh Forest only seven years after the fifth Earl's death.²⁰⁸ From the available evidence it is quite clear that the majority of the heritable proprietors introduced as vassals of the regality of Jedburgh Forest did retain control of their lands after Flodden.

The lordship of Selkirk, was, apart from the barony of Tantallon, the

202. SRO, Morton Papers GD 150/4/99.
203. RMS, II, no. 538.
204. Cf. Scots Peerage, V, pp. 51-2.
205. RMS, op. cit., no. 2676.
206. Fraser, Douglas Book, III, pp. 434-5; HMC 14th Report, Appendix: Part III: MSS. of the Duke of Roxburghe, no. 34, p. 19.
207. RMS, II, nos. 2078, 2079; III, no. 240; RSS, II, no. 4486; Thomas Cockburn-Hood, The Rutherfurds of that Ilk (Edinburgh, 1884), pp. LXXVI-VIII; SRO, Rutherford of Edgerston Muniments GD 114, File T/12/6 (Rutherford of Hundalee); ADC XXXIX, ff. 63-63A; SRO, Newbattle Collection GD 40, Portfolio XVI, Addenda I (Ker of Primsidloch); RMS, III, no. 2142; SRO, Newbattle Collection GD 40, Portfolio II, no. 69; National Library of Scotland Adv. MS. 15.1.12, "Cartae Antiquae", p. 38 (Ker of Ferniehirst).
208. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 66, pp. 32-3.

smallest property in terms of territorial extent held in superiority by the Douglas earls of Angus and correspondingly there is less documentation on its vassals than any other major part of the earldom.²⁰⁹

From the acquisition of the lordship by George Douglas in 1398 until the death of his descendant, the fifth Earl of Angus in 1513, there are references to a mere three vassals who held lands in Selkirk. John Murray of Falahill received a grant of the lands of Phillophaugh in 1461;²¹⁰ Thomas Ker was retoured heir of his father Adam Ker in the lands of St. Eleneshaw, Caponland and Gerland in 1489;²¹¹ and Ralph Ker of Primsidloch, who appears to have bought the actual lands of the lordship, relinquished them to George Master of Angus in 1509 upon payment of certain sums.²¹² Only the lairds of Falahill continued to be vassals of Angus in the lordship of Selkirk,²¹³ but the paucity of historical records renders it impossible to give an accurate analysis of the heritable proprietors in this lordship.

209. Although the lands of Selkirk and Ettrick Forest were originally synonymous, by the early fifteenth century they had become two separate entities. Cf. Rot. Scot., II, pp. 163-4.
210. OPS, I, p. 274.
211. Fraser, Douglas Book, III, p. 125.
212. Ibid., pp. 190-91. Both the lairds of Primsidloch and Falahill were summoned by the Dowager Countess of Angus in 1500 to pay her the mails due from her terce lands within the lordship. Acts of Council, II, p. 452.
213. Cf. RSS, I, no. 1872; Ancient Criminal Trials in Scotland compiled from the Original Records and MSS, ed. Robert Pitcairn. Bannatyne Club (Edinburgh, 1833), I, Pt. I, p. 239*. Cited hereafter Pitcairn, Trials. ADC, XIV, f. 58.

GROUP III

In the third category of estates which were possessed by the Douglas earls of Angus were those lordships which were acquired as a direct result of the forfeiture of the Earls of Douglas. Of these, there were two in number: the lordships of Eskdale in Dumfriesshire, and Douglas in Lanarkshire, both of which were stripped of their regalian status when their former proprietors were outlawed. In Eskdale and Douglas there existed a group of landowners who had been vassals of the earls of Douglas and who entered into a similar relationship with their new feudal superior. For Eskdale, however, there is data on only a single family of heritable proprietors, the Glendonwyns of that ilk. Sir Simon Glendonwyn was granted the lands of Balyn, Bailiehill, Wodend, Crownzantoun as well as the lands from which he derived his patronymic by the fourth Earl of Douglas in 1407.²¹⁴ The laird of Glendonwyn's successor and namesake inherited these estates in 1437 by which time he had also acquired the office of hereditary bailie of Eskdale.²¹⁵ But tenuous bonds of feudal dependancy were not strong enough to prevent Sir Simon Glendonwyn (ii) from being an accomplice in the killing of the eighth Earl of Douglas in 1452.²¹⁶ Glendonwyn was a firm partisan of the king in his struggles with the Douglasses and retained both his estates

214. G.T. Clindining, The House of Glendonwyn (Adelaide, Australia, 1933-42), Part II, (p.22), Dumfries Public Library. All page references are my own as this work is unpaginated. Cited hereafter as House of Glendonwyn. Armstrong, Liddesdale, p. 156; Appendix III, p. IX.

215. House of Glendonwyn, Part III, (p. 33).

216. Ibid., (p. 34); Asloan Manuscript, I, p. 240.

and the bailliary of Eskdale after the proscription of his former overlords.²¹⁷ Successive lairds of Glendomryn even increased their holdings in Eskdale after the earls of Angus had become feudal superiors²¹⁸ but the office of bailie had left their possession altogether before the end of the fifteenth century.²¹⁹ When the fifth Earl of Angus lost Eskdale permanently in 1502, the Glendomryns, although still remaining heritable proprietors within the lordship, were released from all ties of vassalage to the comital family. The retention by the Glendomryns of that ilk of their lands obtained originally from the earls of Douglas was indicative of a pattern which was followed by several heritable proprietors of the lordship of Douglas.

During the two years when the Crown possessed the lordship of Douglas, no policy of vindictive dispossession was carried out against its heritable proprietors.²²⁰ The major vassals of the lordship for which there are extant records appear to have kept their lands in spite of the change of feudal superiors. The Sandilands of Calder had been granted the lands of Sandilands, Redmyre and half of Pollinfeich by the mid fourteenth century²²¹ and they continued to control these estates for a century, but by 1460, they were possessed by Thomas Inglis of Murthaston.²²²

217. *Op. cit.*,; Armstrong, *ibid.*, p. 161; Exch. Rolls, VI, p. 556.

218. However, none of these lands were granted to the Glendomryns by the earls of Angus. Cf. House of Glendomryn, *ibid.*, (pp. 34-7).

219. Alexander, Lord Home was appointed bailie of Eskdale by James the fourth in 1495. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 150, pp. 133-4.

220. Cf. RMS, II, *passim*; APS, II, *passim*.

221. SRO, Torphichen Writs GD 119, nos. 152-3.

222. *Ibid.*, no. 164.

The lands of Redmyre were given by Murthaston to Alexander Baillie of Carfyn²²³ but he retained his possessions in the lordship of Douglas for less than twenty years. The Govans of that Ilk had been introduced as landowners in Douglas when they were given half of the lands of Pollinfeich by the first Earl of Douglas in 1370;²²⁴ they maintained possession for over two hundred years without interruption.²²⁵

The leading vassals of the lordship of Douglas, in order of importance, were the Carmichaels of that Ilk and the Symingtons of that Ilk, both of whom had been given estates by the earls of Douglas. John Carmichael, who first raised his family to the status of heritable proprietors, acquired the lands of the Overtoun of Carmichael prior to 1385.²²⁶

Thereafter, successive lairds of Carmichael increased their holdings within the lordship to include the lands of Redmyre (in 1474)²²⁷ and the Nethertoun of Carmichael (in 1483).²²⁸ All of these lands were kept by the family with the avowed support of the new feudal superiors, the earls of Angus.²²⁹ Indeed, the estates of the Carmichaels had been increased after the lordship became the property of the earls of Angus, and a similar state of affairs occurred for the Symingtons of that Ilk as well. William Symington is the first member of his family who

223. SR4, Inventory of Writs belonging to the Earls of Hyndford, National Register of Archives (Scotland), Survey 243, Bundle 2, no. 1. Cited hereafter as Hyndford Inventory. A thorough search of the Scottish Record Office and of the Carmichael papers deposited at the British Museum has failed to reveal the whereabouts of the original Carmichael writs.

224. *Ibid.*, Bundle XIII, nos. 1, 2.

225. *Ibid.*, nos. 3, 4; Exch. Rolls, XVII, Appendix: *Rentalia Domini Regis*, p. 684.

226. *Op. cit.*, Bundle 1, nos. 1, 2; Fraser, Douglas Book, III, p. 398.

227. *Op. cit.*, Bundle 2, no. 3.

228. *Ibid.*, Bundle 1, nos. 4, 7; RMS, II, no. 1619.

229. *Op. cit.*, nos. 8, 9, 11.

emerged from historical obscurity when he appeared as captain of Douglas Castle in 1419.²³⁰ Unfortunately, there is a complete gap in the family papers of the lairds of Symington until the early sixteenth century when John Symington of that Ilk had acquired lands in the barony of Crawford Lindsay as well as the lordship of Douglas.²³¹ However, the Symingtons like the Carmichaels retained their estates in the lordship under both the earls of Douglas and the earls of Angus.²³²

However, the earls of Angus, the new feudal superiors of the lordship of Douglas were not merely content with maintaining the structure of land ownership as it had existed under their kinsmen. The earls of Angus issued a series of charters commencing in the mid fifteenth century which parcelled out lands within Douglas to six new vassals: in 1462, Mr James Lindsay of Covington was given the lands of Corsrig, Newhall and Howhouse;²³³ in 1484, one Edward Crichton obtained control of the lands of Hertwood;²³⁴ prior to February 1488/9, Alexander, Lord Home was in possession of the lands of Scrogton and Dene;²³⁵ in 1492, Cuthbert, Lord Kilmaurs was given the lands of Drumalbano, Udingstoun and Likeliok

230. Fraser, *ibid.*, p. 413.

231. *RMS*, II, nos. 1558, 1586. The laird of Symington was also appointed one of the bailies of the regality of Kirriemuir by Angus in 1489. Fraser, *ibid.*, pp. 124-5. In the only published genealogy of the Symington Family, it has been asserted that John Symington of that Ilk was appointed hereditary bailie of the lordship of Douglas in 1488 by the fifth Earl of Angus, but this cannot be documented. Henry Paton, Genealogy of the Symington Family (Edinburgh, 1908), p. 7.

232. Cf. *RSS*, II, no. 521.

233. Fraser, Douglas Book, III, p. 91; Hyndford Inventory, Bundle 46, no. 1.

234. *RMS*, II, no. 1594.

235. Fraser, *ibid.*, p. 123.

when he espoused Angus's daughter, Marion Douglas;²³⁶ prior to 1509, Peter Carmichael of Dron was given the estates of Ardrig, Wistoun and Andirshaw;²³⁷ and sometime between 1500 and 1513, Alexander Turing, a burghess of Edinburgh, received the lands of Cormokhope.²³⁸ Of these heritable proprietors, however, only the Lindsays of Covington kept possession of their lands after the beginning of the sixteenth century and they, in turn, alienated the lands of Corsrig and Newhall to John Graham, a burghess of Edinburgh, in 1510, whose family controlled these estates for over a generation.²³⁹ Lord Home resigned his possessions in Douglas in 1489;²⁴⁰ the laird of Dron exchanged his lands in the lordship for those of Galtoquhy and Pettindy in the regality of Abernethy;²⁴¹ Edward Crichton did not control the lands of Hertwood for long;²⁴² and Lord Kilmaurs had relinquished all claims to his estates in the lordship only six years after he first acquired them.²⁴³ The longevity of tenure for the new vassals of the lordship of Douglas introduced by the earls of Angus is quite different from that of the vassals on the other component parts of the comitatus. Only one vassal

236. *Ibid.*, pp. 131-3; *RMS*, *ibid.*, no. 2102.

237. Fraser, *ibid.*, pp. 188-90.

238. *RMS*, III, no. 629; *APS*, II, pp. 329-30.

239. Cf. *RMS*, *ibid.*, no. 650.

240. Fraser, *op. cit.*, p. 123. When or how Lord Home obtained possession of these lands is unknown.

241. *Ibid.*, pp. 188-90; *RMS*, III, no. 610.

242. There is no further mention of the lands of Hertwood until 1540 when they were in the possession of another heritable proprietor. Cf. *RMS*, *ibid.*, no. 2246.

243. In 1498 all of the estates of Lord Kilmaurs were given to his son and heir, William Cunningham. The lands in the lordship of Douglas were not comprised in the grant. *RMS*, II, no. 2416; SRO, Glencairn Muniments GD 39/5/7.

brought in by the new feudal superior maintained ^{his} their possessions in Douglas during the sixteenth century, as opposed to three proprietors who continued to do so who had initially been the vassals of the earls of Douglas.

GROUP IV

The fourth and final group of estates which comprised the earldom of Angus were those lordships and baronies which had been acquired by the fourth and fifth earls: these were the castle and barony of Tantallon in East Lothian, the lordships of Kilmarnock in Ayrshire, Ewesdale in Dumfriesshire, various lands in Berwickshire, and the baronies of Braidwood, Crawford-Lindsay and Bothwell in Lanarkshire. For the first three possessions of the earls of Angus, there is no evidence of any vassals whatever: the barony of Tantallon consisted only of the dominical lands adjacent to the castle,²⁴⁴ Kilmarnock was held by the earls for a mere four years,²⁴⁵ and documentary records for Ewesdale before the mid sixteenth century ^{are} ~~is~~ virtually nonexistent.²⁴⁶

The lands in Berwickshire which were given to the earls of Angus were acquired in distinct phases: those which were given to the fifth Earl by James the third; those which were annexed to Angus's barony of Bothwell; those which were granted to Angus by Margaret Dunbar, dowager Countess of Crawford. The first category consisted of the lands of

244. Fraser, Douglas Book, III, pp. 79-80; RMS, II, no. 584.

245. Ibid., no. 2072; SRO, Glencairn Muniments GD 39/1/22.

246. Cf. Armstrong, Liddesdale, passim; Armstrong MS. 6110, pp. 200-20.

Earlston alias Cowdenknowes, Wollstruther-meadow, Fala and Philpston which were given to the earl in 1483. Less than a decade later, however, these were permanently alienated from the comital demesne.²⁴⁷ The second category included the lands of Trottaneshaw, Byrecluech, Handaxwood, Horshop/Horshopcleuch, Hartshaw-meadow, called Somerscheill, and Kettilscheill (in the forest of Dye) and were granted to Angus in 1492²⁴⁸ but as they were annexed to the barony of Bothwell, they will be discussed below. The third category comprised the lands of Ryweilhauch and half of Birgham which were acquired by Angus in 1497.²⁴⁹ No vassal was given any part of these estates which were removed from the comitatus before the close of 1505.²⁵⁰ It is only with the extensive estates in Lanarkshire that there is any evidence for the heritable proprietors of the most recent bloc of lands within the earldom of Angus.

For the barony of Braidwood, there is no proof of any vassals at all, save from the grant of its lands made in liferent to Janet Kennedy, the fifth Earl's second wife,²⁵¹ and after her resignation, the grant made to Sir William Douglas of Glenbervie, whose descendants became its immediate superiors.²⁵² However, the available data on the baronies of Crawford Lindsay and Bothwell is quite different.

The barony of Crawford Lindsay, from which the earls of Crawford derived their comital dignity, had been in the possession of the Lindsays since

247. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, nos. 97, 102, pp. 117-8; RMS, II, no. 1907.

248. Fraser, Douglas Book, III, p.437.

249. RMS, II, no. 2339; SRO, Crawford and Balcarres Muniments at High, National Register of Archives (Scotland), Survey 237, I, Box 13.

250. ADC, XVI, ff. 241-2.

251. RMS, ibid., no. 2434; RSS, I, no. 58.

252. Op. cit., no. 3544; Fraser, ibid., pp. 202-3.

the reign of Robert the second.²⁵³ The earls of Crawford held unquestioned sway as feudal superiors until the barony was recognised into the Crown's possession by James the fourth for the illegal alienation of its estates. The king then granted the barony to the fifth Earl of Angus in January 1495/6.²⁵⁴ Angus, in order to strengthen his legal right, came to an agreement with John, Earl of Crawford, whereby he renounced for himself and his heirs all claims to the barony, with the proviso that three acres of land called Strogholmeknow in the barony be reserved for future earls of Crawford in order that they might retain their comital dignity.²⁵⁵ Angus also promised to infeft Crawford in extensive estates in the regality of Kirriemuir, but he did not fulfil his part of the bargain. Nevertheless, the barony and its estates became part of the comitatus of Angus, although Crawford Lindsay was given to Janet Kennedy in 1498²⁵⁶ and remained in her possession for the following decade.²⁵⁷ The barony of Crawford Lindsay was returned to Angus in December 1509, and in just over one year, it was officially annulled and replaced by the new free barony of Crawford Douglas. But the old and new baronies were identical in territorial extent; nothing had changed except the name.²⁵⁸

During the interval between the resignation of the immediate superiority of Crawford Lindsay by the earl of Angus's former wife, Janet Kennedy, and the creation of the new barony of Crawford Douglas in favour of the Master of Angus, the actual lands of the barony were, for the second time in twenty years, recognised into the king's hands.²⁵⁹ As

253. RMS, *ibid.*, no. 2434; RSS, I, no. 58.

254. *Ibid.*, II, no. 2298; Fraser, *ibid.*, pp. 152-3.

255. *Ibid.*, pp. 155-7.

256. RMS, II, no. 3413.

257. ADC, XXI, ff. 41-4.

258. *Ibid.*,; *op. cit.*, no. 3532; Fraser, Douglas Book, III, pp. 200-1.

259. ADC, XXI, f. 197. The barony of Crawford Lindsay was declared to be recognised into the king's hands on 16 June 1510.

a result of the renewed forfeiture of Crawford Lindsay, a petition was drawn up and subscribed by the heritable proprietors of the barony which requested James the fourth to restore Crawford Lindsay to the earl of Angus. The signatories of this document were John, Lord Somerville, Sir James Hamilton of Shawfield, John Symington of that Ilk, Robert Dalziell of that Ilk, John Cunningham of Bondington, Robert Maxwell of Caldorwood, Robert Tynto of Crymperamp, Adam Hamilton of Ellieshaw, John Tallefeir of Haircleuch, Gilvert Weir of Racleuch and John Atzene (Aitkins), bailie of Crawford.²⁶⁰ Unfortunately, the dearth of material on several of these men make it impossible to determine in many cases what lands in the barony belonged to whom. No information is available on the properties within Crawford Lindsay which pertained to the lairds of Caldorwood, Dalziell, Symington and John Atzene.²⁶¹ The lands of Howcleuch belonged to the Lords Somerville but from whom or when they first acquired possession cannot be documented,²⁶² while the ownership by a family of Cunninghams and a family of Hamiltons of the lands of Bondington and Ellershaw respectively is based upon circumstantial data.²⁶³

260. Fraser, *ibid.*, pp. 198-9.

261. Cf. *RMS*, I-III, *passim*; *RSS*, I, *passim*; Fraser, *Douglas Book*, III, *passim*. Sir John Dalziell of that Ilk acquired the lands of Botheax in the barony of Crawford Lindsay in 1389 and they were inherited by his younger son, Adam Dalziell. The cadet family of Dalziell of Botheax became extinct before the end of the fifteenth century and it cannot be demonstrated that their lands reverted to the lairds of Dalziell. *HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton*, p. 210; *RMS*, II, nos. 9, 10; *Scots Peerage*, II, pp. 398-400.

262. The fourth Lord Somerville resigned the lands of Howcleuch in the barony in 1535. *RMS*, III, no. 1465 note.

263. Cf. *Ibid.*, I, nos. 694, 784; II, no. 3532 (Bondington); *ibid.*, II, no. 3532; *RSS*, V, Pt. II, no. 2841, (Ellershaw).

However, for the remaining vassals of Crawford Lindsay for ^{whom} ~~which~~ there is evidence, it is quite clear that all the heritable proprietors who had obtained their estates before the superiority of the barony became vested in the hands of the earls of Angus retained their lands. The Weirs of Macleuch possessed their lands prior to the summer of 1480 and continued to hold them during the following century.²⁶⁴ The Tailfeirs were given the lands of Haircleuch as early as 1390 and held on to them into the sixteenth century.²⁶⁵ John Hamilton of Shawfield, the brother of the first Lord Hamilton, was given the lands of Whitecamp and Kirkhope in 1449 in exchange for his lands of Wester Brichty in the barony of Fearn in Angus,²⁶⁶ and these estates in Crawford Lindsay were enjoyed by Hamilton's descendants for over a century.²⁶⁷ Sir James Crichton of Ruthven was given the lands of Blackhouse and Little Clyde in 1480²⁶⁸ and his widow continued to enjoy them as late as 1519.²⁶⁹ William Carmichael, a burghess of Edinburgh, received the lands of Crukitstane in 1490²⁷⁰ and this grant was confirmed by the new superior, Angus, twenty years later.²⁷¹ Although it is not possible to determine when Robert Tynto became the proprietor of Crymcramp, he still retained these lands under the earls of Angus at least until the end of the minority of James the fifth.²⁷² The most prominent vassal family in the

264. RMS, III, no. 3246.

265. Fraser, Douglas Book, III, pp. 193-9, 365-6.

266. HMIC 15th Report, Appendix: Part VIII: MSS. of the Duke of Buccleuch and Queensberry at Drumlanrig Castle, no. 128, pp. 63-4.

267. Op. cit., no. 131, pp. 64-5.

268. RMS, ibid., no. 1448.

269. ADC, XXII, f. 132.

270. Op. cit., no. 3389(1).

271. Ibid., (11).

272. APS, II, p. 328.

barony were the Carmichaels of Meadowflat, who held more estates under both the earls of Crawford and Angus than did any other heritable proprietor.²⁷³

It has been suggested that William Carmichael of Meadowflat was the hereditary captain of Crawford Castle as early as 1475,²⁷⁴ but the first positive proof of their possessing lands within the barony was in February 1489/90 when William Carmichael, the heir of John Carmichael of Meadowflat, received the lands of Granys, Threiphalch, the Mains, Mudlow, Over Newton, the western half of Crympcramp and the heritable office of keeper of Crawford Castle.²⁷⁵ All of these possessions were confirmed by the earl of Angus to John Carmichael of Meadowflat at the beginning of the sixteenth century,²⁷⁶ and his son also held these lands from the sixth Earl of Angus.²⁷⁷

Occasionally a few vassals lost their lands either by the failure of their heirs or by some judicial form of dispossession. Walter Bertraham, a notable burghess of Edinburgh, was given the lands of Normangill, Southwood and Regalegill in 1477,²⁷⁸ and his possession was confirmed by James the fourth.²⁷⁹ However, Bertraham did not leave any heirs and his lands had reverted to the feudal superior of the barony before the mid sixteenth century.²⁸⁰ James, Lord Hamilton and John Lindsay

273. The Carmichaels of Meadowflat were cadets of the Carmichaels of that Ilk. Cf. Appendix V, Genealogical Tables.

274. Scots Feerage, IV, p. 564. In point of fact, the office of bailie of the barony was exercised by John Lindsay of Covington during the 1470s. Cf. Acts of Council, I, p. 33.

275. RMS, II, no. 1940.

276. RSS, I, no. 496; cf. TA, II, p. 169; ADC, XIV, ff. 17-8, 29-30.

277. RMS, III, no. 1753.

278. Ibid., II, no. 1391.

279. Ibid., no. 2246; The Protocol Book of James Young, 1485-1515, ed. Gordon Donaldson. Scottish Record Society, vol. 74 (Edinburgh, 1952), no. 790, p. 173. Cited hereafter as Prot. Bk. of Jas Young.

280. Cf. RSS, II, no. 2954.

of Covington were stripped of the lands of Mudlow, the Mains of Crawford, Little Clyde and Crukitstane in October 1478 when their lease given to them by the Countess of Crawford expired.²⁸¹ The heirs of Alexander Somerville were deprived of the lands of Harthope as a result of his refusal to pay compensation to the Earl of Angus in 1511.²⁸² But the instances of dispossession are comparatively rare. What is quite clear is that the old vassals of the earls of Crawford who held lands in the barony of Crawford Lindsay were accepted as such by the earls of Angus who, in fact, did not introduce any new heritable proprietors into the barony.

When the fifth Earl of Angus was granted the barony of Bothwell in the summer of 1492, it did not include in its entirety the ancient lordship and barony which had been enjoyed by the earls of Douglas, as it had been divided into two distinct portions subsequent to the latter's forfeiture.²⁸³ However, the various grants of a barony of Bothwell made by the Crown during the last half of the fifteenth century created a series of superiorities which were not only conferring but were in direct contravention of each other. In 1463, James Lord Hamilton had been given various lands of the old Douglas barony and these had been erected into a new free barony of Bothwell for his benefit.²⁸⁴ Two decades later, the barony of Bothwell was given to John Ramsay,²⁸⁵ but for his support of James the third against the insurgents who won the battle of Sauchieburn, the newest baron of Bothwell was forfeited and his estates were bestowed upon Patrick Hepburn, Lord Hailes.²⁸⁶ As

281. Acts of Council, I, pp. 17, 33; ADA, p. 89.

282. HMC 15th Report, Appendix: Part IX: MSS. of J. Hope Johnstone of Annandale, no. 12, p. 14.

283. OPS, I, p. 55.

284. RMS, II, no. 1054.

285. APS, II, p. 153.

286. Op. cit., no. 1784.

Lord Hamilton had not resigned his barony of Bothwell before 1488 in favour of Lord Hailes, and as the lands designated in the original grant to Hamilton were also included in the first grant to Hailes, two separate baronies had been created out of the same original lordship.²⁸⁷

The grant of the barony of Bothwell to the fifth Earl of Angus in 1492 temporarily terminated that which had been given to the Hepburns, but six years later, the lands of Bothwell were, once more, granted to the Hepburns as a free barony.²⁸⁸

Although the second barony of Bothwell given to the Hepburns was considerably larger than the first, several of the lands - the village and mains of Bothwell, the lands of Udingston, Scherrailles, Ricardyongstoun, Knokhobill, the Poffillis, the Shaws, Mackhareshaw and Swynsty - were also included in the barony of Bothwell which had been granted to Angus. Thus by 1500 three separate baronies of Bothwell were in existence and were to remain so throughout most of the sixteenth century.²⁸⁹

The situation of three powerful magnates claiming to be "baron of Bothwell" was further complicated when Angus granted his entire barony except for its annexed areas in Berwickshire to his former wife, Janet Kennedy, in February 1509/10. The erstwhile countess was to enjoy these estates in liferent, in return for her resignation of the baronies of Braidwood and Crawford Lindsay.²⁹⁰ Janet Kennedy assumed the title of Lady Bothwell almost immediately after Angus issued his charter in her favour, and she retained a tight grasp over her property until her death thirty-five years later.

287. For a different interpretation of these grants, cf. OPS, I, pp. 53, 55.

288. RMS, *ibid.*, no. 2452.

289. Cf. Addenda to this chapter.

290. *Op. cit.*, no. 3413; ADC. XXI, ff. 41-4.

The lands of Trottaneshaw, Handaxwood, Horshop/Horshopcleuch, Eyreleuch, Hartshaw-meadow, called Somerscheill, and Kettilscheill (in the Forest of Dye) in Berwickshire were granted to Angus in 1492 and were annexed to his barony of Bothwell.²⁹¹ Almost all of the available historical documentation on the vassals of the barony of Bothwell concerns itself with the proprietary rights to these lands. In 1493, Patrick Bellenden, a burgess of Edinburgh, and his wife were given sasine of the lands of Horshop;²⁹² a decade later Sir Patrick Home of Polwarth received the solemn promise of the feudal superior of Trottaneshaw, Eyreleuch and Handaxwood that he would infeft Polwarth in these lands;²⁹³ this was done in 1504.²⁹⁴ In 1506, Katherine Stirling,²⁹⁵ Countess of Angus received the lands of Kettilscheill in liferent; before 1509, Peter Carmichael of Dron, who had acquired some right to the lands of Horshop, resigned them into the hands of Angus;²⁹⁶ just before Flodden, David Melville, another burgess of Edinburgh, was given the lands of Dunsiar in the barony of Bothwell.²⁹⁷ But of these vassals, only the lairds of Polwarth and the Melvilles retained their holdings in the barony after the death of the fifth Earl of Angus.²⁹⁸ The record of the tenure of the heritable proprietors of the Angus barony of Bothwell is much scantier and seems less secure than those of the barony of Crawford Lindsay, although this probably reflects the confused situation

291. RMS, II, no. 3413.

292. Prot. Bk. of Jas. Young, no. 581, p. 131.

293. Fraser, Douglas Book, III, pp. 174-5.

294. RSS, I, no. 895.

295. Ibid., no. 1254.

296. Fraser, ibid., pp. 187-8. Cf. TA, II, p. 179.

297. RMS, op. cit., III, no. 49.

298. HMC 14th Report, Appendix: Part III: MSS. of Sir Hugh Campbell of Marchmont, pp. 75-7 (Polwarth); Appendix IV, p. 766 (Melville).

of three baronies which shared the very same estates in common.

There are certain aspects of the land structure and its organisation which must remain a mystery, for unlike some English comital families of the period, there has not survived any evidence on the administration, agricultural produce or economic value of the estates held by the earls of Angus.²⁹⁹ The relationship of the major vassals of the earls to their feudal superior other than as free tenants is not a clearly defined one. In the entire corpus of charters and writs issued by the various earls, there are only two instances when reference is made to a comital council which, however, appears to have been an advisory rather than an administrative body.³⁰⁰ Only half of the individuals on Angus's council in 1483 were his vassals, while most of the bailies employed by the earls had no tenurial bonds with their feudal superiors.³⁰¹ Kinsmen of the earls of Angus were not especially favoured in the distribution of lands within the comitatus, for only seven families: the Douglasses of Bonjedburgh and Cavers, the Carmichaels of Dron (later Balmaddy), the Forbeses of that Ilk, the Hamiltons of Innerwick and the Sinclairs of Herdmanston, and the Lords Kilmaurs acquired property in the earldom; of these, only the lairds of Dron were able to increase their possessions held in chief from Angus. Almost all of the lands parcelled

299. An excellent description of the administration of estates possessed by a powerful English comital family during the thirteenth and fourteenth centuries is to be found in Michael Altschulé's A Baronial Family in Medieval England: the Clares, 1217-1314 (Baltimore, 1965), pp. 201-95.

300. Fraser, Douglas Book, III, p. 436. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 6, p. 21.

301. Cf. Appendix I passim.

out by the earls of Angus were governed by one form of tenure, that of blench-holding. Of the 183 charters granted by the first five earls, only 18 were given in liferent, of which fully half were given to their respective wives,³⁰² and none were made in feuferm. What is even more unusual is the peripatetic behaviour of the earls of Angus in their choice of residence. From the dating clauses of the charters issued by the Stewart and Douglas earls of Angus, we find that they granted charters while at Edinburgh on 65 occasions,³⁰³ at Tantallon on 13 occasions,³⁰⁴ at Abernethy on 11 occasions,³⁰⁵ at Douglas on 6 occasions,³⁰⁶ at Dundee,

302. Fraser, *ibid.*, pp. 33-4, 78-9, 96; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 293, pp. 124-5; RMS, II, nos. 195(2), 2427, 2457, 2511, 3413; RSS, I, nos. 258, 543, 1254, 2288; Fraser, *Buccleuch*, II, pp. 67-72.
303. Fraser, *Douglas Book*, III, pp. 60, 88-9, 91-2, 99-102, 131-3, 139-42, 155-64, 199-200, 436; Fraser, *Buccleuch*, II, pp. 67-8, 72-3; HMC 10th Report, Appendix I: MSS. of the Earl of Eglinton and Winton, no. 2, p. 6-7; HMC 12th Report Part VIII: MSS. of the Earl of Home, nos. 99, 100, p. 118; HMC Report on the MSS. of David Milne-Home of Wedderburn, nos. 5, 9, 10, 13, 604, pp. 20, 22-3, 242-3; HMC Appendix, 7th Report: MSS of James Douglas of Cavers, nos. 6, 15-6, pp. 728-9; Laing Chrs., no. 162, 379(12), pp. 42, 99; RMS, II, nos. 1081, 1537, 1538, 1729, 2434, 3389, 3413; III, no. 49; VI, no. 1337; ADC, XXI, ff. 41-4; NLS Charter 5770, 8920; SRO, Glencairn Muniments GD 39/1/22; Inverquharity Writs GD 205, Box 3, Bundles II, III, Box 5, Bundle IX, Box 6, Bundles II, VI, XIII; Murthly Castle Writs GD 121/3, Box 4, nos. 1-3, 5, 23, 35-6, Box 9, nos. 3, 3/1; Scrimgeour-Wedderburn Writs GD 137/8/4, nos. 6, 7, 9, 10; Curle Collection GD 111/3/3.
304. Fraser, *Douglas Book*, III, pp. 34-5, 68, 78-9, 398, 423-4, 433; RMS, II, nos. 1560(4), 1619; Laing Chrs., no. 379(7), p. 98; HMC 14th Report, Appendix: Part III: MSS. of the Earl of Strathmore, no. 11, p. 181; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 293, pp. 174-5; SRO, Inverquharity Writs GD 205, Box 3, Bundle 11; Scrimgeour-Wedderburn Writs GD 137/8/4/3; Register House, Transcripts of Miscellaneous Charters and Papers, RH 1/2/141.
305. HMC MSS. in Various Collections, V: MSS. of Sir John Graham of Fintry, p. 198; Fraser, *Douglas Book*, III, pp. 96-7, 106-8, 116-7, 187-8, 434; RMS, II, nos. 1558, 1559, 1560(1-3, 5); SRO, Inverquharity Writs GD 205, Box 3, Bundle 11; Laing Chrs., nos. 165, 169, p. 43.
306. Fraser, *Douglas Book*, III, pp. 149-50, 174-5; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 98, p. 118; Fraser, *Buccleuch*, II, pp. 79-80; SRO, Inverquharity Writs GD 205, Box 3, Bundle 11; Murthly Castle Writs GD 121/3, Box 4, nos. 13, 14.

the Isle of Bute and Bonkle on 4 occasions each,³⁰⁷ at Perth, Yester, St. Andrews and Biggar on 3 occasions each,³⁰⁸ at Holyrood, Bagby, Kelso, Selkirk, and Stirling on 2 occasions each,³⁰⁹ at Aberdeen, Linlithgow, North Berwick, Kirriemuir, Hermitage Castle, Jedburgh and Preston on 1 occasion each,³¹⁰ while for 27 charters the locality is not given.³¹¹

The predominance of Edinburgh as the favourite place of residence of the earls of Angus from the mid fifteenth century onwards is a clear indication that the earls found it preferable to live in the Scottish capital rather than remain upon their estates. Although the dating of the charters ^{is} are so erratic that no discernible factors can be deduced from the frequent periods when the earls of Angus were not

307. Fraser, Douglas Book, III, pp. 59-60, 396; RMS, II, no. 1550 (1,2); SRO, Inverquharity Writs GD 205, Box 3, Bundles I, III; Scrymgeour-Wedderburn Writs GD 137/8/4/5 (Dundee); Fraser, Douglas Book, III, pp. 202-3; RMS, II, nos. 2974, 3544; SRO, Inverquharity Writs GD 205, Box 6, Bundle XI; Murthly Castle Writs GD 121/3, Box 4, nos. 27 (Isle of Bute); Coldingham Corresp., no. CXII, p. 100; Raine, North Durham, Appendices nos. CLII, CLIV (Bonkle).
308. Fraser, Douglas Book, III, pp. 421-2; SRO, Murthly Castle Writs GD 121/3, Box 9, nos. 66-7 (Perth); Fraser, Douglas Book, III, p. 414(2); SRO, Inverquharity Writs GD 205, Box 3, Bundle I (Yester); Fraser, Douglas Book, III, pp. 89-90, 433; SRO, Yule Collection GD 90/1/41 (St. Andrews); Wigtown Charter Chest (GD 101), nos. 440, 442, 443 (Biggar).
309. Fraser, Douglas Book, III, pp. 122-4 (Holyrood); Yester Writs, no. 46, p. 42; Raine, North Durham, Appendix no. CLI (Bagby); SRO, Murthly Castle Writs GD 121/3, Box 4, nos. 20, 21 (Kelso); Fraser, Douglas Book, III, pp. 48, 433 (Selkirk); Laing Chrs, no. 229, p. 58; RMS, II, nos. 195(1), 1550(4) (Stirling).
310. HMC Report on the MSS. of the Earl of Mar and Kellie, Supplementary Report, p. 12 (Aberdeen); Fraser, Douglas Book, III, pp. 128-9 (Linlithgow); Fraser, Douglas Book, III, pp. 64-5 (North Berwick); Fraser, Douglas Book, III, pp. 124-5 (Kirriemuir); Fraser, Douglas Book, III, p. 434 (Jedburgh); HMC 14th Report, Appendix: Part III: MSS. of Sir Hugh Campbell of Marchmont, no. 12, p. 27 (Preston).
311. Fraser, Douglas Book, III, pp. 4-6, 18-9, 23-4, 351-2, 400, 424-5; RMS, I, Appendix II, nos. 321, 236, 1286; RSS, I, nos. 258, 496, 543, 895, 2188, 2343; APS, II, pp. 329; Scrymgeour Inventory, nos. 714, 715, 722, 730, pp. 44-5; HMC Report on the MSS. of the Earl of Mar and Kellie, Supplementary Report, p. 5; Register House Calendar of Charters, I, nos. 31, 35; Transcripts of Miscellaneous Charters and Papers, RH 1/2/143, 144, 145; Hyndford Inventory, Bundle I, nos. 4-11; SRO, Dalhousie Muniments GD 45/16/2259; Inverquharity Writs GD 205, Box 4, no. 1.

living upon their lands, it can be suggested that they had evolved a system which administered the comitatus with some degree of efficiency. What role, if any, of the vassals existed in the actual running of the earls' estates is unknown.

The general pattern of the vassals and their estates within the earldom of Angus emerges as one which was marked by an inherent conservatism. For the regalities of Kirriemuir, Bonkle, Jedburgh Forest, the lordship of Douglas and the barony of Crawford Lindsay there is enough information to demonstrate the comparative ease with which the heritable proprietors retained their possessions, while the lack of data for the other parts of the comitatus is probably a result of historical accident rather than ^{of} to an unstable structure of land ownership. In the majority of instances, the most important vassal families who held their lands from the sixth Earl of Angus in the sixteenth century had received their estates from his predecessors. Continuity of actual possession was, it seems, a corollary of legal right.

Addenda to Chapter IV

The Hamilton Barony of Bothwell

1st Created: 26 February 1473/2 (RMS, II, no. 1055).

Lands Esterbarmukis, Westerbarmukis, Murehead, Hirst, Foresset, Sterreschaw, Gudokhillis, Nunteling, Westerbrekauch, Swynsty, Gartnes with the common wood of Parkshaws, Parkhill field, Hauch of Bothwell

On 16 November 1528, the Barony of Bothwell which was possessed by the earl of Angus was given to James Hamilton, second Earl of Arran, and these lands were kept by him until 1543 (RMS, III, no. 707).

Lands village and castle of Bothwell, Uddingston/Udingstoun, Ricard-yenstoun, Urcaswood, Knowhoble, the Poffillis, the Schawis, the Meckle Hareschaw, Woodhead, Newlands, Akinhead, Unthank, Aldirstoun, the Swynste, Gudokhill, Easter Dunsiar, Westoun and Todhillis, in Lanarkshire; and Trottaneschaw, Handaxwood, Horshop/Horshopcleuch, the Hartschaw-meadow called Sommerscheill, the Kettilscheill in the forest of Dye, in Berwickshire.

On 15 September 1540, James the fifth granted to Arran more estates within the Barony of Bothwell (RMS, III, no. 2202; RSS, II, nos. 3646, 3648).

Lands Easter and Wester Moffett, Dunsistoun, Gymmercroft, Over and Nether Braco, East end of Moffetthillis, Cowdoun, Brunthouse called Forest, Easter and Wester Blairmukis, Mureheid, Hirst Fortasset, Starringchaw, Gudokhill, Dunteling, Wester Braco, Gartnes, Swynsty, the common wood of Parkshaw, Bothwellhauch, and 140 acres of moorland between the lands of Kirklee, Gervestoun and Carnfyn.

The Hepburn Barony and Lordship of Bothwell

1st created: 13 October 1488 (RMS, II, no. 1784)

Lands

All the estates forfeited by John Ramsay, Lord Bothwell: the cotlands and mill of Bothwell, the Park of Bothwell, Uddingston, Scherehills, Ricardyentoun, the Othellis, Moffethill, Poffillis, the Shaws, Marehareshaw, Knokhuble/Knowhoble, Taleyourland, Pcttarland, Kirklee, Little Hareschaw, Easter and Wester Blairmukis, Dunteling, Murehead, Hirst, Fortasset, Starryschaw/Sterreschaw, Gudokhillis, Wester Brekhalch, Swynsty, Gartnes, the common wood of Parkshaws, the haugh of Bothwell, Nether and Over Braco, the East end of Moffethillis, Cowdoun, Brunthouse alias Forest, 140 acres of moorland between the lands of Kirklee, Gervestoun and Carnfyn, and the patronage of the collegiate church of Bothwell.

On 12 September 1498, James the fourth granted to Patrick Hepburn, first Earl of Bothwell, the following lands which were erected into the free barony of Bothwell (RMS, II, no. 2452).

Lands

The village, mains, cotlands and castle of Bothwell, the Swethope, the Park of Bothwell, Uddingston and its mill, Scherehillis, Ricardynngston/Ricardyentoun, Knokhuble with the Poffillis, the Shaws, Marechareshaw, the three Blakthollis and Moffethillis, Taleyourelandis, Pottarlandis, Kirklee, Little Hareshaw with its fishing on the Water of Clyde, 40 merklands of the lordship of Bothwell, Easter and Wester Blairmukis, Murehead, Hirst, the Forstarsete/Fortasset, Sterreschaw, Gudokhillis, Duntheling, Wester Brekhalch, Swynsty, Gartnes with the common wood of the Parlshaws,

Partkhill, the Halch/Hauch of Bothwell, Over and Nether Braco, the East end of Moffethillis, Cowdoun, Burnthouse called the Forest extending to 10 perannum, 140 acres of moorland between the lands Kirklee, Garvestoun and Carnfyn, and the patronage of the collegiate church of Bothwell; also the lordshi, of Crichton in Edinburghshire with its lands of Vogry, Sauchnale, the Furd and its mill, Captestoun, the Muirhouse, Castellawe, the woods and collegiate church of Crichton; the baronies of Drivesdale and Kirkmichael with their lands of Farnays, Blackhill, Millhill, Lammyaby, Bettishill, the mill and village of Drivesdale, Bengall, Drifholme, Torwood, Belhill, the Quawis, Carruthers, Respond, Poly, Hesilshaw, Gilgoun, the Townlands, Over and Nether Kirkmichael, Rahill, Moleyns, Monygrip/Monygap, and Crunzeartoun, in Dunfriesshire.

On 27 August 1511 James the fourth confirmed all the the Hepburn possessions to Adam second Earl of Bothwell. Among these were the lands of the barony of Bothwell which was annexed to the lordship of Hailes (RMS, II, no. 3635).

The Douglas-Angus Barony of Bothwell

1st created: 4 July 1492 (RMS, II, no. 2106).

Lands The village and castle of Bothwell, Uddingston, Scherrailles, Ricardyenstoun, Urcaswood, Knowhoble, the Poffillis, the Schaws, the Mckle Hareschaw, Woodhead, Newlands, Akinhead, Unthank, Aldirstoun, Swynsty, Gudokhill, Easter Dunsiar, The Westoun and Todhillis, in Lanarkshire; Trottaneshaw, Byrocleuch, Handaxwood, Horshop/Horshopcleuch, Hartshaw-meadow, called Sommerscheill, the Kettilscheill in the forest of Dye, in Berwickshire.

On 7 February 1509/10, this barony without the annexed portions located in Berwickshire was granted to Janet Kennedy in liferent (RMS, II, no. 3413).

Chapter V

Political Magnates of the Realm

The role of the Douglas earls of Angus in the political history of Scotland from the fourteenth until the sixteenth centuries has been a subject of much discussion and dispute among Scottish historians. The extensive estates of the comitatus, the numerous lairds who were their vassals, the marriage alliances of the respective earls with members of the royal house, and the consanguineous connections with other ~~connections with other~~ great feudal families, most notably with their kinsmen, the earls of Douglas, would seem to have insured to George Douglas, earl of Angus and his descendants an eminent position in the Scottish kingdom. In any attempt to analyse the political activities of the successive earls of Angus, we are confronted with the problem of the documentary evidence available for study and its interpretation. The evidence itself can be classified into two distinct categories: documents such as private and Crown charters and writs which are contemporaneous data, and chronicles and historical works of which very few are either contemporaneous or nearly contemporaneous to the events which they describe. Wherever possible in this work, preference has always been given to the first group of documents rather than to the second.

For the fourteenth and fifteenth centuries, the two most important works of historiography are the anonymous sources which have been published under the titles of the Extracta de Variis Cronicis Scocie and

the Auchinleck Chronicle.¹ Apart from a short chronicle written about 1482 which is attached to the copy of Andrew Wyntoun's Chronicle in the British Museum,² there is an hiatus of half a century before more Scottish historical works appear. During the first three decades of the sixteenth century, there was a renaissance of interpretations of the Scottish national experience by learned Scotsmen. James Gray wrote his chronicle shortly before Flodden;³ John Major's History of Greater Britain appeared in 1421;⁴ Hector Boece's Scotorum Historiae was first published in 1527;⁵ John Law's De Cronicis Scotorum was composed about 1528;⁶ and Adam Abell's Rota Temporum was begun in 1533.⁷ Except for Boece and Major, none of these manuscripts have yet been published, although it is conceivable that some of them were used by later historians. Finally, during the reigns of Mary and James the sixth, Bishop John Lesley's History of Scotland appeared in 1570; Giovanni Ferrerius's continuation of Hector Boece's Scotorum Historiae in 1574; Robert Lindsay of Pitscottie's Historie and Cronicles of Scotland about

1. The Auchinleck Chronicle which was first edited by Thomas Thomson in 1819 was amended and re-edited by W.A. Craigie and was incorporated into the volume produced by the Scottish Text Society in 1923 entitled the Asloan Manuscript.
2. This work has been printed in Pinkerton, History, I, Appendix no. XXI, pp. 502-4.
3. James Gray's Chronicle is in the National Library of Scotland, MS. Adv. 34.7.3.
4. I have used in my thesis Archibald Constable's edition of John Major's history which was published by the Scottish History Society in 1892.
5. The first edition of Hector Boece's History was translated into Scots by Mr John Bellenden in 1531. I have used the edition by E. Batho and H. Husbands of John Bellenden's Chronicles of Scotland published by the Scottish Text Society in my thesis. Cited hereafter as Bellenden, Chronicles. The second edition of Hector Boece, which included a continuation by Giovanni Ferrerius was published as Scotorum Historiae a Prima gentis origine in 1574. Cited hereafter as Boece, Historiae.
6. John Law's chronicle is in the Edinburgh University Library, DC 7.63.
7. Adam Abell's manuscript is in the National Library of Scotland, MS. 1746.

1579; and George Buchanan's Rerum Scotticarum Historia in 1582.⁸ The persuasiveness of Lesley, Pitscottie and Buchanan was such that their interpretations dominated Scottish historiography for the following three centuries. Of the early seventeenth century writers, David Hume of Godscroft and William Drummond of Hawthornden, one is the avowed panegyrist of the Douglasses while the other simply reiterates the narratives of his predecessors.

Modern standards of historical accuracy, judgment and impartiality cannot be applied to these accounts in their description of the political actions pursued by the Douglas family. Unfortunately, scant heed is paid to the earls of Angus and the lairds of Dalkeith (who later became earls of Morton) in these sources as the cynosure of attention is focussed upon the spectacular career of the earls of Douglas. It is only after the proscription of the last earl of Douglas that the activities of the earls of Angus in the political sphere are described in more detail. Throughout the majority of the histories and chronicles mentioned above, there appear to be two generalisations made about the Douglasses. The first is that the Earls of Douglas forgot the patriotism of their loyal ancestor Sir James Douglas ("otherwyse Douglas' hardy of hart and hand")⁹ and became traitors to their sovereigns while the earls of Angus and Morton "preferred the public welfare and their duty to every family affection"¹⁰ and remained steadfast to their king.

8. For more comprehensive entries, cf. Bibliography. The valuable anonymous work A Diurnal of Remarkable Occurrents which adds many details to the history of Scotland from 1513 until 1575 was written during the reign of James the sixth but was not published until the nineteenth century.

9. Adam Abell, Rota Temporum, National Library of Scotland, MS. 1746, f. 97. Cited hereafter as Abell MS.

10. Buchanan, History, II, p. 135; cf. Major, History, p. 383; Lesley, History, p. 34. This is discussed further in Chapter I.

The second is that the earls of Angus rose to national prominence upon the ruin of their forfeited kinsmen. Indeed, it was the Douglas family historian, Godscroft, who in describing the graphic change of status in the fortunes of the earls of Angus, invented the famous sobriquets of the "Red" and the "Black" Douglases.¹¹

However, the description of the political replacement of the earls of Douglas by their cadets of Angus as leading magnates of Scotland is over simplified. It was assumed that the two families would be natural allies because of their consanguinity to each other. The division between the earls of Douglas and Angus in the mid fifteenth century was depicted as illogical, unless it is assumed that the greed and ambition of the head of the parent family had permanently alienated the cadet one even before the struggle between the Douglases and James the second had begun.¹² But the eclipse of the entire kindred into political oblivion was prevented by the favour shown by a grateful monarch to the faithful earls of Angus who acquired most of the huge Douglas patrimony and as a consequence "the house of Angus...over toppeth the rest, and at last succeedeth unto the place of the stock."¹³ However, relations between the comital families of Douglas and Angus had not been close and of all the lands possessed by the former, only the lordships of Douglas and Eskdale were given to the latter.¹⁴ Thus the

11. Godscroft, House of Douglas, p. 207. In a fifteenth century manuscript, there is a description of a meeting of the barons and free holders of the Borders who were convened before the eighth Earl of Douglas in December 1448 in order to codify the laws of the marches which were used by "blak Archibald of Dowglas" and his son. This is the earliest occurrence of the use of the well-known sobriquet to a member of the Douglas family, but the actual phrase of the "Red and Black Douglases" was not used prior to the seventeenth century. APS, I, p. 714; Pinkerton, History, I, Appendix no. XV, pp. 478-9.

12. Buchanan, *op. cit.*, p. 136; Godscroft, *op. cit.*, pp. 161-2.

13. *Ibid.*, p. 79.

14. Cf. Chapter I, pp. 60-1.

basis of the standard interpretation of the role of the Douglases in Scottish history is grounded upon assumptions which are erroneous.

George Douglas, the first member of his family to hold the comital dignity of Angus, was not an active participant in the political affairs of Scotland. Perhaps this was due to the fact that he succeeded to his mother's earldom when he was a comparatively young man and there is some evidence to suggest that he may have been involved in crusading in Africa during the last decade of the fourteenth century.¹⁵ Both the earls of Angus and Douglas were present and were captured at the battle of Homildon Hill in 1402. Although the Scottish forces were led by Douglas, it was a national expedition and not a mere border foraging party.¹⁶ The young earl of Angus died shortly after his capture while his kinsman lost the use of one eye as a result of this military defeat.¹⁷ Other close relatives of the first Douglas earl of Angus, William Sinclair of Herdmanston and William Stewart of Angus, as well as his more distant cousins, James Douglas, fiar of Dalkeith, William Douglas of Hithsdale, William Douglas of Strabrock and James Douglas of Abercorn were also either killed or captured at Homildon Hill.¹⁸ A few

15. On 2 November 1390, Sir Alexander Stewart bound himself to the first

Douglas Earl of Angus to serve with the Duke of Bourbon in a crusade against the Saracens. There would have been no need to enter into this obligation with Angus unless he, too, was committed to aid Bourbon. Francisque-Michel, Les Ecossais en France: Les Français en Ecosse (London, 1862), I, pp. 91-2; Catalogue of Additions to the Manuscripts in the British Museum in the years M. D. CCC. XLII-M. D. CCC. XLIV (1841-1845), London (1850), p. 41.

16. Doce, Historiae, p. 338.

17. Bellenden, Chronicles, II, p. 363; Major, History, p. 340; Godscroft, House of Douglas, pp. 117-8.

18. Major, ibid.; Ext. Var. Chron., p. 210; HMC 10th Report, Appendix: Part VI: MSS. of G. F. Luttrell, pp. 77-8.

months before the Scots invaded England, Angus was given the barony of Cortachy by the earl of Douglas,¹⁹ but after George Douglas's death these tenurial bonds between the two comital families were allowed to lapse.

George Douglas, the first Earl of Angus, was succeeded by an infant son, William Douglas, who did not take an active role in politics until after the return of James the first from England in 1424. When the fourth Earl of Douglas burned Alnwick in 1420²⁰ and entered into a contract with Henry the fifth in the spring of 1421 in order to procure King James's temporary release from captivity,²¹ no mention is made of aid or assistance by the second Earl of Angus. The lack of close contact between the earls of Douglas and Angus during the regency of the Dukes of Albany is significant, as the fourth Earl of Douglas was virtually the co-ruler of Scotland.²² The ties of kinship between the two Douglas magnates were not translated into material benefits for the earl of Angus, whose bases of power were located in different regions of the kingdom than those of his powerful relative. When James the first returned to Scotland, co-operation between the earls of Douglas and Angus was increased; both were given the accolade by the king in May 1424 at his coronation,²³ both shared imprisonment at St. Andrews

19. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 128, p. 209. The first Douglas Earl of Angus witnessed only a single charter granted by an earl of Douglas. Register House, Calendar of Charters, II, no. 334A.

20. Pinkerton, History, I, p. 100.

21. Foedera(o), X, p. 123.

22. W. Stanford Reid, "The Douglasses at the Court of James I. of Scotland," Juridical Review, LVI (1944), p. 78. Cited hereafter as Reid, "The Douglasses".

23. Liber Pluscardensis, ed. Felix Skene (Edinburgh, 1880), II, p. 279. Cited hereafter as Lib. Pluscardensis. Ext. Var. Chron., p. 227.

"for their faults,"²⁴ and both were restored to favour and sat upon the assize which forfeited Murdoch, Duke of Albany.²⁵ One modern scholar has seen the trial and proscription of the Duke of Albany as the result of political manipulations by the Douglasses to eliminate a potentially dangerous rival, but despite the kinship and tenorial bonds between members of the assize to the earl of Douglas, Albany's downfall did not benefit the earl of Angus.²⁶

The crisis of James the first's confrontation with the Duke of Albany had drawn the earls of Douglas and Angus together in a determination to assist their king. Once Albany's ruin was legalised, however, these noblemen followed separate careers: one became the Lieutenant-General and Regent of Scotland in 1437,²⁷ while the other became the first member of his family to be employed in the business of policing the borders. Angus was obviously trusted by the King of Scots for in 1426, the earl was appointed royal gaoler to Alexander, Lord of the Isles, who was placed into custody at Tantallon.²⁸ Four years later when his half-brother, Sir John Kennedy and his kinsman, the fifth Earl of Douglas were imprisoned,²⁹ the earl of Angus did not fall under royal suspicion. He was engaged in negotiations to settle the infractions of the truce between England and Scotland committed by the borderers³⁰ and

24. Abell MS. f. 108; Ballenden, Chronicles, II, p. 383.

25. Lib. Pluscardensis, II, p. 281; Buchanan, History, II, p. 93; Major, History, p. 354.

26. Reid, "The Douglasses," p. 83.

27. APS, II, p. 31; Peter McNeill, "The Scottish Regency," Juridical Review, new series, XII (1967), p. 145.

28. Lib. Pluscardensis, op. cit., p. 283; Pinkerton, History, I, p. 123. There is no direct evidence of the disgrace of the Lord of the Isles in contemporary records, although a payment of £10 was made to him in the spring of 1426, which would suggest that he was in custody at that time. Exch. Rolls, IV, p. 414.

29. Lib. Pluscardensis, op. cit., p. 284; Abell MS., f. 108.

30. Rot. Scot., II, p. 269; Cal. Docs. Scot., IV, no. 1032, p. 212.

he attended meetings of the Three Estates³¹ while his relatives were in disgrace. In 1433, the earl of Angus, Sir William Crichton and Adam Hepburn of Hailes were royal agents when they sequestered Dunbar Castle from the earl of March, who was deprived of his dignities and estates.³² In the autumn of 1436, the second Earl of Angus, who had become Warden of the East and Middle Marches, defeated a sizeable English force under the leadership of Sir Robert Ogle at Piperdean,³³ and Angus's last political act was to apprehend Walter Stewart, Earl of Atholl, the chief conspirator of the assassination of James the first, after the death of that monarch.³⁴ In none of these activities was Angus aided by the other leading Douglas magnates, the earl of Douglas and the laird of Dalkeith, although the lairds of Crichton, Hailes and Dalhousie, who assisted Angus at the capturing of Dunbar and the battle of Piperdean, witnessed several charters issued by the fifth Earl of Douglas.³⁵

In the decade which followed the death of the second Earl of Angus in 1437, Scotland was torn with dissension as various factions of the aristocracy strove for political supremacy. In this turbulent

31. APS, II, p. 28.

32. Ext. Var. Chron., p. 234. W. Stanford Reid suggests that these nobles were merely the agents of the earl of Douglas, but it is to be noted that Dunbar Castle became a royal appanage and that it was seized when the strong-willed James the first possessed unquestioned control of his kingdom. Cf. Reid, "The Douglasses," p. 86.

33. Bollenden, Chronicles, II, p. 398; Boece, Historiae, p. 353; Law's MS., f. 126.

34. The capture of Atholl by Angus is mentioned in only one source. This is a nearly contemporaneous manuscript which was printed by John Pinkerton in his History, I, Appendix no. XIII, p. 472.

35. RMS, II, nos. 13, 254, Fraser, Douglas Book, III, pp. 418-9, 422 (Crichton); RMS, II, nos. 13, 119, 255, Fraser, Douglas Book, III, p. 411 (Hailes); RMS, II, nos. 13, 70, 119, 254-5 (Dalhousie). The second Earl of Angus witnessed two charters granted by the earls of Douglas: RMS, II, no. 255, Fraser, Douglas Book, III, pp. 420-21.

period of disorder, the earls of Douglas, Sir William Crichton of that Ilk and Sir Alexander Livingston of Callendar were engaged in building up allies among the leading magnates of the realm in order to gain control of the king, who was the locus of political power. James Douglas, the third earl of Angus, played a minor role in the frequent changes of party alliances although by the summer of 1445 he was placed under sentence of forfeiture for certain unspecified crimes of lese-majesté.³⁶ The threat of proscription was given by Parliament against Angus after the laird of Crichton and Sir George Crichton of Blackness had been put to the horn and had their lands ravaged by Sir John Forrester of Corstorphine, an associate of the earl of Douglas.³⁷ Robert Fleming of Cumbernauld, a brother-in-law of the eighth Earl of Douglas, devastated Angus's lands near Tantallon in February 1445,³⁸ and this act of despoliation clearly implies that Angus had given at least tacit support to Douglas's opponents. From the time when he inherited his father's estates until his threatened disgrace, the third Earl of Angus had been active politically on only three occasions: in the winter of 1437 when he bound himself to observe the truce between England and Scotland;³⁹ in March 1438 when he was appointed one of the Scottish ambassadors to negotiate an extension of the truce with the English;⁴⁰ in February

36. APS, II, pp. 59-60. Cf. Aberdeen-Banff Illustrations, IV, pp. 397-8; SRO, Lord Forbes Collection GD 52/1/1042.

37. Chron. Auchinleck, pp. 5, 36; Buchanan, History, II, p. 135; Pitcottle, I, pp. 52-3.

38. Fraser, Douglas Book, III, p. 427; OPS, I, p. 360; SRO, GD 1/479(1). Even Godscroft wrote that Fleming's action was a demonstration of the hostility which existed between the earls of Angus and Douglas. Godscroft, House of Douglas, p. 210.

39. Foedera (o), X, p. 695.

40. Ibid., p. 688.

1442/3 when he attended a general council held at Stirling.⁴¹ Although Angus seems to have had little influence in the management of Scotland's government, close co-operation between Sir William Crichton, the chancellor, and the comital family of Angus had begun as early as December 1423.⁴² For over a decade Crichton and the second Earl of Angus had witnessed various charters together and it is not surprising that James Douglas would ally himself with his father's old acquaintance.⁴³

In addition to the probable rapport between the Crichtons and the earls of Angus, there was the dispute over the office of bailiary of the priory of Coldingham which acted as an added stimulus to the opposition between the Douglas magnates. The fourth Earl of Douglas had acquired the position of bailie to Coldingham in 1406.⁴⁴ Eight years afterwards, Douglas was confirmed in his possession and he appointed Alexander Home of that ilk to be his deputy.⁴⁵ The death of both the earl of Douglas and the laird of Home at the battle of Verneuil in 1424⁴⁶ created a vacancy in these offices which was soon afterwards filled by the second

41. APS, II, p. 58.

42. The second Earl of Angus and the laird of Crichton were given safe-conducts to visit James the first in England. Cal. Docs. Scot., IV, no. 941, p. 190.

43. RMS, II, nos. 127, 134, 270, 1550(2); III, no. 1928; Fraser, Douglas Book, III, pp. 421-2; the chief supporter of the Crichtons in 1444 was Nichol Borthwick of Barnton who, until 1438, had been a vassal of the earl of Angus. Chron. Auchinleck, pp. 5, 36; RMS, II, no. 1550(4).

44. Nat. MSS. Scot., II, no. IX, p. 47. The strength of the fourth Earl of Douglas upon the Marches during the regency of the Duke of Albany probably induced the prior of Durham, the head of the mother house of Coldingham, to grant the bailiary to Douglas. This was resented by George Dunbar, Earl of March, whose progenitors had been the hereditary patrons of Coldingham. Cf. Coldingham Corresp., no. CII, pp. 89-90.

45. Ibid., nos. XCVIII, XCIX, pp. 86-8.

46. Scots Peerage, IV, p. 445.

earl of Angus.⁴⁷ However, Angus was accused of malfeasance in office and was removed as Protector of Coldingham only three years after he acquired this position.⁴⁸ Sir David Home of Wedderburn, the brother of the slain laird of Home, was constituted bailie of Coldingham for the limited period of four years in 1428.⁴⁹ For the following decade, the laird of Wedderburn had his position as bailie to the priory renewed periodically, but by 1440 the young laird of Home began to assert a claim to an office once held by his father.⁵⁰ The situation as far as the earl of Angus was concerned was a delicate one, for both the contestants were his vassals.⁵¹ Sir Alexander Home attempted to retain the lands in the regality of Bonkle given to him in liferent as an hereditary fief. Angus instituted proceedings which dispossessed Home of these estates,⁵² but the earl, perhaps in an attempt at conciliation, initially supported the laird of Home in the controversy over the bailiary of Coldingham.⁵³ The dispute between the lairds of Wedderburn and Home over Coldingham was politically dangerous as it could quite easily become a matter of national importance, as Sir William Crichton, the Chancellor of Scotland, was well aware. On behalf of the king of Scots, Crichton informed the Prior of Durham that on no account was the coveted post to be given to any one without the express approval of the Scottish

47. Coldingham corresp., no. CXIII, pp. 101-2.

48. Ibid., no. CXIX, p. 106-7.

49. Ibid., no. CXIV, p. 102.

50. Coldingham Corresp., no. CXIII, p. 118.

51. The lairds of Home and Wedderburn had become vassals of Angus in 1435 and 1436 respectively. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 293, pp. 174-5; HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 5, p. 20.

52. Fraser, Douglas Book, III, pp. 69-70.

53. Angus wrote to the Prior of Durham in 1441 and asked that the laird of Home be appointed bailie. Coldingham Corresp., op. cit., no. CXXXIX, pp. 123-4.

government.⁵⁴ The Prior of Durham, however, disregarded the Scottish chancellor's request and bestowed the bailliary of Coldingham upon Sir David Home of Wedderburn for a period of forty years.⁵⁵ Wedderburn was committed to retain his position as bailie while Home was equally determined to wrest the office from his uncle's grasp. Although the prior of Durham expressed himself willing to appoint Sir Alexander Home as bailie of Coldingham, this was contingent upon Wedderburn's voluntary resignation, which was highly unlikely.⁵⁶ But the laird of Home was able to obtain support from the Scottish council and James the second, who in May 1442 recognised him as bailie of Coldingham.⁵⁷ As Angus was present at Home's official installation, the laird of Wedderburn turned for help to the earl of Douglas, who in his capacity as Justice-General of the kingdom, declared the decision of the king's council to be invalid and ordered the monks of Coldingham to receive Wedderburn as their bailie.⁵⁸ Sir David Home, proceeded at once to seize Coldingham and claimed that he did this in self-defence as its prior was in collusion with the laird of Home. Wedderburn had set the tone of the debate by his resort to force which Sir Alexander Home was to utilise to his advantage. The laird of Home called together his forces and expelled his uncle from the priory in January 1442/3.⁵⁹ Due to the persuasions of the earl of Angus, the struggle between the Homes was finally resolved

54. Ibid., no. CLIII, p. 138.

55. Ibid., no. CXXXIV, pp. 120-21.

56. Ibid., nos. CXXXVII, CXL, pp. 122, 124.

57. Raine, North Durham, Appendix, no. DLXVII.

58. Op. cit., nos. CLIV, CLV, pp. 139, 141.

59. Raine, North Durham, Appendix, nos. DLVIII, DLXIX.

in a compromise: Sir Alexander Home retained the office of bailie while Sir David Home was reimbursed for all the damages inflicted upon his lands during the feud.⁶⁰

The intrusion by the earl of Douglas into a dispute between Angus's vassals could not have been welcomed by James Douglas and it is understandable that he would support the Crichtons in their bitter feud with Douglas's successor. However, by the beginning of July 1445, Sir William Crichton was reconciled to the government⁶¹ and one of Angus's most prominent vassals, Alexander Ogilvy of Inverquharity was given the keepership of Methven Castle after it had been captured from the rebels.⁶² There is no evidence to suggest that the third Earl of Angus was completely restored, but it is significant that the sentence of forfeiture enacted against him was never implemented. Angus was dead before the spring of 1447⁶³ when he was succeeded by his more energetic younger brother, George Douglas. The legacy of friction which had existed between the eighth Earl of Douglas and the third Earl of Angus was to remain dormant for several years until the rebellion of the last Earl of Douglas against the king of Scotland.

60. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 8, p. 21; Davidis Humi de Familia Humia Wedderburnensi Liber, ed. John Miller. Abbotsford Club (Edinburgh, 1839), p. 9. Cited hereafter as Wedderburn Liber. The office of bailie of Coldingham remained in the possession of the lairds of Home permanently. Cf. RMS, II, nos. 859, 1093; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 298, p. 176.

61. Sir William Crichton was a member of the royal council on 7 July 1445. Register House, Calendar of Charters, II, no. 311.

62. Exch. Rolls, V, Preface, pp. LXVI-LXVII, 201.

63. Ibid., p. 300.

George Douglas, the fourth Earl of Angus, appears at the outset of his political career to have been unwilling to continue his brother's antagonism against the earl of Douglas. In January 1447/8, Angus began to receive payments from the customs of North Berwick and Haddington as a recompense for his expenses incurred as warden of the East Marches.⁶⁴ These payments were continued to Angus without interruption during his lifetime.⁶⁵ By the spring of 1448, Angus was present as a witness to royal charters⁶⁶ and one year later assisted the earls of Douglas, Orkney and Ormond in a raid of reprisal against the English which resulted in the destruction of Alnwick in Northumberland.⁶⁷ When the uneasy truce between England and Scotland was renewed periodically from October 1449 to May 1453, the earl of Angus, as well as both the eighth and ninth Earls of Douglas, were either commissioners or conservators of these diplomatic agreements.⁶⁸ The entire Douglas patrimony with the additional earldom of Wigton and the lordships of Stewarton and Dunlop in Ayrshire, as well as a new entail of succession, were granted to the eighth Earl of Douglas in 1450 and 1451. In every instance, the fourth Earl of Angus was present as a witness to these expressions of royal munificence.⁶⁹ Angus's appearance upon occasions in which the properties of the earls of Douglas were confirmed belies the common assumption that the expansion of one Douglas comital family was inimical

64. *Ibid.*

65. *Exch. Rolls*, V, pp. 305, 337, 372, 493; VI, pp. 125, 494; VII, p. 30.

66. *RMS*, II, no. 1791; SRO, Robertson of Lude Papers GD 132/1/2.

67. *Chron. Auchinleck*, pp. 27, 39.

68. *Foedera (o)*, XI, pp. 253, 283, 293, 300, 334; *Rot. Scot.*, II, pp. 345.

69. *RMS*, *op. cit.*, nos. 301, 308-9, 463-72, 474-82, 503-4; *APS*, II, pp. 67-71.

to the growth of the other.⁷⁰ Although estrangement and hostility existed between the two major Douglas magnates in 1445, Angus's support to his kinsmen at the battle of Sark and the burning of Alnwick less than four years after the temporary disgrace of the house of Angus suggests that the differences between the two kindreds had been resolved.⁷¹ The interference into the affairs of the East Marches, which had been under the control of the earls of Angus since the return of James the first from England, ended abruptly after the death of the seventh Earl of Douglas in 1443. The wardenships of the Middle and West Marches were granted to the earl of Douglas in 1451,⁷² but the East March remained the preserve of the earl of Angus.⁷³ When the eighth Earl of Douglas visited Rome in 1450, certain Scottish nobles who had old scores to settle with him, took the opportunity to persuade the king to embark upon a policy of chastising the Douglases. Because of the treatment meted out to his brother, the fourth Earl of Angus had a legitimate grievance against his powerful kinsmen, but despite the fact that the conspiracy was led by his family's old friends, the Crichtons, Angus did not join in this attempt to subdue the absent magnate.⁷⁴

Yet only three years later, when the ninth Earl of Douglas and his brothers irrevocably renounced their allegiance to James the second, Angus, who was joined by the young laird of Dalkeith, refused to countenance

70. Cf. Dunlop. Bishop James Kennedy, p. 128.

71. Chron. Auchinleck, pp. 27, 39; Asloan Manuscript, I, p. 237; Pinkerton, History, I, p. 204.

72. RMS, II, no. 482.

73. Ibid., no. 540.

74. Law's MS., f. 129.

the revolt of his kinsmen and supported his sovereign.⁷⁵ To assume that it was a combination of enmity and the eloquence of Bishop James Kennedy of St. Andrews which alone dissuaded Angus and Dalkeith from following the rebellious Douglasses⁷⁶ is to ignore a far more potent inducement for their adherence to their king. Open rebellion was punishable by forfeiture and total sequestration of all property. Just a scant seven years before the ninth Earl of Douglas commenced his defiance to James the second, the comitatus of Angus had been in danger of being annulled and this must have made an indelible impression upon George Douglas. The earls of Douglas had not wooed their kinsmen, the earls of Angus and the lairds of Dalkeith, either by extensive grants of laud or by lucrative pensions; Angus and Dalkeith had nothing to gain and everything to lose by supporting remote cousins who had voluntarily renounced their allegiance to the king.⁷⁷ Whatever vestige of familial bonds between the various Douglas kindreds remained after the revolt of the earl of Douglas had begun was removed by the destruction of the town of Dalkeith by partisans of the rebels.⁷⁸ Angus was present in the Parliament which forfeited the Douglasses in June 1455;⁷⁹ he received confirmation of his office as Warden of the East Marches,⁸⁰ obtained permission to construct a fortress at Broughty Craig in Angus,⁸¹ and acquired the lordships of Douglas and Eskdale.⁸² James Douglas, who

75. Dunlop, op. cit.

76. Ibid.; Buchanan, History, II, pp. 135-6; Godscroft, House of Douglas, pp. 158, 161-2, 196. Relations between the earls of Douglas and the lairds of Dalkeith had not been entirely harmonious, for the seventh Earl assisted his son-in-law, Henry Douglas, who was the younger son of the laird of Dalkeith, in his attempt to control the Dalkeith estates. However, Henry Douglas's schemes ended in failure. Cf. APS, II, pp. 59-60; Morton Registrum, II, pp. 222-4; Scots Peerage, III, p. 175.

77. Chron. Auchinleck, pp. 10, 47; Lesley, History, p. 22; Pitcottie, I, p. 95.

78. APS, op. cit., p. 176.

79. Ibid., p. 77.

80. RMS, II, no. 540.

81. Fraser, Douglas Book, III, p. 81.

82. Ibid., pp. 84-6; op. cit., no. 670.

became laird of Dalkeith in 1456,⁸³ was created earl of Morton⁸⁴ and given the sister of the king in marriage.⁸⁵ The rewards bestowed by a grateful sovereign had more than compensated Angus and Dalkeith for any loss of pride in failing to defend their kinsmen against their opponents.

Although Angus did not command the royal army which dealt the final blow to the recalcitrant Douglasses at Arkinholm in 1455, as has been generally supposed,⁸⁶ it can hardly be doubted that he continued to give his unflinching support to the government against the rebels. The common assumption that most of the vassals of the attainted earl of Douglas transferred their allegiance to the earl of Angus cannot be supported by documentary evidence. Apart from the heritable proprietors of the lordships of Douglas and Eskdale who retained their estates,⁸⁷ only six vassals of the earls of Douglas became vassals of the fourth Earl of Angus. Sir Archibald Douglas of Cavers in the spring of 1452 was appointed bailie of Angus's lordship of Liddesdale;⁸⁸ James, first Lord Hamilton entered into a bond of manrent with Angus in May 1457;⁸⁹ Andrew Ker of Altonburn and Cessford was given the bailiary of the regality of Jedburgh forest in 1457.⁹⁰ The Homes of Wedderburn and

83. Morton Registrum, I, p. XLIII; Scots Peerage, VI, p. 353.

84. APS, op. cit., p. 78.

85. Scots Peerage, op. cit., p. 356. Cf. RMS, II, no. 699.

86. The details of this battle in the Auchinleck Chronicle are very meagre and none of the earliest sixteenth century sources, i.e. the manuscripts written by James Gray, John Law and Adam Abell mention Angus's presence at Arkinholm. Cf. a letter written on this matter by Thomas Carlyle to R. B. Armstrong in NLS MS. 6110, Letter no. 21. Carlyle points out that certain individuals received tangible benefits for aiding the king's forces in dispersing the rebels but that no reward was given to Angus for his help.

87. Cf. Chapter IV, pp. 161-4.

88. Fraser, Douglas Book, III, pp. 78-9.

89. Ibid., p. 434; HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 59, pp. 29-30; Godscroft, House of Douglas, p. 214.

90. Fraser, op. cit., pp. 433-5; HMC 14th Report, Appendix: Part III; MSS. of the Duke of Roxburghe, no. 34, p. 19.

the Sinclairs of Herdmanston had been vassals of both the earls of Angus and the earls of Douglas for at least a generation before the latter's forfeiture in 1455,⁹¹ while the Glendonwyns of that ilk, who were the hereditary bailies of Eskdale under the earls of Douglas, had assisted the second Earl of Angus at the battle of Piperdean in 1436.⁹² Of these vassals the temerial bonds which linked the Hamiltons and the Kers of Cessford to the earlsoof Angus were severed by the death of the fourth Earl in 1463,⁹³ and no ties of vassalage were erected between the other Douglas families, the earls of Morton, the lairds of Eorg, Lochleven, and Whittinghame with the earls of Angus.⁹⁴

With the successful suppression of the rebellious Douglases in 1455, Angus's attention became focussed on border affairs as he was Warden of the East Marches. In 1457 he led an expedition into Northumberland to harry the English⁹⁵ but, in general he was interested in following a pacific policy. Three truces were negotiated by James the second with the English from 1457 until 1460 and in each case Angus was named as a conservator to maintain the peace.⁹⁶ In 1460, when the Scottish king

91. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 5, p. 20; Thomson, Coldingham, p. 202; Scots Peerage, IV, p. 444, VII, p. 369 (Wedderburn); Yester Writs, no. 56, pp. 46-7; HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 590, p. 259; SRO, Transcripts of Miscellaneous Charters and Papers, RH 1/2/141 (Herdmanston).

92. House of Glendonwyn (p. 26).

93. Both the bond of manrent given by Lord Hamilton to Angus, and the grant of balliary given to Cessford by Angus, were valid only for the duration of Earl George's life.

94. Cf. Morton Registrum passim; SRO, Morton Papers GD 150 passim.

95. Buchanan, History, II, p. 162.

96. Foedera (o), XI, pp. 397, 434; Rot. Scot., II, pp. 383, 397. Angus's vassals the lairds of Cavers, Cessford, Wedderburn and Glendonwyn also served in a similar capacity.

besieged Roxburgh Castle, Angus was present.⁹⁷ He appears to have supported his kinsman the Bishop of St. Andrews in the latter's attempt to prevent the Queen Dowager from becoming regent of the realm.⁹⁸ But Angus, if indeed he did oppose the Queen Dowager, had made his peace with Mary of Guelders before 1462 when he witnessed her endowments to Trinity Collegiate Church near Edinburgh⁹⁹ and was granted the escheats of all traitors who lived in Roxburghshire.¹⁰⁰ In his last years, the fourth Earl of Angus became an enthusiastic adherent of the exiled Henry the sixth and the Lancastrians. Angus signed an indenture with the English king in which for promised aid, the earl was granted an assurance that he would receive an English dukedom when Henry was restored.¹⁰¹ Angus made his pledge of assistance operative by co-leading a force of borderers which successfully rescued the beleaguered Lancastrian garrison which occupied Alnwick Castle.¹⁰² The fourth Earl of Angus had increased his family's political importance by pursuing a policy of loyalty to the Scottish Crown. Even when he entered into his agreement with Henry of England, Angus did so when Scotland was committed to aiding the House of Lancaster.¹⁰³ The policy of service to the monarchy was bequeathed by Angus to his successor, but a combination of factors was to result

97. Exch. Rolls, VI, p. 580; Lesley, History, pp. 33-4; Buchanan, History, II, p. 173; Dunlop, Bishop James Kennedy, p. 212.

98. Lesley *ibid.*; Buchanan, *ibid.* According to these writers, Angus himself was named one of the regents of the kingdom but the fragmentary extant records for the beginning of the reign of James the third make it impossible to verify this assertion. The idea that Angus was a regent of Scotland may have some basis of truth for in two charters issued by James the second, the earl is designated "gardianus regis" or guardian of the king. RMS, II, nos. 743, 746.

99. Registrum domus de Soltre necnon ecclesie S. Trinitatis prope Edinburgh, ed. David Laing. Bannatyne Club (Edinburgh, 1861), p. 70.

100. Fraser, Douglas Book, III, p. 91.

101. *Ibid.*, pp. 92-3.

102. Dunlop, *op. cit.*, pp. 231-2; Godscroft, *op. cit.*, p. 217.

103. Dunlop, *ibid.*, pp. 222-4; 231; Chron. Auchinleck, p. 21, 58.

in a complete reversal of this programme by the fifth Earl during the reign of James the third.

When Archibald Douglas succeeded to the comitatus of Angus in 1463, he was a minor and as a consequence was not actively engaged in politics for several years. In September 1461 while he was Master of Douglas, Archibald Douglas was engaged to marry the daughter of the earl of Huntly,¹⁰⁴ perhaps in an attempt to strengthen his father's political position in Scotland,¹⁰⁵ but this alliance was never fulfilled. Seven years later, the young fifth Earl of Angus was married to Elizabeth Boyd, whose father Robert, Lord Boyd held the pivotal position of Guardian to the king.¹⁰⁶ The Boyd family came into prominence during the reign of James the second. Robert Boyd of Kilmarnock became a Lord of Parliament before the summer of 1454¹⁰⁷ and his brother, Sir Alexander Boyd of Drumcoll was appointed captain of the strategic fortresses of Threave and Dumbarton after the forfeiture of the Douglasses.¹⁰⁸ The laird of Drumcoll also acquired the control of Edinburgh Castle after the death of Queen Mary of Guelders and he became fencing master to the young king.¹⁰⁹ These positions of trust inspired the Boyds to attempt to secure permanent control of James the third. In the beginning of February 1465/6, an indenture was drawn between Robert, Lord Fleming, Gilbert, Lord Kennedy and Sir Alexander Boyd of Drumcoll which bound the contracting parties to mutual assistance.

104. SRO, Gordon Castle Muniments GD 44/13/10/4.

105. Cf. Dunlop, *op. cit.*, p. 253. According to Lesley, both Angus and Huntly were leaders of the faction of nobles who were opposed to Mary of Guelders becoming regent of the kingdom. Lesley, *op. cit.*, pp. 33-4.

106. Elizabeth Boyd is referred to as countess of Angus by 9 May 1468. Fraser, Douglas Book, III, pp. 96-7; RMS, II, no. 945.

107. Scots Peerage, V, p. 143.

108. Exch. Rolls, VI, pp. 73, 208.

109. *Ibid.*, VII, p. 284. Lord Boyd was a supporter of the Queen Dowager in her bid to become regent of Scotland. Buchanan, History, II, pp. 183-4.

A coterie of nobles had formed such alliances since the death of James the second for Lord Fleming was allied with Lords Livingston and Hamilton while Lord Kennedy and Drumcoll were supporters of the Bishop of St. Andrews, the earl of Crawford, and Lords Boyd, Montgomery, Maxwell and Cathcart, as well as with Livingston and Hamilton, when the bond of February 1465/6 was contracted.¹¹⁰ To cement the alliance between Fleming and Kennedy, each promised to infeft the other in certain estates which had been a matter of dispute between them.¹¹¹ At almost the same time when this indenture was signed, Lord Boyd entered into similar agreements with Lords Darnley, Hamilton, Montgomery and the Master of Montgomery.¹¹² A carefully conceived plan was being laid by the Boyds to seize power,¹¹³ and they achieved their purpose when they forcibly abducted James the third from a hunting party in July 1466.¹¹⁴ Lord Kennedy balked at the Boyds' seizure of the king but the timely assistance of Lord Somerville, the Master of Hailes, Andrew Ker, the heir of the laird of Cessford, and Robert Mure of Polkelzie insured the success of the coup d'état.¹¹⁵ Lord Boyd and his accomplices received official exoneration

110. Wigtown Charter Chest (GD 101), no. 33.
111. Lord Fleming gave infeftment of the barony of Thankerton to Lord Kennedy, who resigned certain lands of the barony of Lenzie to Fleming. SRO, Ailsa Muniments GD 251/97. However, these estates were still contested by the two families for the rest of the century. Cf. *Ibid.*, nos. 105, 154; RMS, op. cit., no. 2310; Exch. Rolls, p. 344*.
112. SRO, Ailsa Muniments GD 25/1/96.
113. Dr Norman Macdougall, "James III: A Political Study 1466-1488", unpublished Ph.D. thesis, University of Glasgow, 1968, p. 9. Cited hereafter as Macdougall, "James III."
114. Buchanan, op. cit., p. 187; C.A.J. Armstrong, "A Letter of James III to the Duke of Burgundy," Miscellany of the Scottish History Society, VIII (Edinburgh, 1951), p. 30.
115. Buchanan, *ibid.*, p. 186; James, Lord Somerville, Memorie of the Somervilles (Edinburgh, 1815), I, p. 220. Cited hereafter as Memorie of Somervilles. Register House, Calendar of Charters, III, no. 421. Lord Kennedy was imprisoned in Stirling Castle but was released before the summer of 1467. Exch. Rolls, VII, pp. 443, 450.

for their actions from the Three Estates in October ¹¹⁶ and for the following two years Boyd controlled the king without hindrance. In April 1468 a bond of support to Lord Boyd as Governor of the king was subscribed by Andrew Durisdeer, Bishop of Glasgow, the Earls of Arran (who was Boyd's son) and Argyll, Mr James Lindsay of Covington, Keeper of the Privy Seal, and Mr Archibald Whitelaw.¹¹⁷ Thus just a month before Angus's marriage to Elizabeth Boyd, her father's position in Scotland seemed unassailable.

However, just over a year after Lord Boyd gained a new son-in-law, he was an exile and his estates were forfeited. Both Angus and his uncle William Douglas of Cluny, as well as the earl of Morton, were present in the Parliament which proscribed the Boyds, whose regime was so discredited that all of the signatories, except Arran, of the bond of 1468 confirmed their forfeiture.¹¹⁸ The failure of the earl of Angus to support his wife's father is not difficult to explain. Angus had not received a single material benefit while Lord Boyd was virtual regent, nor had he been present when Crown charters were issued.¹¹⁹ The connection between the young magnate and the Boyds was sufficiently

116. APS, II, pp. 85, 185; RMS, II, no. 892.

117. W.B.D.D. Turnbull, "Selections from the Papers of the Family of Boyd of Kilmarnock 1468-1590," Miscellany of the Abbotsford Club, I (Edinburgh, 1827), no. 1, pp. 5-7. Lord Boyd was engaged in a campaign to acquire more supporters through the medium of bonds of manrent. Cf. Joseph Anderson, The Oliphants in Scotland with a selection of Original Documents (Edinburgh, 1879), nos. 24-5, pp. 114-5. Cited hereafter as Anderson, Oliphants.

118. APS, op. cit., pp. 93, 196. Andrew Ker of Cessford, whose son had assisted the Boyds in 1466, was acquitted in March 1471 of any complicity in this affair. HMC 14th Report, Appendix: Part III: MSS. of the Duke of Roxburgh, no. 54, pp. 27-8.

119. Cf. RMS, II *passim*.

loose for the former not to be adversely affected by the latter's disgrace. Angus was not imprisoned or deprived of any estates. His uncle the laird of Cluny remained Warden of the East and Middle Marches¹²⁰ and was appointed Master Ranger of the Wards of Tweed and Ettrick in Ettrick Forest.¹²¹ The result, therefore, of the forfeiture of the Boyds upon the fortunes of Angus was negligible.

The significance of Angus's escape from sharing the discomfiture of the Boyds is of crucial importance. Many historians have judged Angus as an incorrigible traitor to his king and a few have assumed that the earl's duplicity originated as a result of the proscription enacted against his conjugal relatives.¹²² But the activities of the fifth Earl of Angus throughout the fourteen years from the exile of Lord Boyd in 1469 until the Lauder affair in 1482 belie this assumption. In 1470 the wardship of the lordship of Douglas and the lands of Tantallon were granted to Angus by the king.¹²³ The barony of Tantallon was confirmed in Angus's possession in 1475 and 1479.¹²⁴ The young magnate attended three meetings of the Three Estates during this period¹²⁵ and assumed, at the specific request of Parliament, the office of Warden of the East Marches.¹²⁶ Angus was a Lord Auditor in August 1473,¹²⁷ a Lord of

120. Rot. Scot., II, p. 415.

121. Exch. Rolls, VIII, p. 140.

122. Cf. Macdougall, "James III", pp. 84-5.

123. Fraser, Douglas Book, III, pp. 98-9.

124. Ibid., pp. 104, 109; RMS, II, no. 1430.

125. APS, II, pp. 93, 115-6, 119-20, 133-4, 137, 189.

126. Ibid., p. 132; RMS, op. cit., no. 1487.

127. ADA, p. 27.

Council in October 1477,¹²⁸ a witness to several Crown charters,¹²⁹ and was employed upon diplomatic embassies with the English.¹³⁰ In 1481, when war had broken out between the two kingdoms, various castles of Scotland were repaired and equipped with royal garrisons as precautionary measures. Two of these fortresses, Tantallon and Hermitage belonged to Angus.¹³¹ In fact, when hostilities first commenced between the English and the Scots, the impetuous young nobleman led a foraging raid into Northumberland to the great annoyance of the English.¹³² Although he was not one of the nobles who were the favourite associates of the king, Angus's conduct was both correct and above reproach. He was not excluded from either the royal bounty or from participation in the government. However, the political role of Angus was to undergo a metamorphosis as a result of his probable complicity in the Lauder Affair and his alliance with James's disobedient brother, Alexander, Duke of Albany.

Unfortunately, there is only one contemporary account of James the third's confrontation with irate members of the Scottish aristocracy at Lauder in July 1482. In this source only the barest details of the affair are given. In July the king of Scots proposed to lead an army against the English and summoned a royal host to convene at Lauder. The

128. Archibald Swinton, The Swintons of that Ilk and their cadets (Edinburgh, 1883), no. XLVIII, pp. LXV-LXVI; SR0, Calendar of Swinton Charters GD 12, no. 54.
129. RMS, op. cit., nos. 1241, 1246, 1248-9; Registrum Episcopatus Glasguensis: Munimenta Ecclesie Metropolitanae Glasguensis a sede Restaurata seculo ineunte XII ad Reformatam Religionem, Cosmo Innes. Bannatyne Club (Edinburgh, 1843), II, pp. 432-3. Cited hereafter, as Glasgow Registrum.
130. APS, op. cit., p. 119; TA, I, p. 48.
131. Op. cit., p. 133; OPS, I, pp. 360-61.
132. Angus was responsible for the burning of Hamborough on this raid according to the contemporary account attached to the British Museum's copy of Wyntoun's chronicles. Cf. Pinkerton, History, I, appendix no. XXI, p. 503.

nobles of Scotland held a council in the kirk of Lauder and decided upon a course of action which resulted in the death of three members of the royal household, the banishment of the rest, and the imprisonment of the king in Edinburgh Castle where he remained until the end of September. The chief motive for this aristocratic insurrection was the fear that leading members of the household were dominating the court.¹³³ None of the leading actors in the Lauder affair are mentioned but lists were forthcoming ^{from} by later chroniclers. Pitscottie wrote that the earls of Angus, Argyll, Huntly, Orkney, Crawford and Bothwell, and Lords "Annerdaile," Home, Fleming, Gray, Drummond, Seton and Sir Robert Douglas of Lochleven led the revolt.¹³⁴ Bishop Lesley believed that Angus, Huntly, Lennox, Buchan and Lords Gray and Lyle were responsible for the uprising¹³⁵ and Ferreriüs, the continuator of Boece, accepted this list without question.¹³⁶ In all of these sources Angus is given a position of prominence- indeed, George Buchanan fabricated an address delivered by Angus, the "elder statesman" in which he made a clarion call for the return to the observance of the aristocratic constitution which was the foundation of the Scottish State.¹³⁷ There is no direct evidence,

This is the addition to the British Museum's copy of Andrew Wyntoun's Chronicle published in

133. Pinkerton, op. cit., pp. 503-4; Buchanan, History, II, pp. 202-4.
134. Pitscottie, I, pp. 173-5. Of all of these sources, Pitscottie's is the most anachronistic. In 1482 there were no earls of Orkney, or Bothwell or Lord Drummond, and Lochleven was not knighted until the beginning of the sixteenth century. Cf. Scots Peerage, II, p. 133; VI, p. 571; VII, p. 41.
135. Lesley, History, p. 48.
136. Boece, Historiae, p. 394.
137. Buchanan, op. cit., pp. 207-9. Buchanan does not mention any other noble by name in his account. A remission was granted to the earl of Argyll and Sir Duncan Campbell of Glenorchy in 1483 for their participation in the Lauder Affair. OPS, II, Pt. I, p. 144. Glenorchy married Angus's sister in 1479. Fraser, Douglas Book, III, p. 110. In his account of the life of the fifth Earl of Angus, Godscroft described the apologue of the mice placing a bell on the cat and invented the sobriquet of "Bell-the-Cat" by which this earl of Angus is generally known. Godscroft, House of Douglas, pp. 224-6.

however, to connect Angus with the insurgent nobles although his close association with Albany later in 1482 tends to support the assumption that the young earl was one of the conspirators who met at Lauder Kirk. But the chief beneficiary of the king's loss of freedom was Alexander, Duke of Albany, who was not at Lauder but was leading an English army into the heart of Scotland.

Since the emergence of James the third from the tutelage of the Boyds, relations between the king and his brother had not been close. Albany was invested in the Wardenships of the East and Middle Marches prior to November 1475¹³⁸ and was a Lord of Articles in the following year.¹³⁹ However, the duke annoyed his brother who placed Albany into custody before the end of 1478.¹⁴⁰ The spirited young prince refused to accept his imprisonment philosophically and managed to escape to Dunbar Castle, which he contumaciously held against royal forces.¹⁴¹ Albany was summoned to appear before Parliament to answer charges of high treason lodged against him, but he fled to France in 1479.¹⁴² Final sentence of forfeiture was never enacted against the king's brother, who, however, refused to return to Scotland. The Duke of Albany enlisted the aid of Edward the fourth and in the spring of 1482 arrived in London.¹⁴³ Just one month before the arrest of James the third at Lauder, his rebel brother under the designation of "Alexander IV, King of Scots" signed a treaty with the English king which recognised the feudal overlordship of

138. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 235, p. 155.

139. APS, II, pp. 113-4.

140. Lesley, History, p. 43.

141. Op. cit., p. 126.

142. Lesley, op. cit.

143. Cal. Docs. Scot., IV, no. 1474, p. 301.

England to the northern kingdom and obligated the new "king" to cede Berwick, Liddesdale, Ewesdale, Eskdale, Annandale and Lochmaben Castle to his southern allies.¹⁴⁴ The terms of this agreement were extremely disadvantageous not only for the Scottish kingdom but for the earl of Angus as well. Three of the four relinquished lordships, i.e. Liddesdale, Ewesdale and Eskdale, were part of the comitatus of Angus. It is doubtful in fact, that Angus would have acquiesced in this large-scale deprivation and there is no reason to believe that Angus and Albany were confidants until several months after the Lauder Affair.

Close contacts had existed between various vassals of Angus and the Duke of Albany during the preceding decade. Sir James Liddel of Halkerston, who possessed the lands of Balmuir in the regality of Kirriemuir,¹⁴⁵ was also the official steward of Albany's earldom of March.¹⁴⁶ David Renton of Billie, an heritable proprietor of the regality of Bonkle, witnessed various charters granted by the Duke of Albany from January 1473/4 until the spring of 1479.¹⁴⁷ David Home, the son and heir of George Home of Wedderburn, another of Angus's vassals, was given the lands of Polwarth by Albany in April 1479,¹⁴⁸ and the lairds of Wedderburn and Polwarth were cited as accomplices of the duke in withholding Dunbar from the king.¹⁴⁹ Patrick Sleich of Cumloch and John Lunnisden of

144. Ibid., no. 1476, p. 302; Foedera (o), XII, p. 156.

145. SRO, Murthly Castle Writs GD 121/3, Box 4, nos. 1, 23.

146. Yester Writs, no. 170, p. 73; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 235, p. 155; SRO, Morton Papers GD 150/5/154.

147. HMC 6th Report, Part I: Appendix: MSS. of the Family of Carruthers of Holmains, pp. 711-2; HMC 15th Report, Appendix: Part VIII: MSS. of the Duke of Buccleuch and Queensberry at Drunlanrig Castle, no. 92, pp. 47-8; Yester Writs, nos. 191, 193, p. 78; SRO, Morton Papers, GD 150/5/154; SRO, Home-Wedderburn of Paxton GD 267/32/10.

148. Ibid.

149. APS, op. cit., pp. 128-32.

Blanerne, who were also free tenants in the regality of Bonkle, accompanied the Duke of Albany and the English army in the summer of 1482 and participated in the destruction of Blackadder Castle.¹⁵⁰ But there is no data to suggest that Angus, the feudal overlord of these lairds, had any connection with the rebel duke. In fact, in October 1477 when a dispute between Lord Oliphant, whom Albany personally favoured, and the laird of Swinton over the possession of the lands of Cranshaws in Berwickshire was debated before the royal council, Angus was one of the lords who gave an adverse decision against Albany's nominee.¹⁵¹ However, if Angus were a principal instigator of the insurgents at Lauder, he knew that the king would not easily forgive or forget his rebellion, while Albany could not hope to enjoy the confidence of his brother with whom he was estranged. Mutual fear and distrust of James the third were undoubtedly the prime factors which drew the earl and the duke together in the closing months of 1482.

When the Scottish king was taken from Lauder and incarcerated in Edinburgh Castle, the rebellious nobles probably thought that they would become the chief ministers of the government. The arrival of Albany and his English allies ended all hopes that a resurgent aristocracy would govern the kingdom. The political events of the autumn of 1482 as depicted by the histories compiled over a generation later are hopelessly confused but it appears that the Scottish magnates divided into two factions. One group was led by the earls of Buchan and Atholl while the other was

150. Andrew Blackadder of that ilk attempted to obtain financial satisfaction from these lairds several years after the destruction of his father's castle but it does not appear that he was successful. Cf. Acts of Council, II, pp. 305, 350, 389, 437, 469; Acta Concilii, pp. 53, 153; ADC, XIII, f. 79.

151. SRO, Calendar of Swinton Charters GD 12, no. 54.

organised by King James's wife. Queen Margaret, with the help of the earl of Argyll, Lord Avandale and the Archbishop of St. Andrews, actively supported Albany, who procured the release of James the third.¹⁵² The English forces left Edinburgh shortly after their entry into the Scottish capital, and recaptured Berwick before the end of August 1482.¹⁵³ The release of James the third into the hands of Albany in late September and the subsequent surrender of Edinburgh Castle by its keeper Lord Darnley in October 1482¹⁵⁴ insured the newly restored Duke of unquestioned political pre-eminence.¹⁵⁵ The activities and whereabouts of the earl of Angus from July until December 1482 are almost completely unknown. Angus was at Tantallon Castle during the last week of September¹⁵⁶ but all trace of him is lost until December when he joined Albany, the earl of Buchan, Andrew, Lord Gray, James, Lord Boyd and Sir James Liddel of Halkerston in Dunbar Castle.¹⁵⁷ When Parliament met in the first week of December, representatives of the Three Estates requested the king to appoint Albany Lieutenant-General of the kingdom, but James was reluctant to do so.¹⁵⁸ Angus, Buchan and Albany were present at this convention and the king's refusal to endorse Parliament's wishes probably angered these magnates, who soon afterwards went to the duke's fortress of Dunbar.¹⁵⁹

152. Buchanan, *History*, II, pp. 211-2; Lesley, *History*, p. 50; S.B. Chandler, "An Italian Life of Margaret, Queen of James III," *Scottish Historical Review*, XXXII (April 1953), p. 55. For a succinct synopsis of the events of 1482 and 1483, cf. Macdougall, "James III", pp. 142-4.

153. *Calendar of State Papers and Manuscripts: Venetian*, ed. Rawdon Brown (London, 1854), I, no. 483, pp. 145-6. Cited hereafter as *CSP Venetian*.

154. William Fraser, *The Lennox* (Edinburgh, 1874), II, pp. 121-3. Cited hereafter as *Fraser, Lennox*.

155. The earldom of Mar was granted to Albany in October 1482 by James the third in gratitude for his release from Edinburgh Castle. *RMS*, II, no. 1541.

156. *Ibid.*, no. 1619.

157. *Ibid.*, no. 1573; *HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home*, no. 236, p. 155; *Scots Peerage*, V, pp. 149-50.

158. *APS*, II, pp. 143-4.

159. *Ibid.*, n. 142.

There is a hint of a conspiracy by Albany and his confederates to re-enact Lauder and seize control of the king: in January 1482/3, James the third wrote to Sir Robert Arbuthnott of that ilk requesting him to bring his forces to Edinburgh as there was a group of disaffected rebels who intended to kidnap him.¹⁶⁰ The summons sent to the laird of Arbuthnott was probably only one of many which were sent to other feudal magnates and lairds by the king. By mid January the position of Albany was sufficiently serious that he despatched Angus, Gray and Sir James Liddell to England to negotiate an alliance with England.¹⁶¹ Despite Angus's defection to Albany, the king confirmed grants which had been made by various earls of Angus to William Strachan¹⁶² and Walter Ogilvy of Inverquharity.¹⁶³ James the third also nominated Angus's kinsman, Mr George Carmichael, to the bishopric of Glasgow.¹⁶⁴ All of these transactions were carried out before the end of February 1482/3 and indicate that the king was intent upon following a policy of conciliation towards his disaffected nobles and Albany. Although the duke and his associates had renounced their allegiance to James the third, and Angus had even agreed to support the restoration of the exiled earl of Douglas,¹⁶⁵ none of the rebels appears to have been willing to begin an open insurrection. A modus vivendi between the king and his brother was concluded on 16 March 1482/3 which, technically at least, restored Albany to his former position in the State. The duke agreed to various proposals put forward by James and promised to abandon his alliance with England and

160. Alexander Nisbet, A System of Heraldry, Speculative and Practical with the True Art of Blazon (Edinburgh, 1816), II, Appendix, p. 83.

161. Foedera (o), XII, p. 172; Rot. Scot., II, p. 458.

162. RMS, II, no. 1537.

163. SRO, Inverquharity Writs GD 205, Box 3, Bundle II.

164. Op. cit., no. 1560; Watt, Fasti, p. 149; SRO, Abercainey Writs GD 24/5/1; Carnock and Plean Writs GD 17/6.

165. Cal. Docs. Scot., IV, no. 1489, p. 305.

his bonds of maintenance to Angus, Atholl, Buchan, Lords Gray, Crichton, Andrew Stewart, Bishop of Moray, Sir John Douglas, Master of Morton, Sir James Liddel of Halkerston and Alexander Home. All of these men, with the exceptions of Home and Atholl, were forbidden to approach the royal presence within six miles. Buchan was deprived of the Wardenship of the Middle Marches, the bailiary of the lordship of Methven, the keepership of Newark Castle and was banished for three years; Crichton was banished for three years; the Master^{of} Morton was forced to resign the sheriffship of Edinburgh; Angus was stripped of the offices of Justiciar south of the Forth, Steward of Kirkcudbright, Keeper of Threave Castle and Sheriff of Lanark.¹⁶⁶ The king was determined to show that disobedience to the Crown would not be tolerated. James the third wrote to the Pope and demanded that the Bishop of Moray be removed from his see for his rebellion.¹⁶⁷

The fifth Earl of Angus was punished for his rebellious behaviour but the king was willing to accept the earl as his faithful liege. It seems to me to be erroneous to argue, as many historians have done,¹⁶⁸ that since Angus was a primary leader of the revolt in 1488 which ended in the tragedy of Sauchieburn, his submission to the king in 1483 was merely a ruse. James had forgiven the misdemeanours of his nobles and Angus took advantage of the royal magnanimity. The earl's political actions from his reconciliation with the Crown in March 1482/3 until the spring of 1488 was one of support to the government. When Albany, Sir James

166. APS, XII, pp. 31-3; Register House, State Papers SP 13/19.

167. *Epistolae Regum Scotorum*, Laing MS. 322, Edinburgh University Library, f. 5. Although this letter is undated, it specifically refers to the treasonable assistance given by the bishop to Albany.

168. One modern scholar believes that James's leniency towards Angus in 1483 was ill-requited by the earl who, according to this authority, was chiefly responsible for the king's death. Cf. Macdougall, "James III," p. 205.

Liddel and Lord Crichton proved themselves reluctant to renounce their practices with England, Angus gave them no assistance whatever and sat in the parliamentary conventions which forfeited them in July 1483 and in February 1483/4.¹⁶⁹ In the summer of 1483, the earl of Angus was given a five year lease of the lands of Hertwood, Whitehill, Cartarhalch, Cartherwaile, one half of Berybuss and the keepership of Newark Castle;¹⁷⁰ in April 1484 and in July 1485 he received royal confirmation of two charters he issued to various vassals;¹⁷¹ in 1486 he was a conservator of the truce between England and Scotland.¹⁷² Angus was Warden of the East and Middle Marches from 1483 until 1487¹⁷³ and attended almost all of the Parliaments convened by James the third.¹⁷⁴ He was appointed a member of the committee which was set up to settle the long-standing dispute between the king and the Homes over the possession of the priory of Coldingham¹⁷⁵ and the earl was a witness to royal grants as late as the first week of March 1487/8.¹⁷⁶ Angus's ally and kinsman, Mr George Carmichael, received royal support for his claim to be recognised as Bishop of Glasgow almost a year after his election was annulled by the Supreme Pontiff.¹⁷⁷ Angus's frequent participation in

169. APS, II, pp. 151-2, 155, 161.

170. Fraser, Douglas Book, III, pp. 114-6; Exch. Rolls, IX, pp. 615-7.

171. RMS, II, nos. 1586, 1619.

172. Foedera (o), XII, p. 290.

173. Ibid., pp. 285-6; Rot. Scot., II, p. 476.

174. APS, op. cit., pp. 167, 169, 174, 175, 180.

175. Ibid., p. 184.

176. RMS, op. cit., nos. 1702, 1708, 1712-3, 1715-7.

177. The See of Glasgow was given to Robert Blackadder in April 1483 by Pope Sixtus the fourth but Carmichael was still styled Elect of Glasgow as late as February 1483/4. Theiner, Monumenta, no. D. CCC. LXXIII, pp. 488-90; ADA, pp. 136*-7*; Watt, Fasti, p. 149.

governmental affairs coupled with the grants which were bestowed upon him by James the third in the five year period after the earl's rejection of Albany strongly suggest that magnate and king had become truly reconciled.¹⁷⁸

However, perhaps the memory of his discomfiture at Lauder rankled in the mind of the king for Angus on occasions experienced royal opposition. James the third thwarted the earl's attempts to control the lands of Balmuir in the regality of Kirriemuir which had pertained to the attainted laird of Halkerston.¹⁷⁹

Angus was also compelled to resign the lands of Earlstoun in Berwickshire in favour of Lord Home's heir.¹⁸⁰ These setbacks may have goaded the impetuous magnate into joining a new group of dissatisfied nobles which had been formed in the early spring of 1488 under the leadership of the earl of Argyll.¹⁸¹

When Angus rebelled against the royal authority for the second time, he must have realised that his break with the king was irrevocable.¹⁸²

James had probably forgiven him for his conduct with Albany, but Angus's new treachery would not and could not be forgotten by the king.

The evidence for the partisans of the royalists forces and the insurgents in 1488 is sufficiently extensive as to enable us to delineate

178. It is possible that George Buchanan's assertion that after Lauder the king and Angus became close friends contains some amount of truth. Buchanan, History, II, pp. 217-8. For a very different interpretation of Angus's relationship with James, cf. Macdougall, "James III," pp. 163, 203, 328-32.

179. Acts of Council, I, pp. 98*-9*; SRO, Murthly Castle Writs GD 121/3, Box 4, nos. 7-9.

180. HMC 12th Report Appendix: Part VIII: MSS. of the Earl of Home, no. 98, p. 118; APS, II, p. 205.

181. Cf. Macdougall, op. cit., p. 303.

182. Both Lord Somerville in his account of his family and Dr Macdougall in his thesis have emphasised the fact that Angus could not hope to regain James's confidence. Memorie of Somervilles, I, p. 262; Macdougall, op. cit., p. 309.

the most important members of each group. The king enjoyed the support of his half-uncles the earls of Atholl, Buchan and the Bishop of Moray (who had opposed him six years earlier),¹⁸³ the earls of Huntly, Crawford,¹⁸⁴ Morton, Marischal, Erroll, the Bishop of Argyll, the Abbot of Arbroath,¹⁸⁵ Lords Kilmaurs,¹⁸⁶ Forbes,¹⁸⁷ Carlyle, Glamis,¹⁸⁸ Bothwell,¹⁸⁹ Lindsay of Byres,¹⁹⁰ Maxwell, Abernethy, Borthwick, Sir Alexander Lindsay of Ochtermozie,¹⁹¹ James Innes of that Ilk,¹⁹² John Ross of Montgrenane,¹⁹³ Cuthbert Murray of Cockpool,¹⁹⁴ David Scott of Branhholm and Buccleuch,¹⁹⁵ William Douglas of Cavers,¹⁹⁶ Roger Grierson of Lag, John Glendonwyn of that Ilk,¹⁹⁷ and Thomas Fotheringham of Powrie.¹⁹⁸ The insurgent nobles who gained control of Prince James, the heir presumptive to the Scottish throne, were led by the earls of Argyll, Angus, the Bishops of Glasgow and Dunkeld, Lords Hailes, Lyle

183. *Epistolae Regum Scotorum*, Laing MS. 322, Edinburgh University Library, ff. 7-8.
184. *APS*, op. cit., p. 201.
185. *TA*, I, p. 86.
186. SRO. Cunninghame Graham Muniments GD 22/2/2.
187. A. Taylor, *The House of Forbes*. Third Spalding Club (Aberdeen, 1937), p. 51.
188. *APS*, op. cit., p. 210.
189. *Rot. Scot.*, II, pp. 480-81.
190. Op. cit., p. 211; Pinkerton, *History*, I, Appendix no. xxII, p. 505.
191. Op. cit., p. 202.
192. *An Account of the Familie of Innes compiled by Duncan Forbes of Culloden, 1690, with an Appendix of Charters and Notes*, ed. Cosmo Innes. Spalding Club (Aberdeen, 1864), pp. 85-6.
193. Op. cit., p. 201.
194. *Ibid.*, p. 203.
195. Fraser, *Buccleuch*, II, p. 89.
196. *HMC Appendix: 7th Report: MSS. of James Douglas of Cavers*, no. 17, p. 729.
197. *House of Glendonwyn* (p. 37).
198. *APS*, op. cit., p. 204.

Gray, Drummond,¹⁹⁹ Montgomery,²⁰⁰ Oliphant,²⁰¹ the Masters of Darnley and Home,²⁰² and Sir William Stirling of Keir.²⁰³ There is no data to suggest that the former earl of Douglas, who had been captured in 1484 and sent as a prisoner to Lindores Abbey, was in any way involved in this dispute.²⁰⁴ The response of Scotland's aristocracy to the dilemma of civil war in 1488 seems to have been determined, in part, by geography. Those nobles who consistently supported the king were magnates whose estates were situated in the north and northeastern regions of the kingdom while those who assisted Prince James owned lands in the south and southeast.²⁰⁵

Although Angus was deeply committed to the cause of Prince James in 1488, it is a measure of the earl's feudal impotence that he could not induce several of his leading vassals to join the insurrection. The earl of Crawford,²⁰⁶ Lords Forbes²⁰⁷ and Glamis,²⁰⁸ and the lairds of Buccleuch,²⁰⁹ Cavers,²¹⁰ Powrie,²¹¹ Ochtermontzie,²¹² and Glendonwyn²¹³

199. SRO, Castle Drummond Writs GD 160/2/2.

200. HMC 10th Report, Appendix: Part I: MSS. of the Earl of Eglinton and Winton, no. 37, p. 16.

201. Anderson, Oliphants, p. XXIV.

202. Rot. Scot., II, pp. 485-6.

203. Fraser, Keir, pp. 23, 265-7; RMS, II, no. 1811.

204. Godscroft believed that James the third requested Douglas's assistance while William Drummond of Hawthornden believed that the rebels did so. Godscroft, op. cit., p. 206; William Drummond of Hawthornden, The History of Scotland from the year 1423 until the year 1542... (London, 1655), pp. 111-2. Cited hereafter as Drummond, History.

205. A detailed analysis of the personnel of each of these factions is given in Macdougall, op. cit., pp. 305-17.

206. RMS, I, no. 18, Appendix II, no. 1833.

207. A. Taylor, House of Forbes, op. cit., no. 21, p. 41.

208. HMC 14th Report, Appendix: Part III: MSS. of the

209. Fraser, Buccleuch, op. cit., pp. 67-72.

210. HMC Appendix: 7th Report: MSS. of James Douglas of Cavers, nos. 6, 15-6, pp. 728-9.

211. RMS, II, no. 1664.

212. Acts of Council, I, p. 119; SRO, Murthly Castle Writs GD 121/3, Box 4, no. 9.

213. House of Glendonwyn (pp. 34-7); Armstrong, Liddesdale, p. 161.

were the free tenants of Angus but they resolutely supported James the third. Forbes, Buccleuch and Cavers were connected to the earl by bonds of kinship as well but the first remained disaffected after the defeat of the royalist forces at Sauchieburn,²¹⁴ while the others received charters under the great seal only one month before the death of the king with the express proviso that they would remain with the royal army.²¹⁵

Ochtermonzie had acquired his estates in the regality of Kirriemuir in spite of determined opposition from Angus and could have had no feelings of loyalty towards his feudal superior.²¹⁶ Powrie had much closer

ties with the earl of Crawford than with Angus; he witnessed more than twelve charters granted by Crawford and only three issued by Angus.²¹⁷

Powrie was given the office of Receiver of the formes of the Thanages of Kincardine and Fethercairn in 1483, which he held until 1488;²¹⁸ he was a Lord Auditor in 1482 and 1483;²¹⁹ he accompanied the king to Blackness in April 1488 and was made a hostage by the rebels.²²⁰ Thus

ties of vassalage and consanguinity were not strong enough to cause several of Angus's kinsmen and heritable proprietors to forget their

214. Buchanan, History, II, p. 164.

215. Fraser, Buccleuch, *ibid.*, p. 89; HMC Appendix: 7th Report, *ibid.*, no. 17, p. 729.

216. SRO, Murthly Castle Writs GD 121/3, Box 4, nos. 16(1), (9), 17.

217. RMS, *op. cit.*, nos. 1078, 1169, 1448, 1522, 1691; W. Moir Bryce, The Scottish Grey Friars (Edinburgh, 1909), II, no. 1, p. 126; SRO, Murthly Castle Writs, GD 121, Box XI, no. 5; 121/3, Box 5, Bundle I; SRO, Airlie Muniments GD 16/13/5.

218. Exch. Rolls, IX, pp. 274-5, 316-7, 396-7, 480-81.

219. Acts of Council, II, pp. CXX, CXXV, CXXVIII-CXXIX, CXXII.

220. APS, *op. cit.*, p. 204.

allegiance ^{to} their sovereign. What is even more striking is the fact that the young magnate eschewed vindictive retribution against his vassals. After the battle of Sauchieburn, only a single free tenant, the laird of Ochtermozie was stripped of his property by Angus.²²¹

Many details about the activities of Angus in the crucial months before the confrontation at Sauchieburn remain unknown. Although he was one of the representatives of the rebellious magnates who met with royal supporters at Blackness in April 1488 in order to seek a peaceful solution to the crisis,²²² Angus was not one of the ambassadors sent by Prince James to Henry the seventh to request aid.²²³ The earl's military prowess at Sauchieburn is not mentioned by any of the contemporary or near-contemporary historians,²²⁴ but the death of James the third released Angus from the prospect of being called to account for his crimes. He became one of the guardians of the young king and held this coveted position until the spring of 1489. During the period of Angus's ascendancy at court, he was in almost constant attendance²²⁵ and was granted many offices of importance. Angus became a Lord Auditor,²²⁶ Warden of the West and Middle Marches,²²⁷ Justiciar for the sheriffdoms of Roxburgh, Selkirk, Lanark, Dumfries,²²⁸ and he regained control of

221. *Ibid.*, p. 205.

222. *APS*, op. cit., pp. 210-11.

223. *Rot. Scot.*, II, pp. 485-6.

224. Cf. *Pitcottie*, I, p. 207; *Lesley, History*, p. 57; *Buchanan, History*, II, pp. 155-7; *Drummond, History*, p. 123.

225. Angus witnessed most of the great seal charters which were issued from Chancery from July 1488 until April 1489. *RMS*, II, nos. 1739, 1745, 1748-51, 1754, 1757-9, 1762, 1764-5, 1767-9, 1771, 1773, 1778, 1784-6, 1790-92, 1797, 1800-06, 1808-12, 1814, 1816, 1817, 1823-4, 1825, 1831-2, 1834-9; *Exch. Rolls*, X, p. 23.

226. *ADA*, p. 122.

227. *RMS*, op. cit., nos. 1874-5.

228. *APS*, *ibid.*, p. 208.

the lands of Balmuir in Kirriemuir and Earlston in Berwickshire.²²⁹

The vast majority of the comitatus of Angus was regranted to the earl's son, George Douglas,²³⁰ who also received three year tacks to the lands of Lewynshope, Hangandshaw and Hairhede in Etrick Forest.²³¹ But

by the summer of 1489, Angus's pre-eminence in the new regime had ceased.

The wardenship of the East Marches, which had belonged to Angus's

progenitors, was given to Lord Home;²³² the wardenships of the West and

Middle Marches was bestowed upon the first Hepburn Earl of Bothwell;²³³

the sheriffship of Lanarkshire was granted to Lord Hamilton.²³⁴ Indeed,

the chief objects of the king's favour were Alexander, Lord Home and

Patrick, Earl of Bothwell, not Angus.²³⁵

229. *Ibid.*, p. 205.

230. *RMS*, *ibid.*, nos. 1827-8.

231. *Exch. Rolls*, X, Appendix: *Rentalia Domini Regis*, pp. 650-51.

232. *APS*, *ibid.*, p. 215.

233. *RMS*, *op. cit.*, no. 1874.

234. *HMC 11th Report*, Appendix: Part VI: *MSS. of the Duke of Hamilton*, no. 24, pp. 19-20.

235. Lord Home was made custodian to John, Earl of Mar (*RMS*, II, nos. 1919, 1946), Keeper of Stirling Castle (*ibid.*), and ballie of Etrick Forest (*ibid.*, no. 1921). He witnessed over 180 royal charters between 1488 and 1491. *RMS*, *ibid.*, nos. 1781, 1784, 1786, 1795, 1800-01, 1803-8, 1810-11, 1813-14, 1816-8, 1823-8, 1831-2, 1834, 1836-40, 1848, 1853-63, 1866-73, 1876-87, 1889-92, 1894, 1896-1901, 1903-4, 1907-10, 1912-3, 1915-8, 1920, 1922-4, 1926-45, 1948-53, 1956-7, 1929-2001, 2004-5, 2006-26, 2020, 2030-32, 2034, 2039, 2043-9, 2052, 2054-9, 2061-3, 2065-72.

The Earl of Bothwell was appointed keeper of Edinburgh Castle (*RMS*, *ibid.*, no. 1741), Sheriff of Edinburgh (*ibid.*, no. 1742), Great Admiral of Scotland (*ibid.*, no. 1774), Steward of Kirkcudbright and captain of Threave Castle, which had belonged to Angus prior to 1483 (*ibid.*, no. 1799), and lessee of the lordships of Orkney and Shetland (*ibid.*, nos. 1845-7). He witnessed over 140 great seal charters from 1488 until 1491. *RMS*, *ibid.*, nos. 1739, 1745, 1748-51, 1754, 1757-9, 1762, 1764-5, 1767, 1771, 1773-4, 1778, 1785-6, 1790-92, 1795, 1797, 1800-14, 1816-8, 1823-8, 1831-2, 1834-41, 1848, 1853-64, 1866-73, 1886-80, 1882-7, 1889-92, 1894, 1896-1910, 1912-8, 1920, 1922-4, 1926-31, 1933-44, 1949-50.

Confirmation of Angus's political eclipse at the court of James the fourth is implied in the list of grievances which was compiled by Lords Darnley and Lyle when they joined supporters of the late king in another rebellion only a year after Sauchieburn. Probably before the rebels were defeated at Talla moss in October 1489 by Lord Drummond,²³⁶ a petition was drawn up in which the views of the dissatisfied nobles were given concrete expression. They accused the king of not punishing the traitors who were responsible for the death of James the third; for being under the influence of certain "partial" lords; for failing to administer justice. The insurrectionists demanded the expulsion of certain nobles from the royal court and specifically mentioned Robert, Bishop of Glasgow, John, Prior of St. Andrews, Patrick, Lord Halles, Andrew, Lord Gray, John, Lord Drummond, Sir William Knollis, Preceptor of Torphichen, Mr Alexander Inglis, Archdeacon of St. Andrews, and Patrick Home of Fastcastle.²³⁷ The earl of Angus, who had been an active agent in the civil war which elevated James the fourth prematurely to his throne, is not mentioned and the conclusion is inescapable that Angus no longer possessed much political influence in the Scottish government. This assumption is supported by the fact that from October 1489 until February 1491/2, Angus did not attend any meetings of Parliament, did not receive or witness any royal grants,²³⁸ and was not a member of the king's council.²³⁹ During this same period, he was coerced into

236. Drummond, History, p. 187; Scots Peerage, VII, p. 41.

237. Fraser, Lennox, II, pp. 128-31.

238. Cf. RMS, II; APS, II.

239. Ibid., pp. 214-29.

resigning permanently the lands of Earlston in Berwickshire to the Homes²⁴⁰ and the Castle and lands of Broughty Craig to Lord Gray.²⁴¹

Angus probably deeply resented his exclusion from the inner circle of politically powerful courtiers and magnates who surrounded James and entered into treasonable negotiations with Henry the seventh.

There exists some confusion over the exact timing of Angus's treachery against James the fourth and we suggest that the earl's agreement with Henry was probably concluded in the autumn of 1491. Although Sir William Fraser believed that Angus became involved with the English king in 1489 while the earl was travelling through England on a pilgrimage to France,²⁴² it seems likely that he was engaged in some diplomatic matter on behalf of the King of Scots as James informed Henry of Angus's safe return.²⁴³

Recent scholarship has proved that the agreement between the earl of Angus and the English monarch for the betrayal of Hermitage Castle was drawn up in November 1491, and not two years previously.²⁴⁴

This chronological sequence seems to be correct from other data which we have of Angus's relations with James the fourth. At the end of July 1491, Angus was probably in residence at Abernethy when he was ordered by the king to ward himself in Tantallon.²⁴⁵

Less than three months later, Tantallon was besieged by royal forces but

240. RMS, op. cit., no. 1907; HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 102, p. 118.

241. Op. cit., no. 1959.

242. Fraser, Douglas Book, II, p. 90; George Neilson, "The Heds of Sant...the Earl of Angus's Pilgrimage in 1489," Scottish Historical Review, I, (January, 1904), p. 217.

243. Gray's MS., f. 55.

244. Agnes Conway, Henry VII.'s Relations with Scotland and Ireland 1485-1498 (Cambridge, 1932), p. 38. Cf. Cal. Docs. Scot., IV, Appendix I, no. 32, pp. 416-7; Letters and Papers Illustrative of the Reigns of Richard III. and Henry VII. (London, 1861), I, pp. 385-7. Cited hereafter as Gairdner, Letters.

245. The siege of Tantallon commenced on 11 October and was in the Crown's possession by 16 October. TA, I, p. 181.

was rendered to James after a token struggle which lasted only for one week.²⁴⁶ It has generally been assumed that the king's seizure of

Tantallon was a result of the disclosure of Angus's plot with the English.²⁴⁷ However, we believe that this was not the case. In the

Letters and Papers of Henry VIII there is a missive which the editor has dated 29 October 1513 under the assumption that the fifth Earl of Angus wrote to Henry the eighth to promise the English king his support.²⁴⁸

It is highly unlikely that Angus would have become a willing tool of the king whose army had been responsible for the death of the Master of Angus and Sir William Douglas only one month previously. However, if we assume that this epistle was written in October 1491 to Henry the seventh its meaning becomes comprehensible. When Angus wrote to the English sovereign, Tantallon had already been invested by James's army. Angus's willingness to sacrifice Hermitage Castle to his country's hereditary enemy seems to be a vindictive reprisal against the King of Scots, who had dispossessed the earl of Tantallon. What is even more surprising is that by the end of the year Angus was reconciled to James. The earl was the recipient of a Christmas present from the king²⁴⁹ and began to attend meetings of the Three Estates once again. Angus became a Lord Auditor²⁵⁰ and was a conservator of a new truce between

246. Ibid.

247. Ibid., pp. CV-CVI; Exch. Rolls, X, preface, p. LV.

248. Letters and Papers, foreign and domestic. of the Reign of Henry VIII, 1509-1547, eds. J.S. Brewer, J. Gairdner, and R.H. Brodie, (London, 1862), I, no. 4572. Cited hereafter as LPI. Sir William Fraser thought that this letter was written by the sixth Earl of Angus in 1515. Cf. Douglas Book, IV, pp. 67-8.

249. TA, I, p. 188.

250. ADA, p. 165.

the two kingdoms.²⁵¹ Although Angus was deprived of the lordship of Liddesdale in December 1491, he was given in exchange the lordship of Kilmarnock.²⁵² The royal generosity extended to the earl of Angus in 1491 and 1492 is inexplicable unless it is assumed that James the fourth never became cognisant of the actual terms of the agreement between Angus and Henry the seventh.²⁵³

From the summer of 1492 until September 1497, the fifth Earl of Angus was Chancellor of Scotland. During his tenure of office, he managed to make significant additions to his paternal estates,²⁵⁴ but he was employed only once by King James on a diplomatic mission. In the spring of 1497 relations between England and Scotland had reached an impasse due to James's support of the English pretender, Perkin Warbeck. The earl of Angus and Lord Home were despatched as emissaries to Henry the seventh to negotiate a treaty of amity between the two realms. The Scottish ambassadors met their English counterparts at Jerninghaugh but their negotiations were inconclusive.²⁵⁵ Within a few months after Angus's return from England, he was removed from office and remained in political oblivion until the beginning of the second decade of the sixteenth century.

Sometime before December 1501, Angus was placed in ward in

251. Rot. Scot., II, p. 504.

252. RMS, II, no. 2072; Fraser, Douglas Book, III, pp. 127-9.

253. Angus promised not only to deliver Hermitage Castle to the English but also to kidnap his sovereign and bring him to England. Cal. Docs. Scot., op. cit., p. 416.

254. Cf. Chapter III, pp. 106-110.

255. Op. cit., no. 1635, p. 329; Gairdner, Letters, I, no. VII, pp. 104-111.

Dumbarton Castle, probably as a punishment for his contumacious refusal to deliver up the writs which pertained to his daughter-in-law,

Elizabeth Auchinleck.²⁵⁶ By the summer of 1502, he was a resident of the Isle of Bute²⁵⁷ which became his abode until 1509.²⁵⁸ The

reasons which prompted the earl to live on Crown estates rather than his own lands ^{are} ~~is~~ unknown, but the allegations of Godscroft that Angus

was sent to Arran (where he never lived) because of the king's infatuation with the earl's second wife, Janet Kennedy, is pure fabrication.²⁵⁹

The marriage between Angus and Janet Kennedy was dissolved before June 1500,²⁶⁰ well over a year prior to the earl's imprisonment at Dumbarton.

Whatever the reasons were for Angus's virtual exile to Bute, there are indications that he was taking part in the political life of the nation

before the end of 1509. He was both a Lord of Council and a witness

to the perpetual peace between England and Scotland concluded in

November of that year.²⁶¹ Angus also witnessed the confirmation of

the Auld Alliance between France and Scotland in the summer of 1512²⁶²

and five months later was sent as an ambassador to the English court.²⁶³

256. Acta Concilii, pp. 108-14; Cf. Fraser, Douglas Book, III, pp. 136-9, 147-9, 176-8.

257. Andrew Forman, the future Bishop of Moray and Archbishop of St. Andrews was instrumental in obtaining Angus's release from the king's ward. LPH, I, no. 5006; John Herkless and Robert K. Hannay, The Archbishops of St. Andrews (Edinburgh, 1908), II, p. 7. Cited hereafter as Herkless, Archbishops. Cf. Douglas Book, III, p. 182.

258. Angus granted at least four charters while he resided on Bute and bought agricultural produce for his maintenance there as late as July 1509. Ibid., pp. 182, 202-3; TA, IV, pp. 73, 77; Exch. Rolls, XII, pp. 428; 511; XIII, p. 139; SRO, Murthly Castle Writs GD 121/3, Box 4, no. 27; Inverquharity Writs GD 205, Box 6, Bundle XI.

259. Godscroft, House of Douglas, p. 232; Drummond, History, p. 153.

260. RMS, II, no. 2539.

261. LPH, I, no. 714; Foedera (o), XIII, p. 268; ADC, XXI, f. 3.

262. LPH, op. cit., no. 3303.

263. Ibid., no. 3569.

In the course of the deteriorating relations between the two kingdoms which led to the débâcle of Flodden Field, Angus probably was not a proponent of the revival of a policy of belligerence towards England. According to the traditional accounts, the earl accompanied the Scottish army into England but on the eve of the battle urged James in the strongest possible terms to make a diplomatic retreat. Angus's advice was spurned by the king who more than made up in impetuosity what he lacked in sagacity. Thereupon the disgruntled magnate left the camp but his two eldest sons remained to perish beside their sovereign.²⁶⁴ At least five other Douglases of note died at Flodden, but there is no confirmatory evidence to support the idea of the wholesale decimation of that kindred described by later authorities.²⁶⁵ The story of Angus's famous discourse to James the fourth is mentioned in a sixteenth century Italian poem,²⁶⁶ but the earl was an aged man in 1513 and probably never left Scotland. He may have opposed James's invasion because the opening of hostilities would expose several of the comital estates to the depredations of English marauders, but there is no evidence to indicate what his political posture was in the autumn of 1513.

When the Scottish Council met at Stirling on 19 September within a fortnight of the national disaster, both the earl of Angus and his son Mr Gavin Douglas, the Provost of St. Giles Church, were present and

264. Pitscottie, I, p. 276; Buchanan, History, II, pp. 253-5; Godscroft, ibid., pp. 233-4.

265. The other Douglases who died at Flodden were Robert Douglas of Almones, Archibald Douglas of Craigmoy, Sir William Douglas of Drumlanrig, Sir Robert Douglas of Lochleven and Sir John Douglas. The second Earl of Morton is said to have also lost his life there but he was dead before 3 February 1512/3. J.H. Stevenson, "The Flodden Death Roll," The Scottish Antiquary, XIII (January, 1899), pp. 105-7; SRO, Morton Papers GD 150/9/273.

266. Lang, History, I, pp. 390-91; W.M. Mackenzie, The Secret of Flodden with the Rout of the Scots (Edinburgh, 1931), p. 35.

were appointed to the council.²⁶⁷ Angus was apparently invested with the command of the Scottish navy²⁶⁸ and the provostship of Edinburgh before the end of September.²⁶⁹ The earl took an active part in the debates of the council throughout October²⁷⁰ and agreed, at the behest of the Queen Regent, to undertake the task of punishing all criminals and lawbreakers who inhabited the region from the Forth to Whithorn in Galloway. In order to put this juridical mandate into execution, he promised to set out for St. Ninians (Whithorn) as soon as possible. Only the castles of Cumnock, Uchiltree and Semple were exempted from his jurisdiction.²⁷¹ Unfortunately, no data has survived which indicates Angus's activities policing Galloway and he died at Whithorn shortly before 23 November 1513.²⁷² The traditional view of Godscroft that Angus, overcome by the loss of his sons, retired to "Saint Mains" in Galloway to lead a monastic existence until he died in 1514²⁷³ is not borne out by historical evidence. On the contrary, Angus played an important part in the political life of Scotland virtually up until the moment of his death.

The political career of the fifth Earl of Angus demonstrates both a deviousness and an adaptability unknown in his predecessors. His

267. Lesley, History, p. 97; ADC, XXVI, f. 3.

268. Buchanan, History, II, p. 245; RSS, I, no. 2550.

269. J.D. Marwick, Extracts from the Records of the Burgh of Edinburgh: 1403-1528, Scottish Burgh Records Society, I (Edinburgh, 1869), p. 144. Cited hereafter as Marwick, Extracts.

270. ADC, op. cit., ff. 6-7, 9-10.

271. Acts of the Lords of Council in Public Affairs 1501-1554, ed. R. K. Hannay (Edinburgh, 1932), p. 4. Cited hereafter as ADCP; ADC, ibid., f. 11.

272. LFI, op. cit., no. 4573; cf. ADCP, p. 6.

273. Godscroft, op. cit., p. 235.

ancestors had been consistently loyal to the monarchy; he betrayed James the third in 1488 and James the fourth in 1491. However, Angus had, by a series of timely changes and manipulations, showed a remarkable tenacity in maintaining possession of his earldom and estates. He had understood the very essence of political power in a kingdom dominated by an aristocracy which was motivated by factionalism and self interest. Angus left as his most important legacy to his grandson and successor this perception and the will to endure.

PART II

Archibald Douglas, sixth Earl of Angus
1513-1557

Chapter VI

Apprenticeship in Politics

The new proprietor of the comitatus of Angus was Archibald Douglas, eldest son of the late George Douglas, Master of Angus. Within a week after the reported death of the fifth Earl, an inquest was held at Lanark at the end of November 1513. It was composed of many of the leading landowners of that sheriffdom and its members found that the late Master of Angus had died last vest and seised in the lordship and barony of Douglas with its castle and the barony of Crawford Douglas, commonly known as Crawford Lindsay, within the sheriffdom of Lanark; the castle and lands of Tantallon within the constabulary of Haddington and the sheriffdom of Edinburgh; the regality of Jedburgh Forest within the sheriffdom of Roxburgh; the lands and lordship of Selkirk within the sheriffdom of Selkirk; the advowson of the provestry of the collegiate church of Abernethy within the sheriffdom of Perth.¹ Archibald Douglas was retoured heir to his father and received sasine of these estates. However, the regalities of Abernethy in Perthshire, Kirriemuir in Forfar, Bonkle and Preston in Berwickshire, and the baronies of Braidwood and Bothwell in Lanarkshire remained outside his control. From the accounts rendered by the sheriffs of Lanark, Perth, Edinburgh, Roxburgh,

1. Fraser, Douglas Book, III, pp. 213-6.

Selkirk and Forfar in 1513 and 1514, by which they made themselves responsible for the relief of all of the estates possessed by either the late Earl or Master of Angus,² it is quite clear that the sixth Earl of Angus had entered into complete possession of his patrimony less than a year after his predecessors' deaths. The transference of legal title had been carried through effectively and without controversy. With his inheritance settled, the young magnate was in a position to exert his influence in the political affairs of Scotland.

Angus did not enter upon the active political role which he was to pursue with such vehemence until six months after he had inherited his earldom. He did not attend the first Parliament convened by the Queen Dowager in November 1513,³ but by the early spring of the following year Angus began to attend meetings of the Council regularly.⁴ The political situation in Scotland at the commencement of James the fifth's reign was confused as the Queen Dowager, whose English origins were not forgotten, struggled to assert her position as regent of the kingdom against the determined opposition of many of the most influential

2. Exch. Rolls, XIV, Index to the Libres Responsionum, pp. 532, 535. A sheriff in producing his accounts at meetings of the Exchequer was responsible for the payment of the relief due from all lands within his shire which had fallen into the king's hands by the decease of the previous heritable proprietor. This was a legal fiction employed as a financial device since the heirs of the heritable proprietor (unless they had been granted a remittance for the amount due) not the sheriff, actually paid the requisite sums to the Treasury. For example, when the sheriff of Lanarkshire in 1514 promised to pay 1100 merks for the relief due from the baronies of Douglas and Crawford Douglas he was merely accounting for monies which the new feudal superior had paid him to receive sasine of these lands. Cf. Dr Athol Murray, "The Exchequer and Crown Revenues of Scotland: 1437-1542," Unpublished Ph.D. thesis, University of Edinburgh, 1961, p. 101.
3. APS, II, p. 281.
4. ADC, XXVI, ff. 55, 86, 123.

members of the aristocracy. Despite the fact that royal minorities were the rule rather than the exception in the Scottish national experience, there had evolved no established procedure which automatically determined the choice of regent in the event of a monarch's death. Queen Margaret had exercised the powers of regent since mid December 1513,⁵ but there were many nobles who wanted John Stewart, Duke of Albany, the nearest adult agnate to the king, to replace James the fourth's widow.⁶ In fact, as early as 26 November 1513 emissaries were sent to the duke to request his presence in the northern kingdom.⁷ The dispute over the regency was further complicated by the fact that Margaret Tudor was interested in a rapprochement with England while Albany represented a renewal of the alliance with France. Legal right to the crucial political position in Scotland became entangled by international considerations,

The English were determined to prevent Albany's going to Scotland although a French ambassador, Antoine d'Arces, seigneur de la Bastie sur Melans, had arrived in early November 1513 on behalf of Louis the Twelfth and the duke.⁸ Agents of Henry the eighth began to send voluminous reports on the whereabouts of Albany from the commencement

5. Peter McNeill, "The Scottish Regency," Juridical Review, new series, XII (1967), p. 145.
6. The problem of the regency was a vexatious one which was never completely solved. In general, the Scots preferred the nearest adult agnate to a young king to be regent rather than his mother. George Buchanan believed that James the fourth's nomination of his wife as regent in the event of his death was contrary to the consuetude of the realm. Buchanan, History, II, pp. 262-3.
7. APS, op. cit., p. 282; Lesley, History, pp. 97-8; Gordon Donaldson, Scotland: James V - James VII. The Edinburgh History of Scotland, Vol. III (Edinburgh, 1965), p. 18. Cited hereafter as Donaldson, James V.
8. LPH, I, no. 4556; Original Letters Illustrative of English History, ed. Henry Ellis, 1st series, I (London, 1824), no. XXXIV, pp. 92-9. Cited hereafter as Ellis, Letters. The Letters of James V, eds. R.K. Hannay and Denys Hay (Edinburgh, 1954), p. 1. Cited hereafter as James V Letters.

of 1514,⁹ while the Scots sent Sir Patrick Hamilton of Kincavil and Lyon herald, Sir William Cumming of Inverallochy, to France to demand that the duke be allowed to depart for the Scottish kingdom.¹⁰ However, the French government was not in a position to accede to Scottish entreaties for they had signed a truce with England on 13 March 1513/4¹¹ which expressly prohibited Albany's departure from France. It is improbable that the French informed the Scots of this clause in the truce for in the following month the Scottish council resolved to send another embassy to France to request the duke's return. Queen Margaret attended the council when these proposals were adopted and offered no opposition to their implementation.¹² Negotiations were also maintained with England and ambassadors were sent to seek a treaty of peace with Henry the eighth at the same time as a Scottish herald was sent to France.¹³

In none of these diplomatic manoeuvres was the earl of Angus involved although he consistently supported the Queen Regent. Throughout the winter and spring of 1514, Angus was an active member of the council¹⁴ and attended two general councils in June and July which restored some semblance of order to the strife-worn kingdom.¹⁵ An English observer wrote that the unity displayed by the Scots was illusory as the earls of Crawford, Lennox, Glencairn and Cassillis were the enemies of the earls

9. LPH, op. cit., nos. 4692, 4824, 5006, 5164.
10. Lesley, History, p. 98.
11. Donaldson, James V, *ibid.*
12. LPH, op. cit., no. 4951.
13. *Ibid.*, no. 4997.
14. ADC, XXVI, ff. 136, 137, 140.
15. Lesley, op. cit., p. 99; ADCP, p. 17. The other lords present were the Archbishop of Glasgow, the Bishops of Aberdeen, Dunblane, Caithness, Orkney, Argyll, the Abbots of Paisley and Dunfermline, the Dean of Glasgow, the Clerk Register, the Secretary, the Earls of Arran, Lennox, Montrose, Crawford, Marischal, and Lords Borthwick, Forbes, Lindsay of Byres, Maxwell and Home.

of Angus, Morton, Arran and Lords Home, Borthwick, Maxwell, Crichton and Seton.¹⁶ The disunity among the ranks of the Scottish aristocracy was thought to be, in part, the result of a struggle for political pre-eminence, between northern and southern magnates, and, in part, between those who supported Albany and those who opposed him.¹⁷ Although the duke had no first hand knowledge of his ancestral homeland, he was aware of the endemic factionalism of Scotland's nobility and wrote to encourage the Queen Regent to treat them impartially as this alone would bring unity.¹⁸ Indeed, it was not Albany but Margaret Tudor who rendered any sort of unity among the Scottish peers impossible.

The whole complexion of the political situation within Scotland and the importance of the earl of Angus were transformed by his marriage to the queen. Later historians concurred that Margaret married Angus in 1514 and that passion, rather than reason, guided her actions.¹⁹ Of the two most contemporaneous sources, John Law does not refer to the incident while Adam Abell, with the advantage of hind-sight, noted that the queen "mareit ye erll of Anguss to his gret desolatioun eftir wert his nowis sene."²⁰ Additional information on this momentous marriage is given by the sederunts of the Lords of Council for the summer of 1514. When Angus was present as a member on the 10, 12 and 14 of July, he is not differentiated from any other member present.²¹ But when he

16. LFH, I, Pt. II, second edition, no. 2973.

17. The Venetian ambassador in London, undoubtedly on the promptings of the English, informed his colleague in Rome that the duke of Albany was disturbing the peace of Scotland by his claim to the regency of that country. CSP Venetian, III, no. 1485, p. 638.

18. James V Letters, p. 11.

19. Buchanan, History, II, p. 263; Pitscottie, I, p. 280; Lesley, op. cit.; A Diurnal of Remarkable Occurrents that have passed within the Country of Scotland since the death of King James the Fourth till THE year M.D.LXXV, ed. Thomas Thomson. Bannatyne Club (Edinburgh, 1833), p. 5. Cited hereafter as Diurnal.

20. Abell MS., f. 116.

21. ADC, op. cit., ff. 141, 143, 145.

appeared on the council on 26 August he is designated as the husband of the Queen.²² It can thus be stated with certainty that Angus and Margaret Tudor were married sometime between mid July and late August 1514; perhaps Lesley's date for the marriage occurring on 6 August is, indeed, correct.²³

The marriage of the Queen of Scots was being reported to various European potentates as late as the last few months of 1514. On 30 October Andrea Badoer reported to the Venetian signory that "the Queen of Scotland has married a Scottish baron who was to rule the kingdom for her son."²⁴ In another despatch to an Italian state dated 24 December, various reasons were assigned to the Queen's remarriage: "The Queen of Scotland has married a duke in Scotland, some say forced by the people, some by her own choice."²⁵ The general reaction to this among the European states was that the queen as a woman was in need of a strong nobleman who, as her husband, could command the obedience of her subjects. That her remarriage would have just the opposite effect could not have been predicted by foreign observers who had no real knowledge either of the history or of the power of the aristocracy in the Scottish state.

It is possible that Margaret Tudor did not enter into her second marriage without considering the possible consequences of such an act.

22. Ibid., f. 159.

23. Lesley, *ibid.*

24. CSP Venetian, II, no. 503, p. 197.

25. Calendar of the State Papers and Manuscripts in Milan, vol. I: 1385-1618, ed. Allen Hinds (London, 1912), p. 440. Cited hereafter as CSP Milan.

On 12 July 1514 she had been able to extract from the leading temporal and ecclesiastical peers of the realm a bond of obligation which amounted to an oath of loyalty and support. All of the signatories bound themselves to renounce "all uther bandis now nor (sic) in tymes to cum in the contrar."²⁶ The numbers and personnel of those who signed this bond indicate that factional strife, for the moment at least, had been healed. Perhaps the queen was relying upon this agreement to force the magnates and clerics of the realm to support her even after her marriage to Angus. But in this assumption she was badly mistaken. Her marriage to a leading member of the aristocracy made her position as regent untenable.

The situation which confronted the Lords of Council in the autumn of 1514 was unprecedented in Scottish history.²⁷ Never before had a queen dowager after her second marriage claim^{ed} to be regent of the realm. When the council annulled Margaret Tudor's regency in September 1514, they appealed to the "laws of the realm." In actuality, they based their decision not upon an abstract principle of law, but upon customary practice. They transposed an axiom of the common law, which provided that in the event of a widow's remarriage the children of her first husband would become the wards of their nearest adult agnate, to become one of the fundamental principles which would govern the choice of regent

26. ADCP, p. 18. The signatories of this agreement were: James, Archbishop of Glasgow, Chancellor, William, Bishop of Aberdeen, David, Bishop of Galloway, Archibald, Earl of Angus, Alexander, Earl of Crawford, Alexander, Earl of Huntly, James, Earl of Arran, William, Earl Marischal, John, Earl of Lennox, Cuthbert, Earl of Glencairn, Alexander, Lord Home, William, Lord Borthwick, John, Lord Erskine, William, Lord Semple, John, Lord Drummond, John, Lord Hay of Yester, William, Lord Ruthven, Ninian, Lord Ross, Patrick, Lord Lindsay of the Byres, Andrew, Lord Avandale, John, Prior of St. Andrews, James, Postulate of Kilwinning, Patrick, Postulate of Cambuskenneth, Secretary Thomas, Postulate of Kelso, Mr Gavin Dunbar, Archdeacon of St. Andrews, Clerk Register, Mr Robert Forman, Dean of Glasgow, Mr Alexander Stewart, Dean of Dunbar.

27. Pinkerton wrote that Queen Margaret forfeited her regency after her second marriage as she had violated the "law of the country." However the legal decision of the disqualification of the queen was decreed as a result of her marriage to Angus. No such ordinance governed the choice of regent prior to 1514. Cf. Pinkerton, History, II, p. 121.

in the future.

In Scotland where factionalism was inherent within the political structure of society, the imbalance of power which would accrue to any magnate who had married a queen dowager would not be tolerated. ^{In} From contemporary accounts Angus and his partisans are accused of attempting to run the kingdom as a private preserve.²⁸ Opponents of the earl and the queen were arbitrarily dismissed from office²⁹ and a bitter dissension raged among the nobility.³⁰ Although there are substantial hiatuses in the historical records for the minority of James the fifth, it appears that there was no wholesale loss of position of those who might oppose Angus and a subsequent influx of his kinsmen into high office. It would be natural that the young magnate would attempt to control the royal court, but servants who attended the king remained unchanged.³¹

However, it is undeniable that a major rift had developed ^{among} between the nobles of the realm. When the Lords of Council met in Edinburgh on 26 August 1514, after the queen's marriage to Angus, an agreement was arrived at between the representatives of the queen - the postulate of Arbroath (Gavin Douglas), Lord Drummond, and Lord Ogilvy - and the representatives of the nobles - the bishop of Argyll (David Hamilton), the Lord Chamberlain (Lord Home), the abbot of Holyrood (George Crichton), and the Archdeacon of St. Andrews (Gavin Dunbar). It was decided that the Duke of Albany would be sent for and upon his arrival would be made the governor of the kingdom. The commissioners for the queen agreed that she would not intromit with any of the lands or the casualties of

28. Diurnal, *ibid.*

29. Lesley, *op. cit.*, p. 99.

30. Buchanan, *op. cit.*, p. 265; Pitcottie, *op. cit.*, p. 280.

31. Cf. RMS, III and Exch. Rolls, XIV *passim*.

the crown until the twentieth of September and the great seal was to be handed over to the Archdeacon of St. Andrews.³² By this settlement, effective power as the regent of the realm passed from the queen to the estates of Scotland. When the Council met at Dunfermline on 18 September 1514, they decreed that an herald should be sent to France to request Scotland's inclusion in the treaty of peace which the French were negotiating with the English. Letters were written to Albany saluting him as Governor of the kingdom and asked that he come to Scotland as soon as possible.³³ A formal protest against these proceedings was registered on behalf of the queen by Gavin Douglas, the Postulate of Arbroath.³⁴ A comparison of the signatories of this letter with those who had promised their loyalty to the queen in mid July reveals that not only had Angus refused to endorse this measure, but that the earls of Lennox, Crawford, and Glencairn, and Lords Drummond, Borthwick, Hay of Yester, Semple, and Ross had as well. The earls of Morton, Moray and Montrose and Lord Ogilvy had not been

32. ADC, op. cit., f. 159.

33. This epistle to the new regent was subscribed by the Archbishop of Glasgow, the Bishops of Aberdeen, Galloway, Argyll, and the Isles, the Abbots of Holyrood, Cambuskenneth, Whithorn, Saulseat, Inchaffray, Dunfermline, the Prior of St. Andrews, the Archdeacon of St. Andrews, Clerk Register, the Provost of Crichton, the Parson of Fettercairn, the Earls of Argyll, Huntly, Arran, Marischal, Erroll, Eglinton, Cassillis, Lords Home, Ruthven, Erskine, Oliphant, Lindsay of the Byres, Forbes, Abernethy, Avandale, and the Lairds of Findlater, Balweary, Drum, Kincavil, Strathearn and Pittarrow. Ibid., ff. 163-4. There is another copy of the letter sent to Albany embodied in the records of the Lords of Council under the date of 24 October 1514. In this document there are four additional signatures which do not occur in the first draft: Lord Sinclair, the Archdeacon of Glasgow, and the Lairds of Fren draucht and Ferniehurst. Ibid., f. 168.

34. Ibid., f. 162.

signatories to either document. The earl of Argyll had not promised his obedience to the queen but supported this call for the return of Albany. With the queen and her husband still able to command some support the possibility that Albany would receive unilateral approval was remote.

Three days later, on 21 September, the lords commissioned the Bishop of Argyll, Lord Erskine, the ^{Prior} Pifer of Whithorn and William Scot of Halwery to meet with Lord Drummond, the Postulate of Arbroath, the earl of Crawford and the Abbot of Paisley, who were supporters of Margaret Tudor. A meeting between these negotiators was arranged for Saturday, 24 September at the parish church of Stirling. Any hope of reaching an amicable settlement with the queen was doomed from the outset as the recent decree of deposition of the queen from the office of regent was expressly excluded from any discussion between the commissioners. The council demanded that Gavin Douglas return the keys to the great seal to the Archbishop of Glasgow, who was the chancellor, and they ordained that a parliament was to be held at Edinburgh on 17 November. They also forbade all lieges of the king from attending the convention which had been called by the queen to meet at Perth on 20 November.³⁵ The lords were so anxious, in fact, that due notice be given of the forthcoming convention of the Three Estates that they removed Mr Thomas Bellenden from his office of Director of the Chancery for his negligence in not sealing the requisite proclamations to that effect.³⁶ But in spite of the careful precautions taken by the council to effect a transference of power from the royal widow to themselves, Scotland was still without a stable central government. Civil disorder and dissension were

35. ADCP, pp. 22-3; ADC, op. cit., ff. 166-8.

36. Ibid., f. 174.

still prevalent by the end of October.³⁷

While affairs in Scotland continued in a state of flux, the Duke of Albany, the new regent, was still resident in France. Although he had assured the English emissary, the Duke of Suffolk, that if he went to Scotland he would arrange a peace between that country and England, Albany's promises were suspect to the English. Queen Margaret decided to enter into negotiations with her opponents in the hope that she might salvage some of her power before the advent of the new governor. Once again the council authorised certain individuals (the Bishop of Argyll, the Abbot of Holyrood, the Provincials of the Black and Grey Friars) to meet with her supporters^{er} at Linlithgow. They promised a free pardon to all her partisans if she would cease to meddle with the property of the crown, deliver the seals of office in her possession, and agree to attend the meeting of the Three Estates. The lords even promised Margaret Tudor that she would be unopposed in her possession of her dower lands.³⁸

But the conciliations offered by the council to Margaret were ignored. After she had received these proposals, she wrote to her brother and besought his aid. She deemed an armed intervention by the English essential before the arrival of Albany as this would make her position intolerable. She had nominated her husband's uncle to the see of St. Andrews but their supporters had been driven ~~had been driven~~ from the castle of St. Andrews by another claimant to the vacant see who was a firm supporter of the Lords of Council, John Hepburn, the Prior of St. Andrews. She had found it necessary to send

37. LPH, I, no. 5541.

38. *Op. cit.*, ff. 170-71. The petition presented to the Council in the name of the queen was signed by Gavin, "Chancellor" (Gavin Douglas), and the Earls of Angus, Erroll and Glencairn.

her husband to recapture this castle.³⁹ While the earl of Angus was besieging St. Andrews, the queen was persuaded by Arran and Lord Home to embark upon a quixotic journey to Edinburgh to appeal to the council to accede to her request. Once there, however, she realised the lords were adamant in their opposition to her re-instatement as regent. Almost immediately after her arrival, Margaret "by wisdom" left the capital.⁴⁰

The see of St. Andrews was pre-eminent in antiquity and in wealth among the episcopate of Scotland. When the illegitimate son of James the fourth, Alexander Stewart, Archbishop of St. Andrews, perished at Flodden, the question of his successor became a major problem which confronted the government. William Elphinstone, Bishop of Aberdeen, received almost unanimous support for the archi-episcopal see and he was duly nominated. Unfortunately he died on 25 October 1514 without receiving papal approval or consecration of his new dignity.⁴¹

Although he had been one of the lords who had deposed the queen from her office of tutory, he had also been present when many of the magnates had proffered their obedience to her before her marriage to Angus. If Elphinstone had survived, he would have probably been a firm supporter of the integrity of the Crown and he would have attempted to arrange a compromise between the queen and the council. His death removed one of the few political moderates in the country and insured that the see of St. Andrews would become an item of fierce contention between the rival factions.

John Hepburn, the Prior of St. Andrews, claimed that the chapter

39. LPH, op. cit., no. 5614; I, Pt. II, second edition, no. 3468.

40. Ibid., no. 3481.

41. Lesley, History, p. 100.

of the cathedral church of that city had the right to elect an individual to the archi-episcopal throne. Although this privilege had not been utilised against a royal nominee for decades, he persuaded (coercion would probably be more accurate) the chapter to elect him archbishop and based his claim upon an almost dormant residual right. Almost immediately after the death of Bishop Elphinstone, Queen Margaret had nominated Gavin Douglas to the see of St. Andrews. We may assume that Douglas had cherished a desire to be appointed to this see even before Elphinstone's death, as he was the only member of the council who had opposed the latter's nomination.⁴² Between John Hepburn and Gavin Douglas there already existed an animus which would not be assuaged by their equal desire to possess the primatial see of Scotland. In April 1514 Gavin Douglas appeared before the Lords of Council and demanded that the Prior of St. Andrews and his associates, James Hepburn, the Postulate of Dunfermline, and John Campbell, the Bishop-elect of the Isles, be summoned by open proclamation to restore certain unspecified goods which they had taken from the abbey of Arbroath. The Prior of St. Andrews was primarily responsible for this act of theft as Douglas specifically asked the lords to waive any protest which Hepburn might enter in his capacity as an ecclesiastic.⁴³ Although there is no further mention of this case in the records of the central court, it is unlikely that Douglas was successful in recovering the stolen property from Hepburn. Gavin Douglas was, however, in complete control of the temporalities of the abbey of Arbroath by 25 May 1514 when he issued a precept of sasine to William Ochterlony of Kelle which permitted him to be infeft

42. Elphinstone was nominated to the vacant see of St. Andrews on 25 February 1513/4. ADCP, p. 11; Herkless, Archbishops, II, p. 88-9.

43. ADC, XXVI, f. 132.

in the lands of Kenny Mekill in the regality of Arbroath.⁴⁴ Although the Postulate of Arbroath had, presumably, placed some of his servants in the castle of St. Andrews when he heard of the death of Elphinstone, this did not have the desired effect of intimidating Hepburn, who retaliated with such a singleness of purpose that he "wan it be force fra Maister Gavin Douglas servantes that keipit it."⁴⁵ Both of these prelates had made a fatal error, however. They had failed to take into account the interest of the Pontiff in this matter. Whatever hope which each of them entertained of being acknowledged as Archbishop of St. Andrews was effectively quashed by a letter from Pope Leo the tenth, who wrote to the queen on 8 December 1514, to inform her that he had appointed, in consistory, Andrew Forman to the archi-episcopal see.⁴⁶ On the same day a papal mandate was directed to Gavin Douglas commanding him to deliver up St. Andrews castle to the new archbishop.⁴⁷ The mandate was misdirected as, almost certainly, it was Hepburn and not Douglas who was in possession of the castle. Gavin Douglas was, at the same time, ordered to give up the abbey of Arbroath in favour of James Stewart, earl of Moray.⁴⁸

The first attempt by the earl of Angus and his forceful uncle to utilise their favoured position with the queen to advance their own

44. SRO, Airlie Muniments GD 16/14/8.

45. Lesley, op. cit., p. 101. Cf. Buchanan, History, II, p. 263.

46. LPH, op. cit., no. 5678.

47. Herkless, op. cit., pp. 91, 106; Watt, Fasti, pp. 297-8.

48. Leonis X Pontificis Maximi Regesta 1513-1516, ed. Joseph Hergenroether (Friburg, 1884), I, p. 793. Cited hereafter as Hergenroether, Leonis X. James Stewart, Earl of Moray was an illegitimate son of James the fourth. This was not the first time that Douglas had been ordered to renounce his rights to Arbroath in favour of the earl as in the previous November he had been ordered to do so within six days. Ibid., p. 782.

interests had ended in a dismal fiasco. Although, theoretically, two chanceries and administrations were in existence in Scotland during the autumn of 1514, no record of any grant by the queen or Angus has survived. It is impossible to gauge how much actual material benefit accrued to Angus and his Douglas kindred. However, some sort of material reward must have tempted such nobles as the earls of Crawford and Erroll to support the queen and her husband.

Despite the reversals which had prevented her from installing her husband's uncle in the see of St. Andrews, Margaret Tudor was not content to admit defeat. By the middle of December it was common knowledge at the French court that she had written to Henry the eighth and to the Pope to complain of her treatment. By the end of 1514 the situation between the queen and Angus and their opponents, the supporters of Albany, had reached an impasse.⁴⁹ Neither party appeared capable of rendering the other powerless and of establishing a stable government. As the king was an infant, there was no unassailable locus of power which could command unquestioned obedience.

The resolute Queen Dowager continued to assert her claim that she alone represented the legitimate government of Scotland. Gavin Douglas was anxious for ecclesiastical advancement and it was to her advantage that he be given as important a benefice as possible. When George

49. John Pinkerton in his scholarly work wrote that by December 1514 the earl of Arran, with the aid of the earl of Lennox and Glencairn had begun a personal vendetta against Angus and his associates. History, II, p. 125. The animosity of Arran towards Angus was well known, but the linking of Arran with Glencairn, who was Angus's uncle, is probably an error. Glencairn was not present at the meeting of the Council when the queen was deprived of office. Two months after this his signature was appended to the petition presented by Margaret's supporters before the Council protesting her deposition. That Glencairn would have become a deadly enemy of Angus only one month later seems hardly credible.

Brown, Bishop of Dunkeld died on 14 January 1514/5,⁵⁰ another lucrative benefice became vacant. A letter was despatched almost immediately to the Pope purporting to come from James the fifth, but almost certainly sent by his mother, informing the pontiff that the bishopric of Dunkeld, which required a "strong man to curb an unruly people" was open for nomination. "James" informed Leo the tenth that Gavin Douglas had received the royal nomination^{to} the vacant see with the approval of his council and requested him to ratify this.⁵¹ Gavin Douglas had, indeed, been nominated to the bishopric by the queen, but he had not received any confirmation of this by the Lords of Council. Margaret wrote to her brother on 22 January 1514/5 that she had nominated Douglas to the see of Dunkeld and solicited his help in the matter. She admitted that she had already written to the Pope in the newly designated bishop's behalf.⁵²

The animosity which several of his fellow nobles felt towards Angus had, by the beginning of 1515, reached the proportions of an undeclared war. Angus clearly supported his wife's plans to detach and to win the support of as many nobles from the pro-French faction which dominated the council. For this purpose he went to visit the earl of Lennox in the first week of January 1515. Lennox would be a most useful ally as he had vast possessions and influence in the west of

50. Vitae Dunkeldensis Episcoporum, a primo sedis fundatione ad annum M. D. XV, ab. Alexandro Myln, ed. Thomas Thomson. Bannatyne Club (1823), p. 54. Cited hereafter as Myln, Vitae. John Dowden, The Bishops of Scotland (Glasgow, 1912), p. 81. Cited hereafter as Dowden, Bishops. Gavin Douglas wrote to his agent Adam Williamson that the Bishop of Dunkeld died on 15 January. LPH, II, Pt. I, no. 44 (11).

51. James V. Letters, p. 17.

52. LPH, II, Pt. I, no. 47.

Scotland. He was also a prince of the Blood and had an undisputed claim as one of the nearest heirs general to the throne. Because of this, Lennox was regarded with apprehension by his uncle, the earl of Arran. It was reported that on Thursday, 11 January, Arran had set up an ambush of six hundred men who were to attack and kill Angus while he was coming from Glasgow where he had conferred with Lennox, who had just captured Dumbarton Castle from Lord Erskine.⁵³ Although this attempted ambush failed in its purpose, the earl of Cassillis and Lords Home and Semple, who were allies of Arran and firm supporters of the Duke of Albany, went to besiege Angus, who had fled to Cowthally Castle. This castle was the chief residence of John, Lord Somerville, but as he was "of weak intellect" the estates were managed by his cousin, John Somerville of Cambusnethane. The laird of Cambusnethane, who was to become one of the most ardent supporters of Angus during the next five years, gave the beleaguered earl valuable assistance which enabled him to elude his would-be captors.⁵⁴

Angus and Margaret Tudor have been accused of sacrificing the welfare of James the fifth and the safety of the Scottish realm in order to advance their own selfish ambition. It has been assumed that when the English first broached the subject of kidnapping the king and his brother (the Duke of Ross) from Stirling castle the proposal was not unwelcomed.⁵⁵ However, such was not the case. Margaret regarded this

53. Lesley, History, p. 101. The capture of Dumbarton Castle by Lennox took place in mid January. He was aided in this enterprise by Angus's cousin, the Master of Kilmaurs, which indicates that Lennox had already become a supporter of the queen and her husband.

54. Op. cit., no. 50. Cf. Scots Peerage VIII, p. 13. The younger brother and heir of Lord Somerville, Hugh Somerville, vigorously opposed Cambusnethane's claim to be tutor and consequently was an firm supporter of Arran.

55. Diurnal, p. 5.

scheme as both impractical and perilous. She was not alone in her objections: Gavin Douglas reiterated the queen's opposition so effectively that Lord Dacre and Thomas Magnus complained in a moment of extreme pique that "the Apostulate is quick in calling for his own advancement but makes answer with fair words far from the point."⁵⁶ But the fear that the infant king might be taken out of the realm by his strong-willed mother was a fairly widespread one in the early months of 1515.⁵⁷ It would obviously be to Henry's great advantage to have a sovereign on the Scottish throne who would be amenable to a policy of rapprochement with England. To kidnap the king of Scots would end all hope of a peaceful reconciliation between the two countries and would incite the Scots national animosity towards their southern neighbours to fever pitch. Henry was so anxious to obtain possession of his nephew, however that he remained blind to the full consequences which would follow this action. His loyal servant, Lord Dacre, tirelessly urged the queen and Angus to undertake this drastic scheme. He wrote to the queen warning her that, should Albany come to Scotland, she would be deprived of access to her sons. He offered to convey her and the royal infants to England if she would come to the castle of Douglas (one of her husband's fortresses) or another stronghold near the border.⁵⁸ As an added inducement it was hinted that if she did this, the succession to the English throne would be secured for her son if his uncle, Henry the eighth, died without issue.⁵⁹ That this possibility was extraordinarily remote in 1515 seemed not to have troubled the English diplomats.

56. LPH, op. cit., no. 63.

57. Ibid., no. 50.

58. Ibid., no. 62.

59. Ibid., no. 27.

To the strident requests and demands of Lord Dacre and his associates, Gavin Douglas, not without guile, replied on 21 January that the demand for the removal of the king and his brother to England was impossible to execute. Although the queen would always follow the advice of her brother in matters of state, she was opposed to this as it was unnecessary and dangerous: by the flight of the monarch and his mother into England, Scotland would come under the domination of Albany by default. While he spurned the English request on behalf of the queen Douglas suggested that an army be sent into Scotland to ensure the "safety" of the young king.⁶⁰ The response of the English to Douglas's caution displayed a lack of knowledge of the intricacy of the political situation which existed in the northern kingdom. Adam Williamson, an expatriate Scot and supporter of Gavin Douglas, wrote to him to encourage the queen, for her own safety as well as that of her children, to leave Scotland. His belief that once the queen and her sons were in England the Scots would obey them was based upon total lack of comprehension of the situation.⁶¹ If such an event occurred, the Scots would have been driven by necessity to wed themselves even further to France than they had previously done. Almost certainly the French would have sent Albany to Scotland where he would have assumed the control of the kingdom. If, in fact, it appeared that James the fifth would not be allowed to return, then in all probability he would have been deposed and Albany crowned king. The Scots would not have tolerated a sovereign who was merely a puppet of the King of England.

60. LPH, ibid., no. 44(i). It is unlikely that Gavin Douglas would have heard of Forman's recent elevation to the see of St. Andrews at this time. He was opposed to Andrew Forman because the new archbishop had received a reservation of the see of Dunkeld for his own use. Herkless, Archbishops, II, p. 113.

61. Op. cit., no. 66.

The English were so confident that Angus and his relatives would support their schemes that a safe conduct was granted to him, his uncle the postulate of Arbroath, and Lord Maxwell, to enter and remain in England for one year.⁶² The absence of any other licence to other Douglasses or to any of those lords who had been listed as supporters of Angus in June of the previous year is of the utmost importance. The massive support which we might expect to find among those closely connected to Angus by ties of blood and friendship is not there. It can be argued that among the three hundred men whom Angus was allowed to bring with him there would be a fair proportion of nobles and lairds - but this seems unlikely as if there were lords present who were sufficiently important, individual safe conducts would have been granted to them. Probably these men would be the personal household retainers of Angus. The appeal which Angus could command among his fellow peers was small indeed.

Angus and his uncle did not make immediate use of their safe conducts as the situation in Scotland was too unpredictable. They had, however, the undivided support of Henry the eighth, who, on 28 January, wrote to the Pope asking him to elevate Gavin Douglas to the see of St. Andrews. He did this as Douglas had supported the negotiations entered upon to bring peace to the two realms and was a learned and wise man of upright living.⁶³ The position of Angus as the husband of the queen and occupying a place of political importance appears to have been recognised by the council by the end of February 1514/5. As Albany, who could conceivably have been the only person capable of restoring unity to the realm, had not yet arrived in Scotland, the lords

62. Rot. Scot., II, p. 581.

63. Theiner, Monumenta, no. DCCCCI, p. 513.

were obliged to accept, at least temporarily, Angus's "special position."

A meeting of the Three Estates which had been scheduled for 24 February was postponed; it probably would have passed enactments against the queen and her husband.⁶⁴

A council was convened by John Hepburn, Prior of St. Andrews on 2 March 1514/5 and it was attended by the earls of Huntly Crawford, Errol, Arran, Archbishop James Beaton of Glasgow, and Gavin Douglas.⁶⁵

The presence of such recent enemies as Arran and Douglas suggests that each faction had arrived at some agreement to accept the status quo. Both parties had been brought together by their united opposition to Andrew Forman's succeeding to the see of St. Andrews.

Leo the tenth had written from the Vatican on 19 February a monitory epistle to Queen Margaret and the Council of Scotland. He acknowledged that he had received their letters requesting that Gavin Douglas be admitted to the bishopric of Dunkeld, but he informed them that Douglas would not be allowed to enter his new benefice unless Forman was permitted to enter his see of St. Andrews. This was followed by a veiled threat that no vacant benefice in the realm would be filled until the new archbishop was acknowledged by the Scots.⁶⁶ The pope's concern for Forman was not altogether dictated by ecclesiastical policy, as that ingratiating cleric had resigned the archbishopric of Bourges in France to Cardinal Innocenzo Cibo, the pope's nephew and the original

64. Lasley, op. cit.

65. Herkless, Archbishops, II, p. 119. Gavin Douglas was present as a member of the Council when they met on the following day. ADC, XXVI, f. 183.

66. James V. Letters, pp. 17-8.

papal nominee to St. Andrews. Leo's demand for ecclesiastical obedience served as a convenient cover for advancing the influence of his own family.⁶⁷ The hostility which this demand aroused in Scotland was such that all sides agreed that Forman would not be permitted to enjoy his new dignity. When Hepburn met with various nobles and clerics on 2 March it was for the express purpose of gaining their support for his candidacy to the vacant archbishopric in opposition to Forman. Everyone who was present, with the exception of Archbishop Beaton (who was hopeful of being translated from Glasgow to St. Andrews), bound themselves to aid Hepburn. Two days later letters were despatched in the king's name to the Holy Father and informed him that as Forman had illegally been promoted to several important benefices without obtaining royal approval, he had justifiably been outlawed and forbidden to enter the kingdom.⁶⁸

But the truce between the factions was an uneasy one. It was grounded upon the attitudes of the queen, Angus and their opponents which were unstable factors. The majority of the Scottish nobility awaited anxiously the arrival of Albany, while the threat which posed to the establishment of a pro-English administration in Scotland was never forgotten by the Tudor government. However, the French were not yet willing to risk the hard won peace of August 1514 between them and their hereditary enemy for the sake of giving a complete carte blanche to the desires of their ancient confederate.⁶⁹ In the instructions given to Monsieur Jean de Planis, who was being sent by Francis the first to the

67. Herkless, op. cit., pp. 5, 102; Hergenroether, Leonis X, I, pp. pp. 772-3.

68. Epistolae Jacobi Quarti, Jacobi Quinti, et Mariae Regum Scotorum, ed. Thomas Ruddiman (Edinburgh, 1722), I, pp. 17-8. Cited hereafter as ERS.

69. Papiers d'Etat: Pièces et documents inédit ou peu connus relatifs à l'histoire de l'Écosse au XVI^e siècle, ed. A. Teulet. Bannatyne Club (Paris, 1851), I, p. 4. Cited hereafter as Teulet, Papiers.

Scottish court, it was emphatically stated that although Albany would be allowed to leave France so that he may enter into his new office in Scotland, he was not being sent to entice the Scots into hostilities against the English.⁷⁰ Thus before he had even arrived, the hands of the new Governor of Scotland were tied. Both the major powers, England and France, had intervened indirectly into the internal affairs of Scotland. In order to maintain the peace, both had, in theory at least, agreed to follow a policy of non-interference. In reality, the condition imposed upon Albany by Francis meant that Henry the eighth had gained his main objective: the neutrality of the Scots. Unfortunately, this policy was nullified by the refusal of Henry to believe in the sincerity of the French proposals. The attitude of the English government towards the French assurances for Albany's behaviour was echoed by Spinally, an English agent residing in Flanders, who wrote that "Whatever the King do (sic) with the beggared Scotch, the Duke will labour to undo, notwithstanding the promises of the French."⁷¹

The harmony which appeared to have settled upon the troubled kingdom was marred by a dispute between Angus and Lord Home over the influence which each claimed to exercise in the east marches.⁷² Home had been given charge of all the Scottish marches on 22 October 1513 after the death of James the fourth.⁷³ Buchanan remarked that Lord Home was a firm supporter of Albany "solely because, being an ambitious man, who

70. LPH, op. cit., no. 248.

71. Ibid., no. 335.

72. Ibid., no. 287.

73. ADCP, pp. 4, 53; Exch. Rolls, XIII, p. 352; T.I. Rae, The Administration of the Scottish Frontier 1513-1603, (Edinburgh, 1966), p. 237.

knew that he owed his rank to his riches, and not to the love of his country men... and feared if the government remained with the queen, the power of the neighbouring Douglasses would increase too much, and his own be lessened, as the inhabitants both of Liddesdale and Annandale, were already gradually returning to their ancient vassalage."⁷⁴

Although the interests of the Douglas and Home families had been close for centuries, (indeed, the Homes were among the most important free tenants of the earls of Douglas) when the last earl of Douglas had been forfeited and driven from Scotland in 1455, the legal and temorial bond which had united the chiefs of these two kin groups had permanently been severed. Angus's own grandfather, the fifth earl, had received some of his most valuable support in his plots against James the third from the first Lord Home. After the death of that monarch, Lord Home was, on 17 October 1488, made the Warden of the Merse, Lothian and Haddington.⁷⁵

He was then given the office of Warden of the East March on 4 July, 1489.⁷⁶ The Homes were beginning to exert as much influence on the Borders as the earls of Douglas had done. Their position was strengthened after George Douglas, the father of Angus, had resigned the lordship of Ewesdale, which was then given over to the first Lord Home.⁷⁷ By various resignations made by his father and grandfather, the possessions and influence which the husband of Margaret Tudor had in the East and Middle Marches were severely diminished from those which had belonged to his progenitors. There was no possibility that the inhabitants of Liddesdale and Annandale would become vassals of the earl of Angus. Liddesdale was the possession of the earl of Bothwell and Annandale was part of the crown estates and had never been

74. Buchanan, History, II, p. 266.

75. APS, II, p. 208.

76. Ibid., p. 214.

77. Armstrong, Liddesdale, p. 196.

in the control of the earls of Angus. Although Home was viewed by the English as one of the leading francophile nobles of Scotland,⁷⁸ within six months after the arrival of the governor in Scotland, he and Angus had become fellow exiles in England. It seems scarcely credible that there could have existed a serious disagreement between them at this time. Home's appointment as warden had been made well over a year before and could not have been the cause of the quarrel as the English correspondent suggested. The rift between the two noblemen was probably merely a rumour which was then circulating on the Borders.

With the arrival of the Duke of Albany on Scottish shores in May 1515,⁷⁹ a new influential personality entered into the political life of the kingdom. The major magnates of the realm, of whom Angus was one, had already consented to accept Albany as regent and had agreed to the new treaty of alliance between England and France.⁸⁰ The leaders of both the English and French factions had united to forget their differences in order to consent to the peace which had been virtually thrust upon them by the diplomatic manoeuvres of the chanceries of Paris and London. Albany was presented with a *fait accompli* and evinced no desire to disrupt the entente between Henry the eighth and Francis the first.⁸¹ The Governor of Scotland had no option to do

78. In March it was noted that the French intended to aid Lord Home through the agency of Albany. LPH, II, Pt. I, no. 261.

79. Albany landed on 17 May at Ayr. Exch. Rolls, XIV, p. LXVII; Lesley, History, p. 102. Cf. ADCP, p. 40. Inserted as an appendix to the published acts of the parliaments of James the fifth is a charter dated 8 May 1515 which is made in favour of Andrew Heriot of Trabroun. Albany is stated to have been present: APS, II, p. 387. This is repeated in RMS, III, no. 72. However, in the original great seal register it is plainly stated that the charter was sealed on 8 May 1516 when Albany was certainly in Scotland. RMS, vol. XX, no. 49, f. 16.

80. LPH, op. cit., no. 464.

81. Ibid., no. 494.

otherwise. The French were adamant in their desire for peace with England.

The new regent concerned himself almost immediately after his arrival with strengthening the position of the Crown. Within a week after his arrival in Edinburgh, Albany ordered that proclamations be issued in order to summon a parliament to convene in mid summer. A new Council was chosen which included Gavin Douglas and a proviso was enacted which stated that whenever the earls of Angus and Lennox and Lord Home were present, they were to be considered ex officio members.⁸² Initially, the relations between Albany and Angus were quite cordial. The young magnate was a fairly regular attender of the Council meetings in June,⁸³ and even his brother-in-law, Lord Glamis, who was an infrequent visitor to the Scottish capital, served upon the council.⁸⁴ The queen, perhaps after some persuasion from her husband, adopted a policy of cautious conciliation towards the governor.

However, Albany was determined to force the Pope and various Scottish ecclesiastics to have sufficient regard for the privilege of the Scottish Crown in nominating individuals to vacant benefices. The Duke's actions to enforce what he believed to be a crucial part of his political programme would precipitate a crisis between himself and the queen and Angus.

The battle against church appointees who had advanced to their

82. ADCP, p. 32. The other individuals who were elected to the Council were the Bishops of Whithorn, Caithness and Argyll, the Earls of Arran, Eglinton, Lords "Bothwell", Ruthven, Lindsay of Byres, the Abbots of Holyrood and Dunfermline, and Sir William Scot of Balweary. Lord "Bothwell" probably refers to Patrick Hepburn of Bolton, who was the Tutor of Bothwell as the earl was an infant. Cf. Scots Peerage, II, pp. 152, 157.

83. Angus was an attender at council meetings throughout May and June. ADC, XXVII, ff. 1-3, 5, 13, 15.

84. Ibid., f. 5.

office without prior royal confirmation began with severe measure directed against an old rival of Gavin Douglas, Andrew Forman. On 2 June 1515 the Lords of the Council ordained that "if the bischop of Murray or ony utheris has purchest and impetrat the bischopricketes of Dunkeld or Abirdene or ony ane of the them" at Rome without first obtaining licence from the king or the governor, then he had incurred the penalty decreed by act of parliament.⁸⁵ According to various enactments of parliament, such individuals who had committed the offence of barratry could not only be deprived of their benefices but were also liable to imprisonment. The individual who directed the animosity of the governor towards Forman has traditionally been accredited to the irascible Prior of St. Andrews, John Hepburn.⁸⁶ But this view needs to be modified. The Duke of Albany was genuinely interested in upholding the prerogative of the Crown in ecclesiastical matters, especially as there had recently been two regimes each claiming to be the legitimate government which had disposed of vacant benefices to their supporters. Andrew Forman had the unenviable reputation of being one of the biggest pluralists in the realm and, what was intolerable, he had received most of his offices because of the favour which he enjoyed at the papal curia. For Albany to succeed in his ecclesiastical policy it was necessary that the new absentee Archbishop of St. Andrews should be punished and be deprived of some of his benefices. Albany needed little encouragement in his plan to impress upon Forman that the royal prerogative was not to be flouted indefinitely. The decree ordained by the

85. ADCP, p. 33.

86. Pitcottie, I, p. 290; Buchanan, History, II, pp. 269-70. This appraisal of the malevolence of the Prior of St. Andrews towards Andrew Forman is supported by Herkless, Archbishops, II, p. 133.

the council had a universal effect; it was not merely directed against Forman or any other churchmen who had acquired an interest to the bishoprics of Dunkeld and Aberdeen, but against all churchmen who hoped to acquire positions by direct negotiations with the curia. There were two individuals who were seriously affected by this ordinance besides the unconfirmed primate: Robert Forman (who was a kinsman of the archbishop and who had received papal provision to the see of Aberdeen prior to 22 March 1514/5)⁸⁷ and Gavin Douglas (who had received the nomination to the see of Dunkeld). Unlike Forman, whose appointment had originated only from the papal court, Douglas had been nominated by the queen when she claimed to be the legitimate regent and letters had been sent in her son's name which confirmed this. However, the letters were sent after she had been deposed from the regency. As the new ordinance gave the governor virtual control over the selection of candidates who would be nominated to these bishoprics (and, of course, the selection of candidates to all vacancies in the Scottish church), any previous nominations would be regarded by him as invalid. Although it is improbable that Gavin Douglas was cognisant on the second of June that the Pope, in consistory, had provided him to the see of Dunkeld only a week before,⁸⁸ he was aware of the implications of the decree against Forman and he was not present in council.⁸⁹ As he was a regular attender of the council both before and after the decree was passed,⁹⁰ it is quite clear that Douglas was a firm opponent ~~to~~ the

87. Watt, *Fasti*, pp. 3-4. Robert Forman was never able to obtain possession of his see and resigned all claim to it in the following year.

88. He was provided to Dunkeld on 25 May 1515. *Ibid.*, p. 99.

89. ADC, XXVII, op. cit.

90. *Ibid.*, ff. 1, 6.

regent's church policy. Leo the tenth, in fact, had been sufficiently impressed by the opposition to Forman by the Scots that he had revoked the latter's legatine authority and had bestowed it upon Douglas.⁹¹ The pontiff had also bestowed the bishopric of Dunkeld upon him partly because of the influence of Henry the eighth.⁹² When this became generally known in Scotland, the new Bishop of Dunkeld would feel the full brunt of the ire of the governor. Albany, immediately after the lords had endorsed his policy, wrote to the pontiff and in the strongest terms urged Leo to respect the privileges of the Scottish crown in the appointment of individuals to benefices.⁹³

The new regime had been quickly accepted without any opposition by the magnates. Although Lord Dacre reported that the eastern and middle marches of Scotland were filled with disorders and lawlessness, this was almost an endemic feature of society in those areas. As the Warden of the Marches, Lord Home, was a firm supporter of the governor, he would not support or encourage any disturbances there which might embarrass the government. Albany had gained the support of Angus and was determined to mollify, if not win over, his wife. On 12 June 1515 the Lords of Council (with the approval of Albany) ordered Mr Robert Forman, the Dean of Glasgow, to visit the queen to satisfy her in the matter of the rents of the mains of Dunbar.⁹⁴ Although Dunbar formed part of the estates of the earldom of March to which Albany was entitled, it has been among the lands which James the fourth had bestowed upon his wife. The governor was determined to give the queen no cause for

91. LPH, op. cit., no. 493.

92. James V Letters, pp. 23-4.

93. Op. cit., no. 560.

94. ADCP, p. 37.

complaint and was willing that some of her rights to the lands should be respected. His policy of conciliation and moderation continued to win more supporters which was reflected by the membership of the council. Not only were there many additions to the personnel of the council but there was a considerable increase in the ratio of magnates from the south and west of the country. But the problem of the role which the Scots were prepared to permit the queen to play coupled with the animosity of the English towards him still confronted Albany.

The traditional role of the queen mother in Scottish history was that of guardian of the personal safety of the royal children. Margaret Tudor, however, had been regent and was a forceful individual. She would not have chosen from her own volition such a passive career. In her determination to exert some control over the political situation in her son's kingdom, she was encouraged and abetted by her equally imperious brother. A foreign observer wrote in the middle of June that "It is said the Scotch will not allow the Queen to have any rule except the keeping of her children."⁹⁵ The Scots had, in fact, in response to the presumption of the English monarch's claim to be the rightful protector of Scotland, written to the Pope on 3 July and informed him categorically that Albany alone was regent of the realm.⁹⁶ It was also stated that the queen herself had acquiesced in Albany's new position. But Henry chose to ignore the apparent unity with which the Scots had accepted their new Governor. When he agreed to include Scotland in the peace between his kingdom and France, he stated flatly that he refused to recognise Albany as regent.⁹⁷ At the moment that the

95. LPH, op. cit., no. 593.

96. Ibid., no. 654; ADCP, p. 40; James V. Letters, p. 26; ADC, op. cit., ff. 23-4.

97. LPH, op. cit., no. 664.

English were protesting in an outraged manner ^{at} ~~of~~ the duplicity of the French and of Albany, Tudor ministers began negotiations with various individuals in the hope that civil disorder would disrupt the northern realm and would force the governor to retire to France. Although Angus and his uncle were considered by the English to be the most likely candidates as the potential leaders of an English faction in Scotland, both of these men had supported Albany's assumption of government.⁹⁸ The letters written by Lord Dacre to inform Gavin Douglas of his elevation to the see of Dunkeld, their subsequent capture, and the determination by Albany to take a firm line against him, were the catalysts which shattered the fragile political harmony which had existed in Scotland since May 1515.

Lord Dacre had written to Douglas on 2 July but informed the English privy council on the fourteenth that ^{his letters} ~~they~~ had been intercepted at Moffat by Sir Alexander Jardine, who had brought them to the Warden of the Marches, Lord Home. Both the Warden and Jardine brought the captured letters to Albany who, after perusing their contents, summoned Gavin Douglas to appear before the council to explain why he had solicited the help of the English king in obtaining the bishopric of Dunkeld without first obtaining permission from his own sovereign. Dissatisfied with the non-committal reply with which Douglas answered his questions, the governor ordered that he be confined in Edinburgh Castle.⁹⁹ Albany's attitude towards Gavin Douglas was not based upon personal pique or animosity. It was dictated by the premises of his

98. Angus's grandfather, Lord Drummond, had also sworn his obedience to Albany on 28 June. ADCP, p. 39.

99. *Op. cit.*, no. 705. Sir Alexander Jardine, a Dumfriesshire laird, had been a supporter for the return of Albany since his visit to France in the spring of 1515. *Ibid.*, no. 250, p. 81.

ecclesiastical policy which were to restore the primacy of the royal prerogative in deciding who were to receive benefices in Scotland. He was not opposed to Douglas's advancement; indeed, he had recently written to the Pope in favour of Douglas's nomination to the abbey of Arbroath.¹⁰⁰ He was determined to enforce the statutes which outlawed barratry. Andrew Forman, who had also violated this statute, had arrived in Scotland but was kept as a prisoner at the priory of Pittenweem.¹⁰¹

Within two days after the seizure of the papal briefs and letters in Moffat, the new Bishop-elect of Dunkeld appeared before the Lords of Council. He entered an eloquent plea of his innocence and reminded his audience that he had an irreproachable reputation. The governor, who was also present, asked Douglas directly why he had sought the help of Henry the eighth in order to be promoted to this bishopric instead of receiving the requisite nomination from his own prince. Douglas responded to this with an outright lie: he "denyit that he knew ony thing tharof and or he had bene art or part in the said mater in that forme he had lever have bene hangit and nevir had benefice in to the realm."¹⁰² Albany reiterated his position about vacant benefices and he hoped that no other Scotsman would seek the help of the English in gaining promotion at Rome. He then addressed the queen who was present: "Madame, I have gart yow undirstand this deid quhilk tuichis the King your sonn and my soverane lord, quhilkis the thing ye suld have mast tendir."¹⁰³ The queen, not to be outdone by her husband's uncle, denied that she had ever consented to Douglas's nomination to Dunkeld. When he saw

100. LPH, op. cit., no. 778.

101. Ibid., no. 205.

102. ADCP, pp. 40-41.

103. Ibid., pp. 41-2.

that he was not to receive any support from Margaret, Gavin Douglas protested that the council were not competent judges as they were a civil court while the case involved an ecclesiastical matter. This allegation was rebuffed both^{by} the king's advocate, Mr James Wishart of Pittarrow and by Sir William Cuming of Inverallocky, Lyon King of Arms, who asserted the king's competence in any matter which concerned the privileges of the realm.¹⁰⁴ Gavin Douglas's attempt to be tried by the canon law of the Church rather than the common law of the realm had ended in failure.

At this confrontation between Douglas and Albany, the earls of Angus and Glencairn, Lords Drummond and Hay of Yester were among the members of the Council who were present. Glencairn was the uncle of Angus, Drummond was the grandfather of Angus, while Hay was his cousin. Gavin Douglas was not arraigned before a packed court composed of his enemies; on the contrary, some of his closest kinsmen were members. The governor could not be accused of pursuing a policy of vindictiveness towards the culprit. In fact, his moderation was notable. Overhalf the bishops of the kingdom were also present and, in effect, endorsed Albany's policy.¹⁰⁵ A reading of the English state papers gives one the impression that Gavin Douglas was immediately confined to prison. This was not the case. On the day after his notable debate with the governor before the lords, Douglas defended his nephew, the earl of Angus, in an action which Jane Kennedy, Lady Bothwell, had brought against him over the ownership of various lands within the lordship of Bothwell.

104. Ibid.

105. Aside from Andrew Forman, who was both Archbishop of St. Andrews and Bishop of Moray, and Gavin Douglas, the only bishops who were not present at this council were Alexander Gordon, Bishop of Aberdeen and William Meldrum, Bishop of Brechin. Of these, William Meldrum may have been deceased. ADCP, op. cit.; Watt, Fasti, p. 41.

Gavin Douglas, who was designated as the postulate of Arbroath, demanded that a copy of the accusation brought forward by Mr James Hay, Lady Bothwell's advocate, be given to him. No further information is given as this dispute was merely entered as a memorandum in the register of the court. But it is quite clear that Gavin Douglas was not only a free agent, but that he was recognised by the court as being invested with the full powers of an advocate.¹⁰⁶

Mr Gavin Dunbar, Archdeacon of St. Andrews, appeared before the lords on 9 July and asked them to confirm the decree which had been passed on 2 June against Andrew Forman. Gavin Douglas, perhaps in an effort to divert attention from his own breach of the decree and to win the favour of the governor, called for a further enactment against the persecuted prelate.¹⁰⁷ He did take the precaution, however, of lodging a formal protest that clerics should not be tried by a civil court or by the provisions of the common law. Mr James Wishart and Lyon King of arms produced before the council three incriminating letters which had been written by Alexander Trumbull, a Scottish cleric who was an agent of Douglas's at the Roman court. Trumbull mentioned that the Bishop of Worcester, the English agent (or "orator") at Rome, had given his wholehearted support to Gavin Douglas's request for obtaining the provision to the see of Dunkeld.¹⁰⁸ In another letter written by Adam Williamson, who was another agent of Douglas's, it is stated boldly that he was provided to Dunkeld through the influence of the English. "'Ye ar now bischop of Dunkeld and that by the

106. ADC, XXVII, ff. 27-8.

107. ADCP, op. cit., p. 43.

108. Ibid.

noble king of Englandis writing to the paipe as apperis and sum thing by my labour."¹⁰⁹ In both of these epistles, the new Bishop is admonished to write letters of thanks to Henry the eighth who had done so much to bring Douglas's request to a successful conclusion. The English king had supported Gavin Douglas as he had aided the queen and Henry hoped that the new Bishop would continue to advise Margaret and Angus on how best to preserve the King of Scots from danger.¹¹⁰

With such an array of letters the Duke of Albany had conclusive proof of Douglas's guilt. The council quickly brushed aside Douglas's lame, and predictable excuse, that he could only be tried by an ecclesiastical court, and decerned him answerable to the charges brought against him. The decision of the court was a foregone conclusion when the earls of Erroll and Glencairn, and the Lords Drummond and Hay of Yester, all asked instruments in which they denied that they had signed any letter which had been sent on Douglas's behalf to the pope. The decision of the council was "that the actis of Parliament maid apoun clerkis purchessing prelaciis at the court of Rome without the kingis licence salbe put to execucioun apoun mastir Gawin Douglas, postulat of Arbroath, in all poyntis eftir the forme and tenour of the samin, becaus he has brokin the said act and statut in the purchessing of the bischopruck of Dunkeld without the kingis licence or my lord governouis of commendatioun or laudatioun to the paipes

109. Ibid., p. 45.

110. One of the documents which had been enclosed in the packet of letters destined for Gavin Douglas was a copy of the missive sent from the Queen (in the king's name) from Perth on 20 January 1514/5 to the pope announcing Douglas's nomination to the see of Dunkeld. This epistle was witnessed by Margaret Tudor, Alexander Gordon, Bishop-Elect of Aberdeen, the Earls of Angus, Crawford, Erroll, Huntly and Glencairn, Lords Innermeath, Drummond, Ogilvy, Hay of Yester, and William, Abbot of Coupar-Angus. Ibid., p. 49.

halynes for the samin..."¹¹¹ Immediately after the decision was given against the Bishop-elect of Dunkeld he was imprisoned in St. Andrews Castle.¹¹² Both benefices which Gavin Douglas claimed to possess, the bishopric of Dunkeld and the abbey of Arbroath, were placed under the control of Sir Patrick Hamilton of Kincavil and Sir James Kincragy, Dean of Aberdeen, who were the royal receivers of vacant benefices, by October 1515.¹¹³

After the conclusion of the trial of Gavin Douglas before the Lords of Council, a parliament was held at Edinburgh at which time the Governor was declared to be regent and Protector of the realm until the king had reached the age of 18. Although Dacre reported that the earl of Angus was not only present but had placed a coronet upon Albany's head, the parliamentary records do not verify this assumption. It is far more likely that Angus left the capital shortly after his uncle's disgrace. He would have had an additional desire to do so as his grandfather had been imprisoned in Blackness for assaulting Lyon King of arms.¹¹⁴ Lord Drummond presented himself before the Three Estates and was pardoned by Albany for striking Lyon King of Arms.¹¹⁵ However, Drummond's estates

111. Ibid., p. 50.

112. LPH, op. cit., no. 779.

113. Op. cit., p. 59.

114. LPH, ibid. Although Angus was a member of the Council on 11 July, the day before Parliament began its session, he was not present either on 12 July or on 23 July. ADC, op. cit., f. 41; APS, II, pp. 282, 388. According to the report of this convention of the Three Estates given by Lord Dacre, the earls of Angus and Argyll placed a coronet upon Albany's head. This right was vested in these noblemen as the descendants of the quasi-priestly family of the lay Abbots of Abernethy, who were the chiefs of the Clan Macduff. The senior representative of the Abernethy family was generally conceded in favour of the earls of Angus. Cf. Iain Moncreiffe, "Origins and Background of the Law of Succession to Arms and Dignities in Scotland," unpublished Ph.D. thesis, University of Edinburgh, 1958, II, pp. 532-5.

115. Lesley, History, p. 101; Buchanan, History, II, p. 272.

and the captaincy of Stirling Castle were taken from him.¹¹⁶ The aged nobleman had manhandled the chief royal herald which was regarded as an offence against the Crown as Lyon, by virtue of his office and the common law of the kingdom, was a sacrosanct personage. Heralds, both in Scotland and in Europe, were considered to embody the actual presence of their sovereigns and to touch, wound, or kill them was regarded as a capital crime. Lord Drummond's offence was sufficiently grave that only as a result of the pleadings of the queen and Parliament did the Governor consent to spare the culprit's life.¹¹⁷

The decision which spared Lord Drummond from answering the extreme penalty of the law is unique. In Scotland when an individual was summoned to answer the charge of treason, it was merely a matter of formality when the verdict was given against the accused. As parliament gave legality to the royal will, it was virtually impossible for an individual accused of treason to be exonerated. When Lord Drummond appeared before the estates, he must have done so with the knowledge that he would not be punished according to the rigours of the law. He had already shown himself amenable to Albany. Only about a fortnight before he had sworn an oath of loyalty to the governor, and only a few days before he had renounced his action in supporting Gavin Douglas's nomination to Dunkeld.¹¹⁸ There is, unfortunately, no direct reference to either the date or the location where this crime was committed. Dacre wrote that it had occurred about one year before the arrival of Albany into Scotland.¹¹⁹ The well known account that Lord Drummond struck

116. ADCP, p. 50.

117. APS, II, p. 284.

118. ADCP, op. cit., pp. 39, 50.

119. LPH, op. cit., no. 779.

the herald when the latter summoned the earl of Angus to appear before the Lords of Council in a less deferential manner than what Drummond deemed proper, has no basis in fact but was invented by Lord Strathallan in his fanciful genealogy of the Drummond family. Circumstantial evidence indicates that Lord Drummond had offended the herald only a short time preceding the commencement of Parliament. There is no trace of any court action brought by Lyon against Drummond in either 1514 or 1515. After sentence had been pronounced against him, Lord Drummond was removed to the castle of Blackness.¹²⁰

Albany had secured a victory for his ecclesiastical policy by the imprisonment of Gavin Douglas and had upheld the sanctity of the crown's heralds by the warding of Lord Drummond. At the same time he had effectively checked the influence of the earl of Angus. The task which confronted him was the problem of providing for the adequate security of King James and his brother as the queen mother's guardianship was regarded as unsatisfactory. Under pressure from the governor, the Lords of Council, on 26 July, enacted provisions for the keeping of the royal children.¹²¹ A group of nobles was sent in the name of the

120. LPH, *ibid.* Lord Drummond did not appear as a member of the council until 29 April 1516. SRO, RH 2/1/8, p. 49. During the period when he was in ward his daughter Beatrix took possession of his moveable goods and the family writs and evidents. She received a complete discharge from her father for her intromission with them on 20 October 1516; SRO, Castle Drummond Writs, GD 160, Box 2, Bundle 1. However, Lord Drummond had been released from ward before the end of February 1515/6, as on the last day of that month Finlay Duncanson was ordered to compare before the Lords of Council to answer for the profits and rents which he had taken from the lands of Petteuze, in Perthshire, which pertained to Drummond, while the latter was in ward. SRO, Castle Drummond Writs, GD 160, Box 2, Bundle 1. Lord Drummond was not completely successful in obtaining possession of all his goods and lands as is shown by the fact that on 4 March 1535/6 James the fifth granted to John Drummond of Innerpeffry and his wife Margaret Stewart, all those lands and goods which had belonged to the late John, Lord Drummond and had been escheated by the latter's putting hands upon the late Sir William Cuning.RSS, II, no. 1963.

121. ADCP, p. 51.

estates to Stirling to demand that she relinquish the custody of her children. She refused to listen to this proposal but later announced that she would be willing to entrust the care of her sons to her husband, the earl Marischal, Lord Home and Sir Robert Lauder of the Bass.¹²²

Although both the earl Marischal and Lord Home had been among the lords who had transferred the regency from the queen to Albany, they were regarded as men who would be amenable to her wishes. When the council enacted provisions for the keeping of the king and his brother on 26 July, the earl Marischal had, in fact, been among the few peers present who had protested against the act.¹²³ Her husband had agreed with the

commissioners of the estates that the king should be placed in their charge, but his subsequent behaviour would indicate that he did this in order to prevent the charge of treason being levelled against him.¹²⁴

The queen remained adamant. She was determined that she would not be deprived of effective control of her sons. The Governor decided that the matter must be settled as quickly as possible. He made preparations for an expedition to capture Stirling Castle and ordered Angus, on pain of treason, to give assistance to the attackers.¹²⁵ At this critical moment, the young earl left Stirling. His action showed him to be a man who was not reckless of his own safety although unwilling to turn his back upon a problem. He left his younger brother George with the queen but this was not enough to stop the forces of the regent. When Angus, with the help of his new confederate, Lord Home, attempted to bring more men and supplies to the beleaguered queen, they were beaten back by the

122. LPH, op. cit., no. 287.

123. ADCP, op. cit., p. 51.

124. Op. cit., no. 779.

125. Ibid.

forces of the earls of Lennox and C ssillis and Lords Borthwick and Ruthven. The English thought that Margaret could hold out until the end of September but this was a naïve appraisal of the situation.¹²⁶ Nothing illustrates the isolated position of the queen and her husband more than the fact that they were unable to gain any supporters from the ranks of the nobility except for the solitary figure of Lord Home. With almost no effort, Albany was able to gain control of the castle.

At the Governor's approach, George Douglas abandoned his sister-in-law, who had no option but to surrender the castle and her sons into the hands of the duke. She interceded with Albany for her husband but his response to her request was unfavourable.¹²⁷ The custody of the children was placed in the hands of the earl Marischal and Lords Borthwick and Ruthven, all of whom had dissented from the act of the lords which deprived her of her office of royal guardian.¹²⁸ Although she no longer possessed complete control over her sons, she saw that men favourably disposed towards her had been placed over them. Albany was aware of the delicate position which confronted him. Any major disturbance between himself and the queen could lead to an armed conflict with England. Henry the eighth, in fact, had informed the Venetian ambassadors at his court that Albany had not been acknowledged as regent by the entire country. These emissaries had noted perceptively that "no cause for discord between France and England could be greater than the presence of the Duke of Albany in Scotland, should he be at strife with the Queen, or with the Earl of Angus, her consort."¹²⁹

126. Ibid., no. 783.

127. Ibid. and no. 788; Lesley, History, p. 103. Albany was in control of Stirling Castle by 3 August.

128. ADCP, p. 52.

129. CSP Venetian, II, no. 638, pp. 258-9.

The onus for the opposition offered against Albany at this juncture fell, not upon Angus, but upon his ally, Lord Home. He was summoned "because of his treasonable design to remove the King from Stirling Castle and delivering him to English men" to compare before the council on 9 August and answer the charges against him.¹³⁰ Home wrote to the English warden and promised that he would never agree with Albany unless he had received permission from Henry the eighth.¹³¹ Pressure was exerted upon the Homes to force them to submit to the governor. The lodgings of Lord Home and his brother William in Edinburgh were sequestered; letters were sent to the castles of Home, Thornton, Fastcastle, Newark, Dirleton, Dunglass and Samuelston with, presumably, a demand for their immediate surrender.¹³² The office of Warden of the Marches was almost immediately taken away from him. Albany wrote to Dacre on 10 August that Lord Maxwell and Andrew Ker of Cessford had been appointed Wardens of the West and Middle Marches, respectively, in place of Lord Home, who had been shown favour and trust by the governor and had repaid this with treachery.¹³³ The effect which the summons of the council had upon the recalcitrant border magnate was graphically reported by Gilbert Rutherford, who was the messenger who had been entrusted to deliver this to Home Castle. He was met there by William Home, the brother of the former warden, who "said wikkitt, evil and malicious wordis of my lord governour and in speciale that he suld writ letteris with ane langer pen and Ink of blud and that he suld rais fyir to wreck his evil mynd."¹³⁴

130. *Op. cit.*

131. *LPH*, *op. cit.*, no. 787.

132. *TA*, V, p. 30. All of these castles, with the exception of Newark, were the possession of Lord Home and his kinsmen.

133. *LPH*, *op. cit.*, no. 795. On 10 August 1515 Andrew Ker of Cessford swore before the Governor that he would execute the office of Warden of the Middle Marches. *ADCP*, p. 53.

134. *Ibid.*, p. 52.

Dacre was determined to adopt a policy of hostility which bordered upon outright belligerence towards the Scottish regent. He complained that Cessford was unsuitable to be warden as he was antagonistic to the English.¹³⁵ But Albany's position was assured. Lord Home had obeyed the demands of the governor and had surrendered his castles. This had caused the duke to suspend the preparations for an army to advance to the Borders to attack the rebels.¹³⁶ He was determined, however, that Home, his brothers, and Andrew Heriot of Trabroun should answer before the estates for their treasonable activities. They were summoned on 23 and 24 August to present themselves before Parliament when it convened in Edinburgh in October.¹³⁷ At the same time the Master of Hailes, the lairds of Bass and Cessford and the barons of Lothian were ordered to march to Home Castle with victuals and munitions to assist Lord Fleming, who had been given charge of the fortress.¹³⁸ Garrisons were to be maintained at the castles of Dunglass and Newark and the abbeys of Jedburgh and Coldingham to prevent their being used by the rebels.¹³⁹ Home wrote to his friend Lord Dacre on 24 August that the governor was determined to drive him from the Kingdom. He suggested that Albany had coerced the queen into writing to her brother that she was content with the way affairs were being managed in Scotland.¹⁴⁰ His appraisal of

135. LPH, op. cit., nos. 803, 808.

136. ADCP, *ibid.*

137. TA, V, p. 34.

138. *Op. cit.*, p. 54.

139. *Ibid.*

140. LPH, op. cit., no. 846. He was probably alluding to the letter which the queen wrote from Edinburgh on 20 August in which she informed her brother that she and Albany were following a common policy in order that peace might be restored. *Ibid.*, no. 832.

the animosity which existed between himself and the governor was correct. Albany had already offered amnesty to all the supporters of the Homes who would abandon the rebels and renew their allegiance to him.¹⁴¹

The earl of Angus had managed to extricate himself from being implicated in the treason of the Homes. Less than a week after his wife had written to Henry the eighth, Angus was in Edinburgh and was a member of the Lords of Council.¹⁴² Two days after the appearance of Angus in the capital, David Home of Wedderburn, who was the earl's brother-in-law as well as a cousin of Lord Home, and Alexander Home of Polwarth appeared before the governor and bound themselves not to aid the rebels.¹⁴³ By the end of August, Albany and his new Warden of the Middle Marches were at Kelso preparing an offensive to drive the rebels from the realm.¹⁴⁴

The political situation changed completely almost overnight. The governor had been lulled into thinking that his position was secure. He had underestimated the anger and hostility of the Tudor virago. Margaret had written letters to the English warden which complained of her treatment by the governor. She was unable to obtain satisfaction in receiving the rents from her lands and her husband's friends were severely treated. She was, in fact, a virtual prisoner in the capital.¹⁴⁵ As the governor was absent from Edinburgh, the queen and her husband left that city and fled to Blackadder Castle which was under the control of Lord Home. They arrived there by the seventh of September.¹⁴⁶ By this

141. ADCP, pp. 54-5.

142. ADC, XXVII, f. 55.

143. Op. cit., p. 56.

144. LPH, op. cit., no. 870.

145. Ibid., nos. 872, 886(vi).

146. LPH, op. cit., no. 885(1). Lord Home had been in residence there as early as 4 September. TA, V, p. 36.

precipitate flight, the queen and Angus rejected Albany's policy of conciliation. Margaret was determined to enter England where she was confident of receiving enough material aid to enable her to return and drive the French-born regent from the kingdom. She and her husband entered England before the end of September.¹⁴⁷ Albany acted promptly and sent two of his trusted servants, Robert Barton and David Falconer, on 27 September, to seize control of Angus's castle of Tantallon.¹⁴⁸

Although the queen and Angus had left the country, a draconian policy was not carried out against anyone who was connected to the earl, either by ties of blood or of tenantry. Albany's policy of moderation had appealed to the vast majority of the Scottish aristocracy. He had given the country a relative calm and security which had not existed when the government had been in the hands of the impetuous queen. Only Lord Home and his brothers had accompanied Angus and his wife into England. The achievement of Albany in isolating the malcontents of the kingdom was summed up by the laconic remark of a contemporary: "he was so prudent in his doing and he exilit ye erle of Angus and ye lord hymm."¹⁴⁹

Within a few weeks after the flight of the queen and Angus (and the subsequent birth of their daughter, Margaret)¹⁵⁰ Lord Home, their staunchest supporter, entered into negotiations with the Governor. Although he excused himself to his English associates by saying that he had made peace with the regent through dire necessity and threatened

147. Ibid., pp. 39-40. It is possible, but unlikely, that Angus was at Tantallon on 13 and 14 September when letters were sent there by the Governor. Ibid., p. 38.

148. Ibid., pp. 41-2.

149. Abell MS, f. 116.

150. Margaret Douglas was born on 8 October 1515 at Harbottle Castle. LPH, op. cit., no. 1044.

loss of lands and goods, it seems odd that such a firm opponent of Albany's should have made his reconciliation in such a short period of time unless he had had prior assurances of the duke's clemency. Lord Fleming, Sir Patrick Hamilton of Kincavil, and George Crichton, Abbot of Holyrood (all of whom were firm adherents of the duke) persuaded Home to meet with Albany at Dunglass. After the confrontation of rebel and regent, Home was committed to the custody of his brother-in-law, the earl of Arran. Home was uneasy about the sincerity of Albany's intentions towards him and, once again, with the aid of his captor, defied the Governor and realigned himself with Angus.¹⁵¹ By the middle of October the three noblemen were at Coldstream and entered upon a pact whereby they bound themselves to wrest the child king from the control of the foreign regent and not to make peace with Albany except by unilateral agreement.¹⁵² On the sixteenth of October the Scottish council decreed that a summons indicting Arran for treason should be drawn up, as he had aided Lord Home.¹⁵³ The official animus was also directed against other relatives of the fugitive peer. John Home, Abbot of Jedburgh, and David Home, Prior of Coldingham were summoned to appear before the council to answer allegations that they had been involved in plots against the government. They did not appear and their privilege as churchmen was defended by the Archbishop of Glasgow.¹⁵⁴ The Governor led an expeditionary force against Arran's stronghold, the

151. Of the contemporary or near contemporary sources, Bishop Lesley has given the most accurate account of this obscure episode. He wrote that Home put himself into the Governor's hands by 6 October but that six days later he and Arran were fugitives. Buchanan substantially agrees with this but misdated the events by one year. Lesley, History, p. 104; Buchanan, History, II, p. 272.

152. LPH, op. cit., no. 1027(v).

153. ADCP, p. 58.

154. Ibid., p. 61.

castle of Hamilton, and successfully captured it. To ensure a tighter grasp upon the country, Albany, with the advice of the Lords of Council, divided the realm into four regions over which the earls of Argyll, Lennox and Eglinton, and Lord Fleming, were to have viceregal authority.¹⁵⁵

The measures which were instituted by the regent against various members of the Home family were not duplicated by the treatment which was meted out to members of Angus's family. Unlike his confederates Arran and Home, Angus was not ordered to appear before the lords to answer for his traitorous actions. The governor appears to have been unwilling to initiate legal proceedings against the chief proponent of the plan to free James the fifth from "corrupt hands." Perhaps he hoped to assuage the anger of Queen Margaret and her brother by following an unvindictive policy towards her husband. Although several of his castles were garrisoned by government troops, Angus's estates and earldom were unaffected by his flight to England.¹⁵⁶ The one major tenant of Angus who died while the earl was in exile was James Fotheringham of Powrie, who held the lands of Balm^{Muir}are in the regality of Kery^{Kirriemuir}mare in Angus. The ward of his brother and heir, Thomas, was given to Robert Barton, an ardent supporter of the government. This was a lucrative prize as Barton paid £266, 13s. 4d. to the Treasurer for this gift.¹⁵⁷ James Fotheringham died between 19 January 1515/6 at which time he entered a protest against the provost and bailies of Dundee,¹⁵⁸ and 15 March 1515/6 when an inquest was held to serve his heir in his lands. Among the members present were almost all of the major vassals of the earl of Angus who held lands in Kirriemuir:- John Graham of Ballargus,

155. Ibid., p. 60.

156. On 1 February 1515/6, Alexander Drummond of Carnock was paid £200 for the keeping of Stirling and Tantallon Castles. TA, V, pp. 70-71.

157. Ibid., p. 62.

158. ADC, XXVII, f. 149.

Robert Maule of Panmure, and John Wishart of Logy Wishart.¹⁵⁹ The appeal of their superior's rebellion against the Governor had found no support among these lairds.

While one of Angus's uncles was in prison in the early months of 1516 - an imprisonment which was not a result of his nephew's revolt - another uncle, Archibald Douglas, continued to reside in Edinburgh and to carry on transactions dealing with his wife's property. On 8 January 1515/6 he, along with Robert Logan and James McCalzean, burgesses of Edinburgh, compeared before the lords and became surety for the mercantile goods which David Logan had taken from various merchants of Hamburg. David Logan, the perpetrator of the crime of piracy, Robert Barton and John Dawson promised to reimburse Archibald Douglas and his associates for payments made to the injured party.¹⁶⁰ In February and March Isobel Hopper, Douglas's wife and the widow of the late Mr John Murray of Blackbarony, was able, after lengthy proceedings, to secure a judgment against John Murray of Falahill to honour a debt which he owed to the late laird of Blackbarony.¹⁶¹ The disgrace of the nephew had no effect whatsoever upon the uncle. Archibald Douglas appeared before the council when he was a litigant with consistent regularity.

James Douglas, earl of Morton, had not supported his distant kinsman in the latter's schemes against the Duke of Albany. Despite his lack of enthusiasm to accompany the royal army in its march on Hamilton, the earl was a regular attender of the meetings of the council throughout the autumn of 1515.¹⁶² The trust in which Morton was held by the

159. SRO, Murthly Castle Writs GD 121, Box 8, Bundle III, no. 12.

160. ADC, *op. cit.*

161. *Ibid.*, ff. 168, 178, 217.

162. *Ibid.*, ff. 79, 82, 83, 143, 148, 151, 161, 174, 175.

regent is obvious from the fact that he was among those Scots for whom the Governor requested a safe conduct in order that they might be received in England as ambassadors.¹⁶³ The appeal of kinship had failed to dislodge Morton's reluctance to oppose the lawful government. The flight of Angus and his wife had found no acceptance and support: it had been viewed as a wildly impetuous and impolitic gesture.

In the early months of 1516, the recently reconciled earl of Arran was used as the catalyst to lead another insurrection in the west of Scotland. He was aided in this by the earls of Lennox and Glencairn. Although Angus was still in England with his wife, it can hardly be doubted that the rebellion had the approval of the earl and his wife.¹⁶⁴ English support was perhaps promised to the insurgents, but was forestalled by the promptness and efficiency of Albany in handling the crisis. Although the rebels had seized Glasgow and Dumbarton Castles, the Governor assembled a force quickly and marched to Glasgow where the rebels submitted without a struggle.¹⁶⁵ Apart from the looting of Archbishop

163. LPH, op. cit., no. 1442.

164. There is some confusion over the whereabouts of Angus before he finally left his wife to return to Scotland in the spring of 1516. In a letter which is calendared as 18th February 1516, Clarendieux king of arms reported a conversation which he had with Lord Home after Angus had "entered" with Albany. This appears to me to be misdated. Among the expenses which were allowed for Margaret and her husband was £7 which was paid to a tailor and a skinner to make clothing for them. Both of these craftsmen were sent to Berwick where the queen was not present until March. Cf. C.T. Martin, "Sir John Daunce's Accounts of Money from Treasure of the King's Chamber," Archaeologia, XLVII, (1883), Pt. II, p. 311. In a letter which she wrote after 26th February, the queen asked Albany to liberate the Bishop of Dunkeld and Lord Drummond and to turn over Tantallon and Bothwell Castles to her husband. LPH, op. cit., no. 1598(viii). A woman who has just been deserted by her husband would not write to his enemy and request such magnanimous treatment.

165. Lesley, History, pp. 105-6; Buchanan, History, II, p. 273. Pitscottie believed that this rebellion occurred in 1515 which is clearly an error as Archbishop Forman was not reconciled with Albany until the following year. Pitscottie, I, pp. 292-4.

Beaton's residence, they did comparatively little damage.¹⁶⁶ The Archbishop of St. Andrews was reported to have acted as mediator between the rebel lords and the Governor and this led to the quick settlement of the dispute;¹⁶⁷ it is quite conceivable that this was the case as he had made his peace with Albany by assuring the latter of his support against the pretensions of Angus and Home.¹⁶⁸ Once again a rebellion against the Governor had aroused little public sympathy and had been quelled with relative ease.

Although the English had hoped that with Margaret present upon the Borders, she would have acted as the leader of an organized massive revolt against the duke, this did not, in fact, happen. She became increasingly restless and the English warden urged that she should be sent to London. An offer had supposedly come from Albany to the effect that he was willing to release Gavin Douglas and Lord Drummond from ward, but this had been treated with scorn by the implacable queen.¹⁶⁹ A catalogue of grievances was drawn up which reiterated her loss of power, the imprisonment of her husband's closest relatives, and the coercion used upon her to write to important foreign potentates to inform them of her support for the duke. She had been forced to flee because of the

166. The Lords of Council decided in favour of the Archbishop of Glasgow. ADC, XXX, ff. 219-20. John Mure of Caldwell was one of the rebels who had taken part in the destruction of the castle of Glasgow. Cf. Selections from the Family Papers preserved at Caldwell, ed. William Mure. Maitland Club (Glasgow, 1854), I, no. IV, pp. 52-4.

167. Pitscottie, *ibid.*

168. St. Andrews Formulare 1514-1546, eds. Gordon Donaldson and C. Macrae. Stair Society, (Edinburgh, 1942), I, pp. 118-9. Cited hereafter as St. Andrews Formulare.

169. LPH, *op. cit.*, no. 1671. Lord Drummond was already freed from his confinement by the end of February 1515/6. SRO, Castle Drummond Writs GD 160, Box 2, Bundle I.

approach of a hostile army and Angus and Home had been declared traitors.¹⁷⁰ The substance of this account was to portray the Governor of Scotland as a counterpart of the *bête noir* of the Tudors, Richard III. The death of the Duke of Ross, the brother of James the fifth, confirmed the worst fears which Margaret and Henry had entertained against Albany, although from the assiduous care which was spent upon the safety of the young king of Scots it is improbable that the duke was responsible for Ross's death.

The position of the earl of Angus and Lord Home in England became an increasingly delicate and difficult one. They were cut off from their kindred, servants and means of support. Most of their estates were in the possession of the government. They were rootless - mere pensioners of the English court. Henry was obliged by ties of consanguinity to aid and support his sister, but his responsibility towards two Scottish nobles was based upon a different basis altogether. He would be willing to support them only as long as they could be of use in fomenting rebellions in Scotland. When it became patently obvious that Albany could not be deposed by their activities, Angus and Home decided that some sort of agreement with the duke would be desirable. Albany was astute enough to realise that by placating the two exiles, he would deal an effective blow against other Scots who might have been tempted to seek the help of the English. On 28 March 1516 an agreement between the earl and regent was reached by the terms of which a *carte blanche* remission was extended to Angus and his partakers for all past crimes; the summons of treason which had been raised against Angus and Andrew Ker of Ferniehirst (who held lands in Jedburgh Forest from the earl) were to be dropped; all his lands and castles were to be returned to him;

170. LPH, op. cit., no. 1672.

Angus was to be allowed to visit the queen in England whenever he wished provided he obtained prior permission from the Governor; he received a discharge from any intromission which he had with the property of the Crown since his marriage to Margaret.¹⁷¹ Angus and Home, out of desperation, had made peace with their enemy. It was a brilliant coup for Albany.¹⁷² The desertion by Angus of his wife at this crucial moment was to have far-reaching consequences which were to change the course of Scottish history. Lord Dacre wrote that "the Earl of Anguysse and the Lord Chamberlain, knowing the Queen's resolution to visit her brother, have suddenly gone over to Albany, contrary to their promises... The Queen is in much heaviness at their conduct, but professes her willingness to be guided entirely by Henry."¹⁷³ The queen in her journey south was abandoned by her husband. She was not to forget this humiliation easily.¹⁷⁴

The anonymous writer of the *Diurnal* noted that "wpoun the ffyft day of Aprile, the zeir of god J^m V^c and sextene zeiris, the erlê of Angus with the Homes, came furtht of Inghland to Edinburgh."¹⁷⁵ Two days after the supposed return of the rebels, the council decreed that Angus and Lord Home, their kinsmen, friends and partakers were exempted from all crimes committed prior to the sixth of April. The sentence of

171. Fraser, *Douglas Book*, III, pp. 216-18. The emissaries of Albany who were present at the conclusion of the negotiations were Jean de Planis, the French ambassador, Archbishop James Beaton of Glasgow and Mr Gavin Dunbar, Archdeacon of St. Andrews. The presence of the French ambassador is instructive: the initiative for admitting Angus to the body politic may have emanated from him.
172. Lesley, *op. cit.*, p. 107. The suggestion of Lesley that Albany had been forced to restore Angus and Home in order to bring political stability to the realm seems to me to be quite inaccurate. Neither of these noblemen were in any position to dictate terms to the Governor.
173. *LPH*, *op. cit.*, no. 1759.
174. Pinkerton aptly pointed out that it was Angus's desertion of his wife at this time, rather than an hypothetical mistress, which caused Margaret to regard her husband with immense loathing. Pinkerton, *History*, II, p. 156.
175. *Diurnal*, p. 6.

forfeiture against Home was rescinded and all the possessions of both noblemen were given back to them. A full pardon to both the earl and border magnate was sealed by the Governor on the same day.¹⁷⁶

Angus's reconciliation with Albany facilitated the release of Gavin Douglas from captivity and helped in the latter's eventual success in attaining the bishopric of Dunkeld: "quosque inter eos et gubernatorem concordia inita est, remissionibus datis; ex qua etiam concordia liberatus erat dictus praepositus, et postmodum gratiam gubernatoris, mediante cancellario, et episcopatum est adeptus."¹⁷⁷ Albany's approach

towards the truculent Scottish nobility was aptly summarised in a letter which he wrote to Christian the second of Denmark. He informed the Danish monarch that in spite of great provocation, he intended to treat disaffected magnates with restraint as measures of severity would only drive them to further opposition.¹⁷⁸ His policy of conciliation had gained him the united support of the Scottish aristocracy.

The newly reconciled peers were almost at once called upon by Albany to become active members of the administration.¹⁷⁹ On 29 April 1516 the earl of Lennox was ordered to pass to Edinburgh Castle to enter into ward at the Governor's pleasure; the earls of Morton, Marischal, and Lords Borthwick and Home were ordered to escort Lennox there.¹⁸⁰

176. ADCP, p. 66.

177. Myln, Vitae, pp. 72-3.

178. James V Letters, p. 29. Albany informed Christian that Angus had been restored as he had returned to his natural allegiance.

179. According to Lesley, a parliament met on 1 May and that Angus and Home were restored. Although there is no mention of such a convention among the parliamentary records, there is a reference to a meeting of the Three Estates when Archbishop Forman nullified his agreement with the Governor not to assist Angus and Home as these magnates had been restored. Lesley, *op. cit.*, p. 107; St. Andrews Formulare, I, *op. cit.* Cf. APS, II, pp. 283, 308.

180. ADCP, p. 67.

Within three months of his return from exile, Angus, with his grandfather and uncle, ^{was} ~~here~~ attending meetings of the council,¹⁸¹ while Home was restored to his office of Warden of the East Marches.¹⁸² With comparative ease, the estates of Angus and of Lord Drummond were returned to them.¹⁸³

Lord Drummond had been released from his imprisonment by the end of February 1516. The majority of his lands and his castle of Drummond had been placed in the custody of Mr John Campbell of Thornton, the Treasurer of Scotland. Drummond had entered into complete possession by mid July 1516 as he at that time granted a discharge to Campbell for all the rents and profits which the latter had received from his lands.¹⁸⁴ When parliament met on 22 November 1516, the Governor, because of the great services which Lord Drummond had performed for the king, was able to restore to him all of his lands, estates and possession.¹⁸⁵ But the problem of his inheritance was not automatically settled by parliamentary fiat. When his great-grandson and successor, David, Lord Drummond was retoured as his heir in January 1535/6, the king promised that all those lands which had come into the possession of the Crown by his predecessor's forfeiture, except those lands which had been given to John Drummond of Innerpeffer, would be restored to him.¹⁸⁶ A charter under the great seal which ratified the parliamentary decree which restored

181. ADC, XXVIII, ff. 7, 10.

182. Op. cit., p. 69.

183. The castles of Douglas and Tantallon were still under governmental control as late as 10 April 1516. TA, V, p. 77.

184. The discharge was given on 14 July 1516 but was not registered until two years later. ADC, XXXI, ff. 41-2.

185. APS, II, pp. 284, 393-4. Even before his rehabilitation by Parliament, Lord Drummond was serving as a Lord of Council. Op. cit., XXVIII, f. 48.

186. SRO, Inventory of Drummond Writs GD 160, vol. I, no. 416.

Lord Drummond to his estates in 1516 was also granted to his successor.¹⁸⁷ The assumption upon which the arbitrary acts of James the fifth were based is that, in effect, from 1516 until 1536 the Drummond estates were the actual and real property of the Crown.¹⁸⁸ This, however, was a direct contravention of what had been decided upon in 1516. Lord Drummond actually regained possession of his estates but his death in 1519 led to the succession of a minor. When the king was "erected" into power in 1524 it terminated the regency of Albany and all acts passed under his tenure of office could be considered to be annulled. This appears to have been the case with the Drummond estates as only after the payment of a substantial composition in 1537 were the estates given to Lord Drummond's heir.¹⁸⁹ The consequences of Lord Drummond's support for his grandson in 1515 affected his own family two decades later.

The position of Angus's uncle, Gavin Douglas, was settled in the last months of 1516. He had attended meetings of the council throughout the summer and had, with increasing frequency, been referred to as the "elect" of Dunkeld. Finally, on 16 September he was granted the temporalities of his see.¹⁹⁰ The legality of his claim to be bishop had been confirmed but this had occurred only after he had become a supporter of Albany. Alliance and co-operation with the Governor was both essential

187. RMS, II, no. 1671.

188. This view is also expressed by Sir Thomas Innes of Learney in his article, "Sir William Cumming of Inverallochy, Lord Lyon King of Arms 1512-1519," Juridical Review, LV (1943), p. 36. The exact opposite is assumed to have been the case by the Scots Peerage, VII, p. 42.

189. In 1537 £200 was paid as a part of the composition owed to the king by David, Lord Drummond for a new infeftment of his lands. TA, VI, p. 319.

190. He was consistently designated as the Postulate of Arbroath until the end of August. ADC, XXVIII, ff. 7, 10, 17, 19, 28, 33, 38; RSS, I, no. 2807.

and politic. The two former antagonists, Douglas and Forman, were united in a solemn ceremony when the Archbishop of St. Andrews, with the assistance of John Hepburn, Bishop of Brechin, and James Chisholm, Bishop of Dunblane, consecrated Douglas as bishop of Dunkeld.¹⁹¹ But Gavin Douglas had previously been consecrated to his see by the Archbishop of Glasgow: "quem idem cancellarius sumptibus suis apud Glasgwe in episcopum consecravit, datis sibi ultra hoc jocalicis muneribus. Tunc Gawinus episcopus consecratus, rediens, ecclesiam primitivam Sancti Andreae primo indulgentiarum tempore octavarum."¹⁹² The double consecration of Douglas meant that both archbishops asserted a claim that the bishopric of Dunkeld was subject to their jurisdiction. When the first metropolitan see of Scotland, that of St. Andrews, was created in 1472, the see of Dunkeld was placed under its control. The bishopric was transferred to the jurisdiction of the archbishopric of Glasgow when that was created in 1492, but by May 1515 had been placed, once again, under the jurisdiction of St. Andrews.¹⁹³ Archbishop Beaton would not complacently accept the loss of the rich bishopric of Dunkeld from his jurisdiction and his friendliness to Douglas would be appreciated as the latter had not forgotten that Archbishop Forman had attained the see which he, Douglas, had hoped for as early as 1513. Only after his servants had been excommunicated for their opposition to the servants of Archbishop Forman, did Gavin Douglas reluctantly render his obedience to him.¹⁹⁴

Despite his consecration, Gavin Douglas's entry to his bishopric was

191. St. Andrews Formulare, I, pp. 183-4; Watt, Fasti, p. 99.

192. Myln, Vitae, p. 73. Myln is incorrect as no bishop could be consecrated twice

193. Theiner, Monumenta, nos. DCCLII, DCCCLXXXIX, pp. 465-8, 505-7.

194. St. Andrews Formulare, op. cit., pp. 94-6, 109-10.

not uncontested. Mr Andrew Stewart, the prebend^{ary} of the church of Crage and the brother of the earl of Atholl, had been elected to be bishop by the latter's exertions.¹⁹⁵ This was done by the unanimous consent of the canons as the earl had the power "quia comes potens erat ecclesiam, ecclesiasticos, et patriam ab oppressoribus et depopulentibus defendere."¹⁹⁶ The actual possession of the episcopal palace in Dunkeld remained in the hands of Andrew Stewart until Gavin was released from ward. However, after his consecration, the new bishop with the assistance of George Hepburn, Dean of Dunkeld, James, Lord Ogilvy, David, Master of Crawford, Colin Campbell of Glenorchy, Thomas Charteris of Kinfauns, and Thomas Greig, the Dean of Atholl went to his episcopal seat and wrested control from Stewart's partisans without much difficulty. Indeed, the bishop's palace was supposedly given up to Douglas after divine intervention: "palatium tamen prius obsessum reddere moluerunt; sed meritis Sancti Columbae abseque alicujus morte aut mutilatione obtentum est."¹⁹⁷ By the end of September an agreement had been reached which satisfied Andrew Stewart who renounced all his pretensions to the bishopric.¹⁹⁸ The close of 1516 saw Angus and his grandfather restored to their lands, and Gavin Douglas in undisputed control of the bishopric of Dunkeld.

195. Myln, op. cit., pp. 70-71.

196. Ibid.

197. Ibid., pp. 74-5. The fear that the bishopric of Dunkeld might become a mere appendage to the possessions of the earls of Atholl had united several influential nobles and George Hepburn, a former rival of Gavin Douglas for the Deanery of Dunkeld, into supporting the new Bishop. Douglas had been declared to be Dean of Dunkeld in 1498 in opposition to Hepburn. Watt, *Fasti*, p. 105. Colin Campbell of Glenorchy was a collateral descendant of the earls of Angus.

198. *James V Letters*, p. 32; *ERS*, I, no. XXVI, pp. 222-3. There are indications that the struggle for the control of Dunkeld took place in October, after Andrew Stewart and Gavin Douglas had reached a settlement. If so, Stewart's supporters were fighting for a lost cause. Cf. *TA*, V, pp. 86-7.

The unity which pervaded Scotland in the autumn of 1516 was broken by the incitement of dissident elements by the English. Dacre had reported that he was involved in aiding dissatisfied individuals in the northern kingdom and boasted of having bought the services of several hundred Scots.¹⁹⁹ An English herald, who had been sent North to await the confirmation from France of the recent truce which had been negotiated between England and Scotland wrote that "Angus, the Chamberlain, and their party hang together, but are outwardly submissive to the Duke."²⁰⁰ However, there are other indications which cast doubt upon the veracity of Clarencieux's report of Angus's position vis-a-vis the Governor. There is no evidence to show that Angus was involved in any way with the third rebellion of Lord Home which led to the latter's death. Angus, in fact, was a regular attender of the council meetings throughout October 1516 at the same time when Lord Home and his brother were tried and executed.²⁰¹ Although the Homes had received some support from Andrew Ker of Ferniehirst, Angus's vassal, he was acting upon his own initiative and not on the promptings of his feudal superior. The seriousness of Ferniehirst's involvement with the Homes must have been open to some doubt as within a short time of their execution he was released.²⁰²

199. Ellis, Letters, 1st series, I, Letter L, pp. 131-2.

200. LPH, op. cit., no. 2314.

201. Lord Home and his brother William were executed on 8 and 9 October 1516. Lesley, op. cit., p. 107; Diurnal, p. 7. Angus was present as a member of the Council on 2, 10 and 11 October. ADC, XXVIII, ff. 41-2.

202. Lesley, op. cit.

In the spring of 1517 active negotiations were concluded for the return of Queen Margaret to Scotland. The Governor had never opposed this,²⁰³ and the English government had realised that as long as she remained in England there was no effective leader in Scotland who could obtain enough support to defy Albany successfully. It was decided upon by late April that the queen would return shortly to her son's kingdom. The activities of Angus during this period are obscure. From the beginning of March until the beginning of May there is a complete hiatus of his presence in official documents.²⁰⁴ However, from a letter of the English warden written in April it would appear that Angus had become involved in supporting George and David Home, the brothers of the late Lord Home. Since agreement had been reached between the English and the Scots over the return of the Scottish queen dowager, Dacre believed that if Angus were received into favour by him, it would jeopardise the new settlement.²⁰⁵ The refusal by the English to countenance his support for the Homes led Angus to make his peace with the Governor.²⁰⁶ He was reconciled to Albany, who had agreed that the earl, along with Arran, Huntly, Argyll, Seigneur de La Bastie, and the two archbishops, would act as a council of regency while he was absent from the realm (at his own request).²⁰⁷ By the end of May Albany had

203. In September 1516, the duke turned over to English commissioners various goods, clothing and jewellery which belonged to the queen and were removed from Tantallon when she left Scotland. ADCP, pp. 69-71; Register House, State Papers SP 13/23.

204. Angus did not attend meetings of the Council from the beginning of March until the beginning of May. ADC, XXIX, ff. 38, 40, 48, 52, 61.

205. LPH, II, Pt. II, no. 3138.

206. The young earl was residing on his lands of Bonkle in Berwickshire in the spring of 1516, probably to enable him to make a retreat into England if he deemed it necessary. TA, V, p. 123.

207. ADCP, pp. 92-3.

retired to Dumbarton from whence he sailed to France. When Margaret Tudor entered Scotland, the Governor had already departed.²⁰⁸

Shortly before his departure, the Governor despatched Bishop Gavin Douglas and Patrick Paniter, Abbot of Cambuskenneth, to join the resident Scottish ambassador in France, Robert Cockburn, Bishop of Ross.²⁰⁹

The mission of the Scottish emissaries was of the utmost importance.

They were sent to obtain French support as the truce between England and Scotland had almost expired. Behind this appeal for aid from their

hereditary ally lay a veiled threat that the Scots would not tolerate

the French attitude of regarding Scotland as a mere satellite of the

Valois court. The Scots wanted a new treaty with France with the

following conditions incorporated into it: a daughter of Francis to be

pledged as the future wife of their king; the county of Saintonge to be

given to Scotland in compensation for their great losses incurred in

fighting the English to help the French; and a promise that neither

country would enter into negotiations with the other's enemies without

prior consultation.²¹⁰ A blanket respite from all criminal proceedings

was granted to the servants and supporters of the Bishop of Dunkeld on

3 May 1517 to remain operative for the duration of his absence from the

kingdom on affairs of State.²¹¹ Gavin Douglas did not leave Scotland,

208. Albany left Scotland on 8 June. LPH, op. cit., no. 3365.

209. Flodden Papers: Diplomatic Correspondence between the Courts of France and Scotland 1507-1517, ed. Marguerite Wood. Scottish History Society, 3rd series, vol. XX (Edinburgh, 1933), p. XCVII. Cited hereafter as Flodden Papers.

210. Flodden Papers, *ibid.*, Letters XXVII, XXVIII, pp. 123-37.

211. RSS, I, no. 2900.

however, until just before Albany's departure.²¹² The choice of Douglas as an ambassador was a shrewd political manoeuvre by the regent. He sent into France a knowledgeable and experienced ecclesiastic who had been among the chief advisers of Queen Margaret before Albany had come to Scotland. By removing one of the most accomplished Anglophile politicians from the realm before the arrival of the queen, Albany intended to safeguard the stability of the new group of regents. Gavin Douglas and his associates were successful in negotiating a new defensive and offensive alliance between Scotland and France which was embodied in the Treaty of Rouen.²¹³ It was ironic that one of the diplomats responsible for the new Franco-Scottish entente was a bitter opponent of the Governor and would die in exile as a result of his opposition.

When Queen Margaret returned to Scotland on 15 June 1517, she was met by the earls of Angus and Morton and Albany's representative and personal friend, the Seigneur de la Bastie.²¹⁴ At this first meeting between husband and wife for over a year, the queen was able to obtain Angus's consent to an arrangement by which the rents of her dower lands were to be collected by a committee of English and Scottish agents who were also invested with the authority to manage these estates. Angus promised to co-operate with her advisers completely.²¹⁵

212. Gavin Douglas was at the Scottish court by 24 May 1517. RMS, III, no. 75.

213. The treaty was concluded on 26 August 1517. Teulet, Papiers, I, no. VIII, pp. 39-43. Just when the queen was returning to Scotland, the Governor was able to establish an alternative to any policy which might be favoured by the Anglophile Margaret.

214. LPH, II, Pt. II, no. 3365.

215. Fraser, Douglas Book, III, pp. 386-7; HMC 9th Report, Pt. II, Appendix: MSS. of Lord Elphinstone, no. 38, p. 191.

The English warden, on the prompting from Henry the eighth and Wolsey, began to give material support and aid to rebel Scots almost immediately after the arrival of Margaret in Scotland.²¹⁶ Fortunately for the purposes of the English, the powerful border clan of the Homes had been disaffected with the Governor since the execution of their chief, Lord Home, in October 1516. Their animus towards the government in Edinburgh was so great that the English had spent almost nothing to arouse their ire to commit acts of rebellion. Involved in the general disenchantment of the Homes was the determination of David Home of Wedderburn to retain control of the Blackadder estates against their rightful owners, the Blackadders of Tulliallan, who were not only the heirs male of the Blackadders of that Ilk, but who also enjoyed the official support of the Council of Regency. David Home, the prior of Coldingham, was supplanted in his benefice by Mr Robert Blackadder, who was a member of the rival family and was the son of the first Archbishop of Glasgow.²¹⁷ The family of Blackadder of that Ilk had devolved upon ^{two} heiresses, Margaret and Beatrice, when their father, Robert Blackadder, was killed at Flodden. As their mother was Alison Douglas, the sister of the earl of Angus, that nobleman was drawn into the vortex of the feud which was to rage between the Homes of Wedderburn and the Blackadders for the next decade.

After her husband's death, Alison Douglas married David Home of Wedderburn, who promptly assumed control of both the Blackadder heiresses and their estates. This was not allowed to go unchallenged for on 4 August 1516 Mr Patrick Blackadder of Tulliallan raised a summons against

216. LPH, op. cit., no. 3383. Dacre specifically mentioned the assistance which he had given to the Homes.

217. Ibid., III, Pt. I, no. 480.

Home and his wife for withholding Blackadder Castle without legal right. The Lords of Council decreed that as it was the practice of the realm for the mother to be the tutrix of her infant children, Alison Douglas and her husband would retain the custody of her two daughters until the latter were seven years of age, at which time they were to be handed over to their nearest agnate, the laird of Tulliallan. The council ordered the laird of Wedderburn to turn over Blackadder Castle at once to Tulliallan. Gavin Douglas appeared as the Advocate for the Homes and protested that, as David Home was on the king's service on the borders, the decision given by the lords should not prejudice Home's rights in the case.²¹⁸ In order for the Homes to prolong their occupation of the valuable Blackadder inheritance, they instituted legal proceedings against another Berwickshire laird, Jasper Cranston of Corsby, to produce the writs of the Blackadder family which had been entrusted to him for safe keeping. Jasper Cranston appeared before the lords and declared that after the death of Robert Blackadder of that Ilk, he had received the Blackadder writs but had delivered them to Adam and Patrick Blackadder, who were kinsmen of the late laird. Patrick Blackadder had then given the writs to the earl of Angus who had handed them over to his brother-in-law, David Home of Wedderburn. The matter was dropped in favour of Cranston as the Homes had failed to pursue their summons before the lords.²¹⁹ In the beginning of September 1516 the council quashed Wedderburn's protest against the legality of the case which was presented before them by Mr Patrick Blackadder and once again ordered the transference of the Blackadder patrimony to be made to Tulliallan.²²⁰ The family dispute between the lairds of Wedderburn

218. ADC, XXVIII, f. 13.

219. Ibid., f. 27.

220. Ibid., f. 28.

and Tulliallan took on a new dimension when Home's near kinsman, Lord Home, was forfeited and executed by the regent. Letters were sent to Wedderburn and the prior of Coldingham to deliver Blackadder Castle to the authorities and upon their refusal, a summons of treason was served upon them.²²¹ The threatened forfeiture of life and goods made an impression upon the stubborn borderers and by January 1516/7 David Home had been deprived of the priory of Coldingham which was then given to Mr Robert Blackadder.²²² The animosity between the two families was aggravated by the official favour shown to the Blackadders. Indeed, when Blackadder Castle was captured from the Homes by the Governor, he turned it over to the laird of Tulliallan. But when Wedderburn made his peace with the regent in the spring of 1517,²²³ he hoped to retrieve his claims against his opponents. He summoned Mr Robert Blackadder, the new prior of Coldingham, before the lords to answer for the burning and pillaging of various lands which belonged to Home in Berwickshire. Due to lack of evidence, the prior was exonerated from the charge.²²⁴ Wedderburn was a determined and ruthless border laird. It must have seemed to him that as he could get no redress from the government he would have to obtain justice by his own methods. With the shadow of the powerful Governor removed, Wedderburn believed that his opportunity had come. Antoine, Seigneur de la Bastie was a chosen friend of Albany's and was the warden of the East Marches. He was committed to implementing the

221. TA, V, p. 86.

222. RSS, I, no. 2859.

223. David Home was given half of the lands of Manderston in Berwickshire, which had belonged to the late Lord Home, by Albany on 2 May 1517. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 40, pp. 31-2.

224. ADC, XXX, f. 88.

policy of peace and stability which the Governor had imposed upon the troublesome Borders. When Wedderburn and his brothers besieged the castle of Langton to aid their brother-in-law, William Cockburn to oust his nephew from his inheritance, La Bastie went to suppress the disturbance. However, he was surprised and killed by the Homes on 17 September 1517.²²⁵ The confrontation between Wedderburn and La Bastie had ended in the latter's death. It also marked the end of the stable government which Albany had left behind.

The subsequent disruption of the government caused by the death of Albany's representative was seized upon by the queen as an excuse to assert her right to become involved in the political affairs of the kingdom. She wrote to Lord Dacre and asked that David and George Home be sent to her so that they could render assistance as she was determined to have "all the rule."²²⁶ Dacre informed the queen that he did not know where the Homes were and warned that "Angus should not lose himself in the taking of a light way with the said Laird of Wedderburne, unless some men of substance would take his part and have with him and the queen the keeping of the King; in which case England will support her and make peace with her son."²²⁷ Margaret replied to Dacre's monitions by defending the conduct of the Homes in the late skirmish as the French

225. TA, V, p. 149. Cf. Lesley, *op. cit.*, p. 110; Pitcottie, *op. cit.*, p. 301. The genealogist of the Cockburn family is unable to believe that an uncle could have been so "unnatural" towards his own nephew to want to deprive him of his inheritance and has concocted the ingenious idea that the deposition of the heir of Langton was a deliberate plot by Wedderburn and William Cockburn to lure de la Bastie into a trap. Cf. Thomas Cockburn-Hood, The House of Cockburn of that Ilk (Edinburgh, 1888), p. 65.

226. LPH, II, Pt. II, no. 3712.

227. *Ibid.*, no. 3713.

warden was their determined enemy and believed that no one was more suited to control the marches than her husband. "And as for my Lorde, he schal not take no (sic) parte, bot for to make good rewle in the contre, both he and hys frends, soo that they wyl gyfe hym the autoryte; for it muste be a gret man that moste do it, and I thynke there schuld not be non afoor hym, consyryng I have maryd hym."²²⁸ The aims of the queen, despite an exile of almost two years, had remained unchanged.

The reaction of the Council of Regency to the news of the death of the Warden of the East Marches was one of swift determination to re-establish normality and to punish the offenders. When the council met only one week after La Bastie's death, the earl of Arran was appointed to the vacant wardenship and letters were sent to the lairds of the Merse to begin a campaign of attrition against the Laird of Wedderburn, his brother, and William Cockburn, who were declared to be beyond the pale of the law.²²⁹ Although Angus had taken his duties as regent seriously and had been a regular attender at council meetings throughout the summer of 1517,²³⁰ the lords believed that his relationship was so close to Wedderburn that he had tacitly approved of La Bastie's murder. His attendance at the council dropped sharply and it was necessary for him to be especially summoned to appear when the council ratified a two years truce with England in October.²³¹ The death of La Bastie had been keenly felt by the laird of Tulliallan who demanded that the council

228. Pinkerton, History, II, Appendix, no. XIV, pp. 467-8.

229. ADCP, p. 102.

230. ADC, XXX, ff. 18, 32-3, 42, 47, 56, 66, 150.

231. TA, V, p. 150; APS, XII, pp. 37-8. Gavin Douglas also witnessed this ratification. Although the exact date when he returned from France is unknown, he was present on the Council on 28 September 1517. ADC, op. cit., f. 170.

send munitions and victuals to him and his garrison in Blackadder Castle to prevent it from falling into the hands of the rebels. The lords recognised the cogency of his argument and ordered that the necessary supplies be sent to him at once.²³² It was in the troubled business over the death of La Bastie that the emergence from obscurity occurred of Angus's younger brother, George Douglas, who was to have such an important influence on his brother in later years. He was believed to have aided his sister's husband directly in the attack upon the warden and for this he had been imprisoned in Edinburgh Castle by the first week of October. However, because of the influence of his uncle, the Bishop of Dunkeld, he was removed to the more amenable castle of Dalkeith, the home of his relative, the earl of Morton.²³³ But George's stay at Dalkeith was of short duration as he was first removed to the royal prison of Blackness and then to the island fortress of Inchgarvy before being sent to France. In both these strongholds his jailers were Hamiltons: Sir Patrick Hamilton of Dincavil and Sir James Hamilton of Finnart.²³⁴ Angus viewed the imprisonment of his brother and the policy of subjugating the Homes of Wedderburn as a personal affront and virtually abdicated from the council of regents. Two months after the death of La Bastie, he was summoned to appear before the council to fulfil his duties as regent. Although it is impossible to say conclusively whether he obeyed the summons or not, it is almost certain that he did

232. Ibid., ff. 170-71, 173.

233. ADCP, p. 105.

234. Sir Patrick Hamilton received £50 Scots for his expenses in keeping George Douglas, while Sir James Hamilton received 227 merks for taking Angus's brother to France. The use of Hamiltons as gaolers of George Douglas must have exasperated Angus's animosity to Arran immensely. Exch. Rolls, XIV, p. 351.

not comply.²³⁵

The dispute between the Homes and the Blackadders was not settled by La Bastie's death. Mr Patrick Blackadder, Archdeacon of Glasgow and Laird of Tulliallan, complained to the lords of the great sums of money which he had spent in keeping his family's castle from the king's rebels. He could not obtain possession of the heirs of Blackadder as they were in the hands of traitors. The lords responded to his petition by promising him the escheat of the heirs of Blackadder if they had committed any crime. If, however, the heirs died, then their nearest relatives were to reimburse him for his expenses in maintaining their castle.²³⁶ The tenor of the dispute took on a more sombre tone when David Home, the former prior of Coldingham, was killed, not by a Blackadder, but by Patrick Hepburn, Master of Hailles, in March 1518.²³⁷ The intervention by the Hepburns in favour of the Blackadders on this occasion would mark the beginning of a close association between several members of both families during the remainder of the sixteenth century. The Hepburns had resented the rise to prominence of the Homes in the Merse where they had several important estates and probably hoped that this judicial slaughter would rebound to their profit. They reckoned without the forceful laird of Wedderburn. Mr Robert Blackadder, who had taken over actual possession of Coldingham in July 1517, was formally recognised as prior on 8 March 1517/8.²³⁸ Archbishop Andrew Forman had appointed

235. TA, V, p. 151; ADCP, op. cit., p. 108.

236. ADC, op. cit., f. 183.

237. Law's MS, f. 139. John Law wrote that David Home was killed "near the end of 1517 or the beginning of 1518" which would indicate that by modern reckoning he died in March 1518.

238. ADCP, p. 119.

Blackadder as administrator of the priory and had threatened David Home with excommunication if he interfered with him.²³⁹ This had been done because of an arrangement between Blackadder and the archbishop whereby the former was to resign his canonry of Glasgow to Mr John Forman, the precentor of Glasgow and kinsman to the archbishop. However, Blackadder balked at this and finally agreed, with great reluctance, to pay a pension of £100 per annum to the precentor.²⁴⁰ Robert Blackadder, the new prior of Coldingham, enjoyed his dignity barely a year. On 19 October, 1519, Dacre wrote that David Home of Wedderburn had killed the prior of Coldingham, "son of the old archbishop of Glasgow and the old Earl Bothwell's sister."²⁴¹ The successor to the murdered prior was William Douglas, the youngest brother of Angus. Although Mr Patrick Blackadder of Tulliallan claimed some right to the priory, the Homes of Wedderburn had, for the moment, successfully ousted their rivals.

The campaign which was waged against the Homes was led by the earl of Arran who, after the death of La Bastie and the removal of Angus from the council by default, assumed direction of the government.²⁴² Despite numerical and material superiority, Arran was unable to inflict a total defeat upon the elusive borderers. When by February 1517/8 the Homes had been forfeited and a massive campaign was planned to pacify the Marches, the earl of Angus came forward and offered to do whatever was in his power to aid the government forces. His offer of help was suspected of being insincere and the council ordered him to remain

239. St. Andrews Formulare, I, pp. 11-3.

240. Ibid., pp. 49-51.

241. LPH, III, Pt. I, no. 480. Lesley stated that Robert Blackadder died on 6 October 1518. Lesley, History, p. 114. This relationship cannot be verified but if it were true then it would account for Patrick Hepburn's interest in killing David Home, Blackadder's rival.

242. Arran enjoyed the support of the other regents. Donaldson, James V, p. 35.

north of the Forth for the duration of the campaign. It was also decided that George Douglas would be sent into France and his request for his uncle Archibald Douglas to take over the management of his lands of Bonkle was referred to Arran's judgment.²⁴³ The lieges of the realm were summoned to meet Arran at Lauder on 21st March armed with enough munitions and victuals for a campaign into the Merse.²⁴⁴ Although it was reported that the castle of East Nisbet had fallen to George Home and that Blackadder Castle was threatened,²⁴⁵ the rebels lacked sufficient numbers to engage in successful guerilla warfare. The council took the precaution to insure that Wedderburn would find almost no support from his fellow lairds as in early March a general remission was granted to Alexander Home of Polwarth and all the inhabitants of the Merse for all previous crimes except for the slaughter of La Bastie.²⁴⁶ Arran reported the success of the campaign to Francis the first at the end of the month. At the approach of the Scottish army, the traitors had fled into England.²⁴⁷ The Scots informed the French king that Sir James Hamilton was being sent to him to report more fully and to ask that Albany be allowed to come back to Scotland.²⁴⁸ The earl of Angus, the only magnate who could have given substantial support to the Homes, had obeyed the command of the council. On 8 March, the earl was summoned to appear before the council to answer the allegations of George Hopper, the parson of Duns, who claimed that Angus had intruded his brother in

243. ADCP, pp. 115-6.

244. TA, V, p. 153.

245. Op. cit., pp. 117-8.

246. Ibid., p. 117.

247. Teulet, Papiers, I, no. 11, pp. 6-7. Teulet has misdated the letter by one year.

248. Ibid., no. III, pp. 9-10.

his benefice. Angus's procurator, Mr Robert Galbraith, excused his client's absence as he had been ordered to remain north of the Forth until the army had returned from the Merse.²⁴⁹ The position of David Home of Wedderburn was a desperate one. His castles and estates were occupied by loyal servants of the regents. The forces led by Arran had reduced his capacity to cause havoc along the borders, but he still eluded capture. When the French ambassador in the summer of 1519 left the Scottish capital to travel overland to England, Home was able to kidnap him. He hoped that by this spectacular coup he and his brothers would receive pardon and be restored.²⁵⁰ He wrote to Cardinal Wolsey to justify this breach of diplomatic etiquette by mentioning the fact that as he was banished he intended to keep the ambassador prisoner until he was pardoned. However, he had been persuaded by the English warden to release the envoy and asked that Henry the eighth write to the Scottish council in his behalf.²⁵¹ Unfortunately, his co-operation with the English did not succeed in his obtaining his coveted remission. He was not restored to his property until May 1523.²⁵²

The relationship between the queen and her husband underwent a permanent change between February 1517/8 and April 1519. The cause for the breach between the spouses has been said to have been the existence of a liaison between the earl and an unnamed daughter of the house of

249. The case was decided in George Hopper's favour. ADC, XXX, ff. 230-31.

250. LPH, II, Pt. II, no. 4217. Both this and the letter cited in the following footnote are misdated.

251. Ibid., no. 4338. The French ambassador had returned to his country by September 1519. Ibid., III, Pt. I, no. 454.

252. ADCP, p. 169. The adamant position of the Scottish government towards the murderers of La Bastie is demonstrated by the fact that only one individual received a remission for his participation in this crime before the Homes. Cf. RSS, I, no. 3249.

Traquair, who was the mother of Jean Douglas. The alleged mistress of Angus was a creation of the fertile imagination of David Hume of Godscroft. Although Katherine Rutherford, the wife of James Stewart of Traquair, later supported the Douglasses there is no indication that she and Angus had an affair. The real cause of the breakdown of the marriage was the dispute between them over the management of the queen's vast estates. Despite the monotonous cry of poverty which punctuates practically all of her correspondence which she had with her brother, Margaret Tudor followed a relentless policy of pursuit towards those tenants and individuals who owed her money. Between 23 February and 2 March 1517/8 she was involved in fourteen separate cases, most of which were over the matter of arrears of the mails of various stedes in Ettrick Forest.²⁵³ Although various reasons were advanced by the delinquent renters (the most common being that their stede was occupied by rebels and traitors), almost all of them were ordered to reimburse to the queen the money which they owed her for the previous four years. The queen was also determined to assert her control over the lordship of Methven, which had been given to her by her late husband, James the fourth. She sued the earl of Crawford before the Lords of Council for introuetting with the rents and profits of that lordship for seven years. The lords ordered Crawford to desist from any further occupation and Margaret agreed to forego any claim which she had against him for the rents in question.²⁵⁴ The council also ordered that the rents of the lordship of Dunbar be paid to the queen.²⁵⁵ Not satisfied with these legal victories, the tenacious Margaret continued to raise even

253. ADC, XXX, ff. 197-8, 202, 206-8, 216.

254. Ibid., ff. 204, 213.

255. Ibid., f. 216.

more suits before the council to obtain money which she held was owed her. In June she raised an action against the Abbot of Holyrood for mails due from the lands of Newhaven and won her case;²⁵⁶ in August she sued Sir Thomas Hume of Langshaw for occupying her lands of Colbrands-peth in the earldom of March and was successful, although Hume still owed her the disputed mails in December;²⁵⁷ in November she instituted proceedings against sixteen more tenants of Etrick Forest for nonpayment of rents and, again, obtained a favourable decision.²⁵⁸ In December the unwieldy commission which was composed of English and Scottish representatives that had been set up to manage her estates after Angus's renunciation of his right to do so, was made more efficient by the assumption of all authority in a completely Scottish committee. The members of this commission were Mr Gavin Dunbar, Archdeacon of St. Andrews, Robert Barton of Over Barnton, comptroller, Sir Thomas Halkerston, provost of Crichton, James Wishart of Pettarrow, justice-clerk, and Mr Adam Otterburn.²⁵⁹

But the queen continued to complain to the English that the Scots were obstinate in their refusal to pay her money which was rightfully hers.²⁶⁰ However, the promptness of the lords of council in deciding these cases in her favour belie the accusations of Margaret. The official position of the regents was unmistakably one of willingness to satisfy the queen in her demands. In all of these instances Angus and Margaret had appeared jointly as pursuers, although the legal presence of her husband was regarded by the queen as a mere formality. Angus

256. *Ibid.*, XXXI, f. 11.

257. *Ibid.*, ff. 165, 184.

258. *Ibid.*, XXXII, f. 8-9.

259. *LPH*, II, Pt. II, no. 4677.

260. *Ibid.*, no. 4541.

believed otherwise. Within six months after his wife's return, the earl was in possession of Newark Castle in Ettrick Forest and intended to make it one of his major residences. Margaret demanded that he leave the castle, which he did only after he had been summoned to comply with her demand under threat of forfeiture.²⁶¹ But he did not renounce his claim to control her estates. The Bishop of Dunkeld appeared before the council and asserted that as Angus was the queen's husband, he had the right by law to dispoise her dowry and lands at his pleasure although the lords had decided that the queen alone should be obeyed in her claim to run her dower lands.²⁶² This protest was a direct contravention of the articles which the earl had signed two years previously. Dunkeld's assertion that Angus enjoyed extensive right over the queen's property by right of his being her spouse was correct under common law. Angus, however, had signed a renunciation of his rights as the queen had foreseen this difficulty and would not allow any one to utilise her lands except herself. The trouble between the earl and his wife had become sufficiently notorious for the English ambassador in Paris to inform Wolsey that the Queen of Scotland was not on amicable terms with her husband.²⁶³ By April 1519 matters had reached such a state that Margaret informed her brother that she had not been with her husband for six months. She asked her brother for financial assistance as her husband continued to interfere with her lands.²⁶⁴ However, her pleas were not heeded and by the summer of the same year she had even written to her old antagonist, Albany, to ask for his help.

261. ADCP, pp. 134-5.

262. Ibid., p. 137.

263. LPH, III, Pt. I, no. 100.

264. Ibid., no. 166.

She justified her action to her outraged brother by informing him that only through the intervention of the Governor could she obtain justice.²⁶⁵

The importance of Albany as a stabilising agent in the turbulent Scottish Kingdom had, in fact, been seen by the perceptive Dacre, who wrote "if Albany can be kept out of Scotland it will go to ruin for lack of justice, as the Scotch lords cannot agree to be governed by one of themselves."²⁶⁶

Within a few months after this, however, Angus and Margaret were reconciled, largely through the offices of Friar Henry Chadsworth who had been sent into Scotland by Henry the eighth. But she was motivated by other factors; since her return from England she had chafed under the restraint which had been imposed upon her attempts to interfere with the government by the council of regents. She needed support for her planned coup d'état and the help of Angus, who was both a regent and her husband, would have been natural and invaluable. The new alliance between Margaret and Angus had been viewed with alarm by Arran, the leading regent, and other "westland lords."²⁶⁷ The English warden, who was kept abreast of the political situation in Scotland by an efficient network of collaborators in the Borders, informed Wolsey in late October 1519 that the Archbishop of Glasgow, the Bishops of Galloway and Argyll, the earls of Arran, and Lennox, and Lords Fleming, Semple, and Maxwell had come to Stirling to the queen and threatened that if she returned to Angus that they would no longer participate in any regime which she would establish. She, however, refused to be moved by their supplication and joined her husband, although she did undertake a fruitless journey to Linlithgow where they had established their headquarters

265. Ibid., nos. 373, 381.

266. Ibid., no. 396.

267. Ibid., no. 467.

to persuade them to unite with the other magnates who were in Edinburgh.

When she arrived in the Scottish capital, she was met by Angus, the Archbishop of St. Andrews, the Bishops of Dunkeld, Aberdeen and Moray, the earls of Huntly, Argyll, Morton, Glencairn, and Marischal, and Lords Ruthven, Glamis, Gray, and Hay of Yester.²⁶⁸ The council of regency which had been set up by Albany had collapsed under the pressure of factionalism. The support which Margaret had gained was not based solely upon the influence of her husband. Although Angus's uncles, the Bishop of Dunkeld and the earl of Glencairn, his brothers-in-law, Lords Glamis and Hay, and his distant cousin, the earl of Morton, were, understandably, among the queen's partisans, there were present men of influence who had, in the past, been among his bitterest critics. The Archbishop of St. Andrews, the earls of Huntly and Argyll, and the Bishop of Aberdeen had all been firm adherents of Albany in 1515 when the earl and his wife had fled into England. The dominance of Arran and his kindred had caused widespread resentment which had alienated almost all of the other regents. When two French envoys visited Scotland in December 1519 there were two hostile administrations in existence, each attempting to suppress the other. Political chaos threatened to engulf the realm.

With such division in Scotland, whoever controlled the capital

268. Ibid., no. 482. Lesley wrote that in the autumn of 1518 Angus, Erroll, Crawford, Lord Glamis, the Archbishop of St. Andrews, and the Bishops of Aberdeen, Orkney and Dunblane remained with James the fifth in Edinburgh while the Archbishop of Glasgow, the Bishop of Galloway, the Abbot of Paisley, and Arran, Lennox, Cassillis, Ross and Semple remained in Glasgow. Although the personnel differs considerably from the alignment mentioned in Dacre's epistle to Wolsey, it is almost certainly the situation in 1519 which Lesley described. Lesley, History, p. 114.

would be in a pivotal position. The earl of Arran had been provost since October 1517 but by late 1519 he had been ousted from his office by Angus's uncle, Archibald Douglas.²⁶⁹ In an effort to appease Arran and his allies, the lords of Council ordered Douglas to resign his office in favour of the former provost. Several leading burgesses were, at the same time, commanded to put themselves into ward while others, including Douglas himself, were instructed to appear in St. Giles church where they were to humbly ask the council's forgiveness for their rebellious behaviour.²⁷⁰ The response aroused by the council's intervention among the leaders of Edinburgh was not one of cowed submission. A general tax was levied "specialie for the defence of this actioun and debait happinit betuix my lord of Arane and the Toun." Archibald Douglas bound himself to pay for all the legal expenses which this dispute with Arran would entail.²⁷¹ Although Douglas enjoyed popular support, it was his role as the symbol of the independence of the burgh rather than any personal or family influence which gave him his position of leadership. When the Archbishop of St. Andrews demanded that he resign the provostship, in order to mollify Arran, Archibald Douglas flatly refused and Adam Otterburn informed the prelate that as Douglas had been chosen provost according to the ancient privileges of the burgh, he could not be compelled to resign.²⁷² The Douglas faction remained in control

269. Marguerite Wood and Sir Thomas Whitson, The Lord Provosts of Edinburgh 1296-1932 (Edinburgh, 1932), p. 11. Cited hereafter as Wood, Provosts.

270. ADCP, p. 146. All of the individuals who were censured were either burgesses or town officials. Cf. Marwick, Extracts, I, pp. 279-80. Roll of Edinburgh Burgesses 1406-1700, ed. Charles Boog-Watson, Scottish Record Society, vol. 59 (Edinburgh, 1929), *passim*.

271. Marwick, *op. cit.*, pp. 192-3.

272. ADCP, *op. cit.*, pp. 149-50.

even after the Abbot of Glenluce informed the provost and the burgh council that the Duke of Albany had decreed that none of the name of Douglas or of Hamilton should possess the provostship until he returned to Scotland.²⁷³ This ultimatum was delivered on 21 February 1519/20 but was not complied with until the end of March when Robert Logan of Coitfield became provost.²⁷⁴ But the membership of the council remained unaltered. Real power still continued to be exercised by the group of men who had elected and had supported Archibald Douglas as provost.

In the spring of 1520 there occurred the famous skirmish in the streets of Edinburgh immortalised by Pitscottie in his descriptive title of "Cleanse the Causeway." The earl of Angus with his household men was able to drive Arran and Archbishop Beaton from Edinburgh. Sir Patrick Hamilton of Kincavil and the Master of Eglinton were killed while fighting for the defeated earl. The earliest account of the incident was recorded quite simply: "in the month of May in Edinburgh in the public way, the Master of Montgomery and Sir Patrick Hamilton, brother of the regent, were killed coming to justice (tolbooth?) by John (sic) Douglas, earl of Angus."²⁷⁵ Angus enjoyed the support of the community of Edinburgh as Arran was still resented as a provost who had been imposed upon them by the government. However, several years later in more settled conditions, the city fathers received a full pardon for their support of the Douglasses.²⁷⁶

273. Marwick, *ibid.*, p. 194.

274. *Ibid.*; Wood, Provosts, p. 12.

275. Law's MS., f. 140.

276. The actual date of the skirmish was 30 April 1520. APS, II, p. 291; NLS Adv. MS. 34.3.11, p. 37. The remission to the city of Edinburgh was granted on 22 May 1527. Charters and Other Documents relating to the city of Edinburgh: 1143-1540, (Edinburgh, 1871), no. LXVI, pp. 205-8. For the most descriptive account cf. Pitscottie, I, pp. 281-3 and compare this with Lesley, History, p. 115; Diurnal, p. 7; Buchanan, History, II, pp. 278-9.

After his defeat in Edinburgh, Arran was determined to inflict a major defeat upon his rival. He was given an opportunity to do so by the quarrel which existed between the Kers of Ferniehirst and the Kers of Cessford over the office of the bailliary of Jedburgh Forest. It has been commonly accepted that this dispute occurred before "Cleanse the Causeway" and, indeed, was a direct cause of that skirmish, but it is more plausible that "the raid of Jedwod Forest" was a result, and not a cause, of the fracas in Edinburgh. Only a year before, in March 1519, Andrew Ker of Ferniehirst promised to pass with the laird of Cessford to maintain order in the Middle Marches.²⁷⁷ But both lairds claimed the right to be bailie of Jedburgh Forest under the earl of Angus, who was the feudal superior of that regality. However, this aroused the ire of Angus who opposed Ferniehirst's claim. But the earl's involvement in the resulting conflict was only incidental. The laird of Ferniehirst was asserting a claim to which he had no right and he was opposed in this by his kinsman, the laird of Cessford. Arran's son, Sir James Hamilton, came with a considerable force to aid Ferniehirst, but Cessford was able to put the interloper to flight.²⁷⁸ An amicable agreement was reached between the contestants on 19 August 1520. Ferniehirst was supported by Arran, David Hamilton, Bishop of Argyll, his brother, Sir James Hamilton, James Hamilton of Kincavil, and Robert Dalzell of that Ilk, while Cessford was supported by John Hoppringle and several Kers: Mark Ker of Littledean (or Dolphinton), Andrew Ker

277. ADC, XXXII, f. 126.

278. Although this was a dispute which involved Angus and Arran, it represented primarily a confrontation between the Kers of Cessford and the Kers of Ferniehirst for power in Jedburgh Forest. Angus and Cessford together put Finnart to flight. Cf. Lesley, *op. cit.*, p. 115.

of Graden, Andrew Ker of Greenhead, Thomas Ker of Lintolee, and Lancelot Ker of Gaitschaw. In the compromise which was arrived at, the main cause of discord was the pursuit of Arran's supporters led by Finnart in this skirmish. It was decided that the laird of Cessford would not assist Angus under penalty of £6,000 Scots; he was to support Arran in future and was to aid the bishop of Argyll to enjoy the latter's commend of the abbey of Dryburgh. In return, Arran undertook to support Cessford in all his quarrels.²⁷⁹ Although Arran and Ferniehurst were determined to detach Cessford from supporting Angus, there is no direct evidence to that nobleman's presence in the fray which almost cost Sir James Hamilton his life. The alliance of Cessford and Ferniehurst was a major feat for Arran, but the root of the their enmity remained untouched. It was an uneasy and a short-lived alliance. The failure of Angus to prevent their unity under the aegis of Arran is an indication of how little control he had over tenants who were feudal barons in their own right. Not until after his return from exile from France was he able to command the support of Cessford.

The queen had found that in spite of her husband's support she could not retain control of the government. There was no other solution to the disorder of the kingdom than to send for Albany. Lord Fleming was despatched to France in the spring of 1520 to inform the Governor that if he did not come back to Scotland by the summer that he would face deposition.²⁸⁰ The critical state of affairs in the northern

279. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 66, pp. 32-3. Less than six months later, Cessford complained that Ferniehurst refused to co-operate in policing the borders. LPH, III, Pt. I, no. 1171.

280. James V. Letters, p. 76.

kingdom was recognised by the French who saw that the only solution was the return of Albany.²⁸¹ But the adamant refusal of the English to countenance the return of the duke to Scotland left the French in an awkward position. Francis the first, somewhat lamely, admonished the Scots that they should settle their differences and live in peace.²⁸² When two French envoys visited Edinburgh in December 1520 they found that Angus and his associates were still at loggerheads with Arran.²⁸³

The situation changed suddenly when the queen became an ally of the Hamiltons. By mid January 1520/1 the earl of Angus had lost control of the capital. The provost and bailies of Edinburgh promised to support Arran and to forbid access to the city to Angus, his uncle, Archibald Douglas, the former provost, Mr William Douglas and Hew Douglas. Arran, in turn, promised to safeguard the city from all rebels.²⁸⁴ The swift decline in the political position of Angus was inextricably bound up with his relationship with his wife. His marriage to Margaret Tudor had been a stormy and unsuccessful one. By March 1521 it had ended altogether except in name. Without the queen's support, the earl could not pose as a champion of the safety and security of the child king. From the role of a figure of national political importance, he declined to that of a leader of a petty faction of discontented nobles. With the support of the forfeited Homes, Angus was able to enter

281. LPH, op. cit., no. 859; Teulet, Papiers, I, no. IV, pp. 17-23.

282. LPH, op. cit., nos. 1046, 1047.

283. The supporters of Angus in December 1520 were almost identical with those whose aid he had enjoyed a year previously. However, he had lost the valuable assistance of the regents Huntly and Argyll. Ibid., no. 1091.

284. HMC 11th Report, Appendix: Part VI: MSS. of the Duke of Hamilton, no. 67, p. 33; Charters and Other Documents relating to the city of Edinburgh: 1143-1540 (Edinburgh, 1871), no. LXV, pp. 204-5.

Edinburgh in July 1521 in an attempt to seize the capital. Although he was able to flout the authority of the regents by removing the remains of Lord Home and his brother from the tolbooth, he lacked sufficient power to retain control of the city. Within a matter of days the city was again under the control of the council.²⁸⁵ Less than a month after this escapade, the French informed Henry that they could no longer detain Albany in France.²⁸⁶ The return of Albany would provide Margaret with enough leverage to enable her to free herself completely from the control of her husband. With this view in mind, she had presented a petition to the pope in October which had the support of Albany.²⁸⁷ The English opposed this measure but their reprimands to the obstinate queen only increased her determination to be rid of her troublesome husband. When Albany arrived in November 1521, he enjoyed the support of Margaret and the magnates.²⁸⁸ Only Angus and the outlawed Homes withheld their allegiance.

Angus, his uncle of Dunkeld, and John Somerville of Cambusnethan retired to the kirk of Steyll in Berwickshire.²⁸⁹ The control of the central administration over the eastern marches was practically non-existent as the rebel Homes had reasserted their control over several of

285. Edinburgh was seized by the rebels on 21 July 1521 when Mr Adam Otterburn and other burgesses declared before a notary that they "disassentit ony maner of way to the takin down of the 11 heidis of the Chalmerlane and his brothir of the Tolbuith." Prot. Bk. of John Foular, III, no. 230, p. 92.

286. LPH, op. cit., no. 521.

287. Ibid., no. 1659.

288. Albany was in Scotland by 1 December 1521 and probably brought George Douglas with him from France. Cf. Ibid., no. 451; III, Pt. II, no. 1832; Law's MS., f. 143.

289. Op. cit., no. 1871. Both the editors of the The Letters and Papers of Henry VIII and Sir William Fraser have assumed that John Somerville who was with Angus in December 1521 was Lord Somerville. But Lord Somerville was either an imbecile or mentally retarded. The John Somerville who supported Angus was probably the laird of Cambusnethan.

their former possession.²⁹⁰ Angus determined to oppose the Governor and sent Dunkeld to Wolsey to enlist English financial and material aid. Lord Dacre believed that to support Angus was essential for the English to obtain a controlling interest in Scottish affairs. His activities in this matter virtually kept alive the prospect of civil war in Scotland. When Gavin Douglas arrived at Norham, Dacre gave him an unauthorised safe conduct to proceed to London; he practically assured the young earl of massive English support when he was in no position to do so; he encouraged the Homes in committing acts of brigandry. After Dunkeld arrived in London he presented the famous "Memorial and Complaint" which had been drawn up by Angus and his associates.

The conduct and aims of the Governor and the queen were vilified in this partisan manifesto. The duke was accused of venality and of dark intentions to seize the throne; the queen was accused of adultery; the young king was ill clothed and was kept as a prisoner; the casualties and benefices of the realm were disposed at Albany's pleasure and profit; Albany had an older brother whose claim to the throne was superior to the governor's; unscrupulous and lowborn men had been given the highest financial posts in the realm; the Estates of Scotland had decreed that Albany should have returned by the first of August, but as he did not come back until the end of November, he occupied the regency illegally; the Archbishop of Glasgow cherished hopes that the earl of Arran's son should succeed to the throne.²⁹¹ In this remarkable piece of propaganda, there was considerable distortion of the truth. The Governor as regent had the right to dispose the casualties of the realm; the king was not

290. Ibid.

291. Ibid., no. 1898.

underfed or underclothed; Albany's older half-brother had been excluded from the succession by parliamentary fiat in November 1516; and the estates of Scotland had not imposed a specific time limit upon Albany's stay in France.²⁹² The aspersions against the Treasurer, the Comptroller, and the Archbishop of Glasgow were motivated by personal pique. Although the case for Angus and the Homes had been presented quite forcefully, the English remained noncommittal.

The threat to the peace and stability of the realm posed by Angus was quickly ended by the promptness of the Governor. He summoned a parliament to meet in Edinburgh where George Home and the laird of Wedderburn were forfeited. He proceeded "to Bonkyl Castle in the county of Angus (sic), because the Earl himself, John (sic) Douglas was unwilling or afraid to come to the Regent and taking the castle he returned to Edinburgh and having extorted or at least obtained the assent of the council of the Lords he levied a vast sum of money both on churchmen, scholars and burghesses throughout the realm of Scotland for the defence of the country."²⁹³ Albany, with the help of Arran, Argyll, Huntly and Lennox, also captured Tantallon Castle and entered the Merse. When Angus realised that he lacked any support whatsoever, he quickly submitted to the duke. Although he justified his action by insisting that he had saved his friends, his most stalwart allies, the Homes, refused en bloc to negotiate with Albany.²⁹⁴ One of Angus's accomplices,

292. There is no evidence to suggest that James the fifth was ill-treated by the Governor. Cf. ADCP, *passim*.

293. Law's MS, f. 143. According to Lesley, a parliament was held on 9 January 1521/2 and forfeiture was pronounced upon the Prior of Coldingham (Angus's brother, William Douglas), and the lairds of Wedderburn, Dalhousie, Langton and Cambusnethan. However, there is no confirmation of this among the extant parliamentary records. Cf. Lesley, History, pp. 116-7.

294. LPH, *op. cit.*, nos. 1976, 1986.

Nicholas Ramsay of Dalhousie, received a remission for his rebellion only a few weeks after Angus had submitted.²⁹⁵ Clearly, the Governor was willing to pardon those rebels who submitted to his rule. However, to those who remained obstinate in their opposition, Albany did ~~not~~ hesitate to demonstrate that he would not tolerate rebellion. Gavin Douglas was deprived of his bishopric on 21 February 1521/2.²⁹⁶ John Somerville of Cambusnethan was forfeited by parliament on 7 April 1522.²⁹⁷ The opposition to the government had been crushed.

A bitter and disillusioned man, Gavin Douglas, wrote to Wolsey of the betray^{al} by his own nephew, the "yong witless fool" and he wished to "see him realy punyst for his demeritis and promys brokyn made to the Kingis Hienes and me his Uncle."²⁹⁸ The plans which the Bishop had laid for a viable alternative to the rule of Albany disappeared when he lost Angus's support. But the earl himself was to be disappointed in the result of his submission. His wife regarded him with contempt and loathing. She informed Dacre that she would not be badgered into accepting him again; her marriage to him had cost her the custody of her son, the government of the realm, and the allegiance of the nobles. Angus had requited her for these great sacrifices with dishonour and disrespect.²⁹⁹ The problem remained of what to do with the disaffected earl. On 11 March 1521/2 Angus and his brother William, the prior of Coldingham, sailed

295. Register House, Miscellaneous Accessions, GD 1/65, File T/104/7, no 16. The remission was granted on 4 February 1521/2.

296. James V Letters, p. 88; ERS, I, pp. 328-30.

297. APS, II, p. 298; NLS Adv. MS. 34.3.11, p. 37.

298. Ellis, Letters, 3rd series, I, CXI, p. 301.

299. LPH, III, Pt. II, no. 2101.

for France accompanied by Lord Fleming and Thomas Hay.³⁰⁰ He had no choice but to acquiesce in the wish of both Albany and the queen, who wanted him out of the kingdom, although a contemporary thought he did so in order to regain the confidence of the Governor: "in this year (i.e. 1522) John (sic) Earl of Angus, on the first of Lent went to France to obtain the favour of the Duke and to stay there until the lord Regent ordered him to return."³⁰¹

Thus Albany and the queen had succeeded in removing the one individual who could have acted as a leader of disaffected elements against their rule. However, the problems which had led to the incessant rivalries and disruptions of the past six years remained: the instability of the queen, the pride and selfishness of an opportunistic nobility, and the peculiar legal position of Angus within the body politic as the husband of the mother of James the fifth. Their solution was not found by the exile of Angus. Perhaps Albany and Margaret believed that they could keep Angus in France indefinitely. If this was their aim, they failed. When he returned more than two years later, Angus was resolved that he would never again be in a position where he would have to rely upon the mercy of either the regent or his wife. The consequences

300. Ibid., no. 2106. George Douglas remained in Scotland while his younger brother, William Douglas, accompanied Angus into exile. Cf. *ibid.*, no. 2182.

301. Law's MS., f. 143.

of his bitterness would have unforeseen results upon both the life of his sovereign and the history of his country.³⁰²

302. In the charter chest of the earls of Wigtown in the National Library of Scotland, there is a much mutilated French notarial document which was drawn up by John Terrien, notary public at Rouen on 2 April 1521. It was composed at the express wish of Archibald Douglas, earl of Angus, who has chosen to make his domicile in the parish of St. ---, in the diocese of Rouen. John Lord Fleming promised to pay £588 Tournois for the sale of a certain amount of silk and Angus promised to reimburse Fleming. The document was witnessed by Mr Nicholas Berent and Thomas Tonque. There is no logical explanation for Angus's being in France in the spring of 1521 although he was there in the following year. The presence of Lord Fleming, who accompanied the earl from Scotland to that realm tends to confirm the supposition that the date given is a clerical error and should be 1522. The precise meaning of the document is unclear because of the very poor condition of the original. National Library of Scotland, Acc. 3142, vol. I, no. 65, p. 38.

Chapter VII

The Return and "Regency" of Angus

When Angus went to France in the early spring of 1522 he had the advantage of being a free agent. The young earl was sent into the French kingdom in the capacity of an emissary from the Scottish crown,¹ although when he and his brother William Douglas arrived, they were placed into custody.² However, as Angus had merely "left" Scotland, the Governor was not in a position to impose any special casualty or to give any of the earl's estates to favoured supporters of the regime. Thus the exile of its feudal superior had no adverse effect either upon the comitatus of Angus or its heritable proprietors. The comital lands were probably managed by the young magnate's younger brother and representative, George Douglas, who remained in Scotland, but unfortunately, there is no documentary evidence of how these properties were administered.

Albany hoped that Angus's departure would remove a dangerous opponent who was the leader of the malcontents, and the rebels soon submitted. George Douglas indeed promised the English warden that none

1. ADCP, p. 173. A general respite from all criminal actions was granted to Angus and his associates until the earl returned to Scotland.
2. Edward Halle, Halle's Chronicle, containing the History of England during the reign of Henry the Fourth, and the succeeding monarchs to the end of the reign of Henry the Eighth (London, 1809), p. 632.

of Angus's kinsmen or friends would support Albany until they had heard of the earl's arrival in Calais, but this was mere bravado, for no vassal or relative of Angus showed the slightest interest in opposing the Governor at this juncture. Equally, Andrew Home, brother of the laird of Wedderburn, was recommended by the English for the priory of Coldingham,³ and England promised massive support, but the Homes found it increasingly difficult to oppose the regent, and the same was true of other dissatisfied individuals. Sir James Hamilton of Finnart, a firm supporter of the government and an inveterate enemy of Angus and his family, attacked and captured the castle of Cambusnethan, the seat of John Somerville, who had been one of the most loyal allies of the exiled earl.⁴ Perhaps this influenced the Homes to accept the olive branch which the Governor extended to them as by August they had been restored.⁵ George Home, the heir of the attainted Lord Home, received the office of bailie of the priory of Eccles which had belonged to a kinsman,⁶ while Sir David Home was restored to his lands of Wedderburn and his other estates within the sheriffdom of Berwick.⁷ Although a foreign observer remarked that the Homes would never trust Albany,⁸ they had found that without sufficient support from other magnates of the realm, they could not continue in their opposition indefinitely. The reconciliation of the Homes virtually removed all threat of rebellion in the realm.

With the quelling of all would-be insurgents by the end of the

3. LPH, III, Pt. II, no. 2106. William Douglas had already been intruded into this benefice by 19 October 1519. Ibid., Pt. I, no. 480.
4. Ibid., III, Pt. II, no. 2428.
5. Ibid.
6. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 130, p. 128.
7. HMC Report on the MSS. of David Milne-Home of Wedderburn, no. 43, p. 32.
8. LPH, op. cit.
9. Ibid., no. 2645.

summer of 1522, the Governor believed his position to be unassailable and he left Scotland in the following October.⁹ As he had done previously, Albany left a council of regency in charge of the affairs of the kingdom. The regents appointed were the Archbishop of Glasgow, the earls of Huntly, Argyll and Arran, and another French supporter, Gonzolles.¹⁰ The English began to negotiate with the new Scottish council for a treaty of peace dependent upon the total exclusion of the French regent from Scotland, but the Scots refused to abandon their Governor. As a result, no permanent peace between the two kingdoms was concluded and a war of attrition was waged upon the Anglo-Scottish frontier. Despite the fact that Angus's activities as the spokesman for a policy of amity between England and Scotland had forced his withdrawal from the northern realm, his estates and those of his cousins were not exempt from the rapacity of the English. In the early months of 1523, the castles of Blackadder, Nisbet, Wedderburn, and Cessford were ravaged and burned.¹¹ The short-sightedness of the English in destroying the fortresses of the supporters and allies of Angus would deprive them of valuable allies in the future. When many of the lairds of the Merse were called upon to attend the Council for consultation for the defence of the kingdom, they did so with alacrity. Letters were sent to Angus's vassals (the lairds of Parkhead, Carmichael and Springton) as well as the earl's brother, George Douglas, to assist the regents in their preparations to resist the national enemy.¹² George Douglas alone refused,¹³ but even he did not instigate a revolt against

10. Ibid.; Donaldson, James V, p. 36.

11. Op. cit., no. 2852; Diurnal, p. 8.

12. FA, V, p. 209.

13. Ibid.

the council. The appeal offered by the English to incite rebellion within Scotland was rejected by those who had formerly been enticed by their blandishments.

Throughout most of 1523, Henry the eighth and his ministers encouraged Margaret Tudor to end Albany's governorship and cause full political power to be vested in her son. But in this desire the queen was alone. The majority of the Scottish magnates were supporters of the status quo.¹⁴ Because Angus was her husband and because he had been banished to France, the English assumed automatically that George Douglas and his kinsmen would support Margaret; in this they were mistaken. Although Douglas, the laird of Wedderburn, and George Home informed English agents that they would never support Albany, their protestations were at once perceived to be grounded only in self-interest.¹⁵ Even the news that Albany, in his return visit to Scotland was not bringing Angus with him, did not motivate George Douglas to instigate disturbances in the realm, although the Tudor government was hopeful that such would be the case.¹⁶ When the Governor arrived in the northern kingdom on 24 September, the schemes for his deposition dissolved almost immediately.¹⁷

When Albany left France, the French were at war with England and the Scottish regent was determined to creat a diversionary front by launching an attack upon the English borders. He persuaded the Scots

14. Even the queen recognised that Albany's regime enjoyed the allegiance of the Scottish aristocracy. The State Papers of Henry VIII, IV, Pt. IV (London, 1837), no. III, pp. 6-8. Cited hereafter as SPH; LPH, III, Pt. II, nos. 3268, 3271.

15. Op. cit., no. VIII, pp. 14-5.

16. Donaldson, James V, p. 21. Cf. Lesley, History, p. 124; Diurnal, p. 7.

17. LPH; op. cit., nos. 3057, 3058.

to undertake a campaign against their hated foe but in spite of the fact that he had the support of the Homes and other border kin groups,¹⁸

Albany's military expedition against England in November 1523 was a complete fiasco. Although this was partly the result of the refusal of the Scots to cross the border, the onus of the disastrous campaign was borne by the duke. Neither he nor the Scots ever completely trusted each other again.

The Governor, disgusted at both the factionalism of the Scots and their failure to support his policy of bellicosity towards England, decided to return to France. This was opposed strenuously by the Scottish council and the French king,¹⁹ but Albany was determined to leave Scotland. He was at Dumbarton at the end of January 1523/4, waiting to sail to France, but new disturbances within the country caused the Governor to postpone his departure until the following June.²⁰ Shortly before he originally intended to leave, Albany wrote to George, Lord Home, Sir David Home of Wedderburn and George Douglas requesting them to confer with him on matters of state. The reluctance of the former associates and brother of Angus to appear before the regent indicates that they were distrustful of Albany's motives. All of them declined to come to the duke on various pretexts. Lord Home complained that his estates were so despoiled by both English and Scots brigands that a trip to Edinburgh was beyond his financial means and Wedderburn wrote that he had been ordered to remain on the Marches in order to suppress disturbances. Douglas informed the Governor, that after their last meeting in the capital, Sir James Hamilton of Finnart had laid an ambush to kill him, and, although he had escaped as Finnart had mistakenly attacked the

18. Ibid., no. 3487. Wedderburn was reported to have become a partisan of the duke's before the end of October. Ellis, Letters, 3rd series, I, no. CXVI, p. 330.

19. Op. cit., no. 3665, IV, Pt. I, no. 52.

20. Ibid.

laird of Dalhousie, the perpetrators of this crime had not been punished despite his complaints. George Douglas did not believe that he could come to the Governor without danger to his life but he promised his obedience and entreated Albany "to stand gud prince to my lord of Angus and haist him into Scotland, as your grace promist."²¹ Whatever Albany may have thought personally of the excuses offered by the absentees, he appears to have been mollified as no action was taken against them.

To facilitate his departure from Scotland, Albany negotiated a settlement with Margaret Tudor in which he promised to secure her a substantial French pension and to oppose her husband's attempts to interfere with her estates. The queen, in return, agreed to support Albany in his office as Governor and to keep him informed of Scottish affairs.²² It seems hardly credible that Margaret entered into this compromise with any degree of sincerity in the light of her future political manoeuvres. Indeed, she was quite anxious that Albany leave the realm as soon as possible, but many Scottish magnates desired the Governor to remain. With the acquiescence of other members of the council, the Bishop of Aberdeen approached the duke and begged him not to leave Scotland, but Albany would not be gainsaid.²³ The council permitted the Governor to remain in France for three months but insisted that he must return by 1 September or else his regency would terminate. They promised not to enter into any alliance with the English and to abide by the conditions imposed upon them by the Treaty of Rouen. After a brief visit to see the king and queen Margaret, Albany once again went to Dumbarton, where

21. ADCP, pp. 193-5; ADC, XXXIV, ff. 42-5.

22. LPH, IV, Pt. I, nos. 260, 275.

23. ADCP, p. 200.

he embarked for France on 11 June 1524.²⁴ He was never to see Scotland again.

On the same day on which Albany was granted formal permission to leave the kingdom, a dangerous constitutional precedent was established by the enactment of the council which ordered the earl of Moray to remain continually with the king.²⁵ In the past, one or two Lords of Parliament had occasionally been given the general supervision of the king but this was the first time a great magnate of the realm had been instructed to attach himself permanently as the constant adviser and companion of the monarch. It was not politic, however, that any one magnate, regardless of his loyalty, should have been given this special prerogative. It would naturally incite other members of the aristocracy to put forward claims that they, too, had a right to remain with their king. When Angus successfully asserted this privilege after he returned from exile, he was merely following a recent precedent which had been incorporated into the practick of the realm. The removal of the office of the personal guardian of the king from his mother or from the nearest legitimate agnate was a legal innovation of the first magnitude. It removed that important position from the strictures imposed upon it by the previous consuetude of the kingdom and placed it within the grasp of ambitious magnates.

Almost before Albany had actually departed from Scotland, Queen Margaret began to initiate plans to have the regency of the duke annulled

24. Op. cit., nos. 302, 405; Ellis, Letters, 1st series, I, nos. LXXXV, LXXXVI, pp. 246-50. The Diurnal noted that Albany left on 20 May. Diurnal, p. 8.

25. ADCP, op. cit.

and to have supreme power vested in her son.²⁶ However, the deposition of the Governor was not a task which could be accomplished quickly. Public opinion favoured the regent who had guided their kingdom for almost a decade. Support for the queen's plans was minimal until it became apparent that Albany would not arrive in Scotland in the autumn. Also, a new factor which had been dormant for over two years now made itself felt in the political situation: Angus had left France and had arrived in England.

In the spring of 1524, Angus was in Paris and was involved in a scheme to send his brother William Douglas to the English court.²⁷ There is no data available on how Angus left France, but he had arrived in London by the end of June. It was later claimed that he had come with the connivance of the French king, and although Angus denied the charge vehemently, it is entirely possible. The earl had lived unwillingly in France for over two years; he was anxious to return home and it is unlikely that the French government would have allowed such an important political prisoner to escape undetected.²⁸ However, if the French believed that Angus was converted to a Francophile policy, they were to be bitterly disappointed. His political experience had shown him that the English were consistently his allies while the French were his opponents. Angus's sole aim was to return to Scotland and he probably committed himself to the French in order to achieve this goal. Once he was safely out of their custody, the Scottish magnate promptly

26. SPH, op. cit., no. XLIV, p. 79.

27. By the end of May, William Douglas was in the Low Countries preparing to embark to England. LPH, IV, Pt. I, nos. 253, 315, 372.

28. The Imperial ambassador, as well as other foreign emissaries in London believed that Angus had been sent to England with the express approval of the French. Four months after earl's arrival, it was reported that he had confessed that he left France with Francis's consent. CSP Venetian, III, no. 865, p. 378; op. cit., no. 727.

forgot his promises and earned the antipathy of Francis the first.²⁹

When Angus arrived in London, he realised that if he were to return to his country, it was imperative that he become reconciled with his estranged wife, Queen Margaret. He wrote letters to her and Henry the eighth informed his sister of Angus's devotion and loyalty.³⁰ Lord Dacre, the Englishwarden, was given the delicate task of spreading favourable propaganda on behalf of the exiled nobleman and of sounding out Margaret as to how she would receive back her husband. The English believed that once Angus was in Scotland, an anglophile administration would assume power,³¹ but Margaret adamantly refused to permit his return. The queen informed Henry that the earl's presence would be detrimental to her plans as it would facilitate the growth of factionalism among the Scottish nobility.³² She hinted that continued English pressure in favour of her husband would force her to seek French assistance.³³ Angus's marital relationship to the queen made it impossible for him to be accepted by the rest of the Scottish magnates as the leader in any coup which aimed to end Albany's governorship. The royal marriage, a glittering prize in 1514, had become a heavy liability a decade later. It had elevated Angus above his peers but at the cost of earning him their enmity. It had been based upon the queen's passion and, once that

29. The French monarch wrote to the king of Scots and informed him that Angus had left France illegally and had been declared a rebel. James V Letters, p. 105.

30. LPH, op. cit., nos. 469, 473.

31. Calendar of Letters, Despatches and State Papers: Spanish, Further Supplement of Vols. I and II, ed. G. Mattingly (London, 1954), pp. 366-7. Cited hereafter as CSP Span.

32. Op. cit., no. 492.

33. SPH, IV, Pt. IV, no. LXVI, pp. 81-2; op. cit., nos. 490, 491 (11).

had cooled, had left him with a wife who despised and loathed him. It would cause untoward delay in his return to Scotland in 1524 and would deprive him of the honour of being the chief instrument of the "erection" of James the fifth.

Queen Margaret assured Henry that James would be brought from Stirling to Edinburgh in a symbolic move to indicate that he had taken the reins of government into his own hands, but that Angus must remain in England for this scheme to succeed. The "erection" of James the fifth was viewed by Margaret as a coup de main against not only Albany but against Angus as well. On the one hand it would render Albany powerless to intervene in Scottish affairs in the future, and, on the other hand, it would deprive Angus's position in the eyes of the English as an essential instrument to ensure the creation of an Anglo-Scottish détente. If the change of government could be carried out successfully then Angus, she hoped, would be regarded by Henry as superfluous. Although Margaret, and even Angus's inveterate enemy, Arran, wrote of their willingness to negotiate with him,³⁴ they did so in order to mollify the English, whose support for the impending coup d'état was essential. The persuasiveness of their arguments had the desired effect and Angus was kept in England until the "erection" of James had been completed.³⁵ On 26 July 1524 the young king, accompanied by his mother, left Stirling and entered Edinburgh and three days later was declared to have arrived at mature age (he was twelve years old at the time). As a consequence, his minority had ceased.³⁶ The actual change in the

34. LPH, *ibid.*, nos. 499, 506; SPH, *op. cit.*, no. XLVII, p. 84.

35. *Ibid.*, no. XLVIII, pp. 84-5; *op. cit.*, nos. 516, 517, 523.

36. Lesley, History, p. 128.

administration was carried out on 1 August when members of the government resigned their seals of office. In a majority of cases, the same officials were reinstated by James.³⁷ However, the formal abolition of Albany's regency was not ratified by parliament until the following November.³⁸

While the establishment of James the fifth as the unquestioned political ruler of his kingdom was being completed, Angus began to harass the English king with requests and entreaties that he be allowed to return home. But the queen and Arran, the chief architects and beneficiaries of the "erection" of her son, were determined that Angus should never enter Scotland. Henry the eighth was faced with a dilemma. The young Scottish earl had always shown a willingness to implement an alliance between his country and England. He relied upon the English to enable him to return to his estates. Yet the new rulers of Scotland insisted that Angus's presence would disrupt the Scottish kingdom with insurrection and Margaret informed the Tudor government that she was dependant upon the support of Arran and Lord Maxwell, who were the personal enemies of her husband.³⁹ The English detained the earl and naively believed that after a short period Margaret's attitude towards him would become

37. ADCP, p. 205. On 30 July and on 1 August two bonds were drawn up and signed by the leaders of the spiritual and temporal lords of the realm who categorically promised to support this political revolution. Cf. LPH, IV, Pt. I, nos. 540, 561; Pinkerton, History, II, Appendix, no. XVI, pp. 473-5.

38. APS, II, p. 286.

39. LPH, op. cit., nos. 600 (i and ii), 637; SPH, op. cit., nos. LVI, LIX, pp. 117, 127. The interpretation of the letter given in the State Papers, no. LIX, is that Margaret could not trust Arran and Maxwell, but this is erroneous. At the end of August both these nobles as well as Moray, Lennox, Eglinton, Cassillis, Avandale, Glamis, Semple, Ross of Halkhead and Somerville bound themselves to serve the queen. The plight of his brother-in-law did not prevent Lord Glamis from being a signatory. LPH, *ibid.*, no. 602 (ii).

more malleable.⁴⁰ But the queen was so blinded by her hatred for Angus that she would not even consider the possibility of his return.

The obdurate attitude adopted by the new regime towards Angus forced members of his family to hold furtive meetings with the captain of Dunbar Castle, Albany's representative, on the possibility of French support for the earl.⁴¹ These negotiations were merely a blind,

however, for George Douglas's visit to England in the autumn of 1524 to confer with Cardinal Wolsey. Douglas warned Henry's chief minister that, if Angus continued to be detained in England, his kinsmen would oppose all attempts towards Anglo-Scottish amity.⁴² Henry and Wolsey

realised that Angus could not be kept indefinitely and in the beginning of October, obtained the consent of both Douglas brothers to support the new administration in Scotland, to oppose Albany, and to accept the mediation of English border administrators in their dispute with

Margaret and Arran.⁴³ The implication behind this agreement was quite simple: freedom of action for Angus as soon as it was diplomatically possible. When the Archbishop of St. Andrews and the Bishop of Aberdeen, who had been imprisoned for their refusal to sanction Albany's deposition, were released from captivity by Margaret in the last week of October,⁴⁴

40. It is ironic that the French agent in Scotland, Gonzolles, the captain of Dunbar, believed that Angus's escape had prompted the "erection" of the king of Scots as Margaret was willing to go to any lengths to prevent the earl's return to Scotland. *Ibid.*, no. 670 (1).

41. *Ibid.*, nos. 670 (1 and ii).

42. *Ibid.*, no. 701. Wolsey was favourably impressed with George Douglas: "since he last wrote has had sundry conferences with Angus and his brother, Sir George Douglas, a man of more knowledge and experience than his brother." This is the first occasion on which George Douglas was designated as a knight.

43. *Ibid.*, no. 707; *SPH*, op. cit., no. LXVIII, pp. 159-65.

44. *LPH*, op. cit., no. 798.

the English were supplied with the necessary pretext to permit Angus to go to Scotland. By 1 November 1524 Angus had joined his brother on his Berwickshire estates of Bonkle and had informed his wife of his return.⁴⁵ Angus had re-entered Scotland as a result of English assistance and the earl's natural inclination towards an Anglo-Scottish entente was strengthened by the queen's intractability.

Even before his arrival upon Scottish soil, Angus had been informed on several occasions by Wolsey and other English ministers of the distaste with which the queen and Arran had viewed the possibility of his return. The knowledge that his wife had conspired with his chief enemy to detain him in England for almost five months after his departure from France and that they had stubbornly refused to acquiesce in his return, must have implanted in Angus an ineradicable animosity towards Margaret and Arran. During the autumn of 1524, the queen and the Hamiltons had alienated Argyll, Lennox, Glencairn and the lairds of Buccleuch and Cessford.⁴⁶ Angus eagerly aided these disaffected nobles in their opposition to the government. Margaret's obstinacy and pride had made any reconciliation with her husband an impossibility.

Once it became known that Angus had finally returned, Margaret hoped that she would be able to force him to remain along the borders so as to eliminate any threat which he posed for her continued control over the affairs of Government. She issued orders to the effect that he was to remain on his southern estates and William Douglas was commanded to

45. Ibid., no. 792; SPH, op. cit., footnote to no. LXXXIII, p. 217. In the manuscript register of the Great Seal, Angus is listed as a witness to a charter which was confirmed to William Lauder of Halton on 20 May 1524. This is a scribal error as the earl was still in France in the spring of 1524. RMS, XXIII, f. 180.

46. LPH, op. cit., no. 670 (11).

evacuate Coldingham.⁴⁷ She asked the English to recall the earl to Berwick until the forthcoming meeting of the Estates was concluded but, although he did not appear in parliament, Angus would on no account leave Scotland at the behest of the queen.⁴⁸ It was rumoured that a conciliar decree had been passed which forbade the earl freedom of movement, but of this there is no documentary proof.⁴⁹ The claim of partisans of Angus that the earls of Lennox, Moray, Glencairn, Montrose, Morton and Argyll would not attend the meeting of the Estates unless Angus did so was sheer speculation based upon inaccurate information. Indeed, Argyll, Moray and Montrose all attended Parliament.⁵⁰ However, when the estates were convened, a new privy council was created which was composed of the Archbishop of St. Andrews and Bishop of Aberdeen, the earls of Arran and Argyll, and the queen.⁵¹ The queen's control over the management of the royal household as well as the custody of her son was confirmed, and the powerful laird of Finnart received parliamentary ratification of his possession of the barony of Cambusnethan, which had formerly belonged to John Somerville, one of the foremost supporters of Angus.⁵² Parliamentary favour had been restricted to those who had a vested interest to bar the newly returned earl from all participation in the

47. *Ibid.*, no. 800.

48. *APS*, II, p. 284. Those nobles who attended Parliament at this time were, almost without exception, either enemies of Angus, or individuals who had previously supported Albany.

49. *Op. cit.*, no. 818. According to one English observer, Angus had been ordered to remain in certain areas under pain of treason. *SPI*, *op. cit.*, no. LXXXII, p. 215.

50. *LPH*, *ibid.*, no. 804. Cf. *APS*, *op. cit.*, p. 285.

51. *Ibid.*, p. 286.

52. *Ibid.*, p. 287.

political affairs of the kingdom.

However, within a week after the convocation of Parliament, Angus, who was joined by other political malcontents, Lennox, the Master of Kilmours, and the laird of Buccleuch, came unexpectedly to Edinburgh and seized control of the city. They held conferences with the royal council and insisted that they had only come to assert their privileges as free barons of the realm. The queen had fled to Edinburgh Castle upon their approach and refused to negotiate with the insurgents. Angus and his associates, who failed to win recognition as members of the government and the council, had no choice but to make a hurried retreat from the Scottish capital.⁵³

The antagonism between Margaret and Angus was to be an essential determinant of the composition of various groups and factions which were to contend for the political mastery of Scotland during the following three years. The queen would not communicate with her husband unless he consented to a divorce, while Angus, with equal tenacity, refused to consider Margaret's demand.⁵⁴ The only benefit Angus retained from the ruins of his marriage was his legal right to exercise control over Margaret's vast dower lands. Angus continued to enjoy the confidence of the English, who intended to use him for their own purposes,⁵⁵ but, despite his personal proclivities, he had his own political interests. His co-operation with Lennox (who was not noted for his anglophilia) was essential; together, the two magnates were able, by the end of 1525, to attract enough support to undermine the coalition dominated by Margaret and Arran. Of all her supporters, only the Bishop of Aberdeen had enough

53. LPH, op. cit., no. 854; SPH, op. cit., no. XCVI, pp. 256-7.

54. Op. cit., no. 1004.

55. SPH, op. cit., no. LXXXIV, p. 152.

foresight to suggest to the queen that she should accept Angus's presence in the realm as inevitable and be reconciled with him.⁵⁶

With the additional aid of the former governor's supporters, the Archbishop of St. Andrews and the earl of Argyll by the end of January 1524/5, Angus and his supporters believed themselves to be in a strong enough position to challenge the government.⁵⁷ Proclamations were made for a convocation of the Three Estates to meet at Stirling on 6 February for the purpose of ending civil strife. On the appointed day of the commencement of this parliamentary assembly, the confederate lords met at Stirling and quickly marched on Edinburgh. Although they took over the capital without difficulty, Margaret, the king, and their allies were entrenched in Edinburgh Castle. On 7 February a bond was drawn up and signed by the queen's supporters who promised to resist the rebels. The signatories to this political commitment were the Archbishop of Glasgow, the Bishops of Galloway and Ross, the Abbots of Scone, Holyrood, Kelso, the Earls of Arran, Moray, Argyll (sic), Cassillis, Rothes, Lords A'vendale, Herries, Maxwell, Somerville, the Master of Saltoun, the Sheriff of Ayr, and the Lairds of Aytoun, Balgony, Cessford, Drumlanrig, Finnart, Littledean, Wemyss and David Menzies.⁵⁸ Among the supporters of the government were two lairds who had close connections with Angus. James Douglas of Drumlanrig was Angus's brother-in-law while James Lundy of Balgony was his vassal;⁵⁹ their ties with the rebel earl did not induce them to support his political schemes. A compromise was reached which allowed the queen to retain custody of her son, to maintain undisputed control over her

56. LFH, op. cit., no. 935.

57. The alliance between the two ostracised factions of the kingdom was perceived by at least one foreign observer. Cf. CSP Span., III, Pt. I, no. 3, p. 17.

58. SRO, Dalhousie Muniments GD 45/1/2.

59. Scots Peerage, I, p. 190 (Drumlanrig); ADC, XXIV, f. 23 and cf. Retours, I, Forfar, no. 3 (Balgony).

estates, and to have the right of presentation of all vacant benefices which were valued at less than £1000 Scots per annum in the realm.

Summonses of treason which had been raised against the earl of Morton for aiding Gavin Douglas, Bishop of Dunkeld and the late laird of Wedderburn, and against Angus and Lennox for their coming to Edinburgh in the previous November were rescinded. Angus was elected as one of the Lords of Articles, his confederates were admitted to the council and became full participants in the government. The compromise between the two major political groups was ratified by a united parliament which convened on 25 February.⁶⁰ Angus's claim to have a major part in the administration

60. APS, II, 290-291. The membership of the spiritual and temporal lords at the parliament held in February 1524/5 is instructive as it gives a good indication of those lords who had supported Queen Margaret before she had been forced to accede to the demands of the confederates. Those members whose affiliation is doubtful is indicated by a question mark.

Lords Present at the opening session of Parliament
on 22 February 1524/5

CONFEDERATES

Archbishop of
St. Andrews
Bishop of Sodor/
the Isles (?)
Abbot of Arbroath
Prior of St. Andrews
Abbot of Coupar (?)
Angus
Argyll
Lennox
Glencairn
Morton
Crawford (?)
Lord Forbes (?)
Lord Hay of Yester (?)
Lord Lyle (?)
Master of Lindsay (?)

NEUTRAL

Abbot of
Lindores
Abbot of
Newbattle
Laird of Balweary

QUEEN'S SUPPORTERS

Archbishop of Glasgow
Bishop of Aberdeen
Bishop of Dunblane (?)
Bishop of Ross
Abbot of Holyrood
Abbot of Scone
Abbot of Culross (?)
Arran
Moray
Cassillis
Roths
Eglinton (?)
Lord Maxwell
Lord Somerville
Lord Avandale
Lord Fleming (?)

of the realm had been officially recognised.

But a reconciliation with Angus which had been virtually forced upon her would not induce Margaret to give up her intention to be divorced from the man whom she loathed with as much passion as she had once loved. She sent a confidential servant, Mr John Cantuly, Archdeacon of St. Andrews, to Albany to offer her services to restore the duke as regent,⁶¹ while Angus demanded that the English permit him to control his wife's property, notwithstanding the solemn promises which he had made to Henry the eighth to do otherwise.⁶² Almost immediately after his position as one of the political leaders of the realm had been recognised, the earl attempted to obtain possession of the queen's dower estates. He issued a discharge to his remote kinsman, Robert Boyd in Kilmarnock, for all the farms, mails and duties of the lordship of Kilmarnock;⁶³ he instituted proceedings against the captains of Cockburnspath, Stirling, Doune, Methven Castles and the palace of Linlithgow to deliver their charges into his possession. The lands of Kilmarnock and these various castles pertained to Queen Margaret but in every instance Angus received official confirmation of his right of ownership.⁶⁴ Angus later informed the English monarch that he had not interfered with Margaret's property,⁶⁵ but his protest was belied by his deliberate attempts to secure possession of the queen's chief residences. The earl was so anxious to reassert his conjugal rights that he was willing to oppose his close kinsmen and allies, the Homes of Wedderburn, who

61. LFH, IV, Pt. 1, no. IIII; James V Letters, pp. 115-6.

62. Op. cit., no. 1168.

63. Scots Peerage, V, p. 153.

64. ADCP, pp. 224-5; ADC, XXXV, ff. 63-4, 66.

65. LFH, op. cit., nos. 1394, 1395.

supported Ninian Home in his claim to possess Cockburnspath.⁶⁶ Although there is no evidence that Angus actually managed to obtain control of these fortresses, his attempts to gain possession only increased the deep antipathy which Margaret felt for her husband.

Angus was not merely interested in claiming estates which his wife possessed. He began to consolidate his political power in Scotland. The earl obtained the important post of Warden of the East and Middle Marches in the spring of 1525 and the boundaries of his wardenries were increased by the additions of Clydesdale, Tweeddale, Lauderdale and Ettrick Forest.⁶⁷ The head of the influential border family of the Homes of Wedderburn was confirmed in the estates he held in the regality of Bonkle by its feudal superior, Angus,⁶⁸ who also assisted John Somerville, the former laird of Cambusnethan, to recover his estates.⁶⁹ The earl was doubly interested in Somerville's rehabilitation as the latter had lost his lands because of his support of Angus and most of Somerville's property had been given to Sir James Hamilton of Finnart, Angus's avowed antagonist. John Somerville presented a petition before the Three Estates in July 1525 to be restored and as this was the parliament which appointed Angus as one of the guardians of the king, it is not surprising that the former proprietor of Cambusnethan recovered his possessions.⁷⁰ The earl had learned from his experience a decade earlier that to become alienated

66. ADC, op. cit., ff. 57-8. Ninian Home held the lands and castle of Cockburnspath through an intricate chain of subletting of tacks. The queen had set Cockburnspath in tack to Mr Thomas Hamilton, a burghess of Edinburgh, on 30 March 1522. He, in turn, made an assignation of these lands to the Abbot of Jedburgh on 27 December 1522 and Jedburgh sublet them to Ninian Home. Ibid., f. 64.

67. ADCP, p. 225. These lordships were not normally included in either the wardenry of the East March or of the Middle March. Cf. T.I. Rae, The Administration of the Scottish Frontier 1513-1603 (Edinburgh, 1966), p. 23.

68. Laing Chrs., no. 349, p. 88.

69. ADC, XXXV, f. 18.

70. Ibid., f. 80; APS, II, pp. 292-3, 298-9.

from his fellow magnates was to court political disaster, and he maintained close ties with his new associates, Argyll and Lennox. Perhaps they were aware that the queen had reopened communications with Albany for his return⁷¹ and that she was engaged in building up a faction who would support her plans. Under the threat of such a contingency, Angus, Argyll and Lennox entered into an agreement in June that they would act in unison to maintain the authority of the king and promised to abide by the decision of a board of arbiters composed of their kinsmen if any dispute arose between them.⁷² Although Angus strengthened his position by helping his vassals and retaining the support of other magnates, he was unable to prevent the queen from receiving assistance from other members of Scotland's aristocracy.

When the Three Estates were convened in the summer of 1525, all of the nobles of the kingdom were ordered to attend under pain of proscription.⁷³ However, this threat was ignored by Margaret and her chief ally, the earl of Moray. Arran was sent to persuade the queen to come to the capital but, instead, he reverted momentarily to his former political allegiance and became her adherent.⁷⁴ But the presence of almost the entire episcopate of Scotland (with the exceptions of the Bishops of Ross and the Isles), the Earls of Angus, Argyll, Lennox, Glencairn, Morton, Montrose, Cassillis, Menteith and Rothes, and Lords Maxwell, Erskine, Fleming, Hay of Yester, Livingston, Seton, Ross, St. John, and the Master of Lindsay demonstrated that the regime which had been created by parliamentary fiat in the previous February had gained widespread acceptance. The provosts of Edinburgh, St. Andrews, Stirling,

71. James V Letters, pp. 123-6; LPH, IV, Pt. 1, nos. 1446 (ii and iii).

72. Fraser, Douglas Book, III, pp. 222-3.

73. ADCP, p. 222.

74. LPH, op. cit., no. 1445; APS, II, p. 291. Moray was elected one of the Lords of Articles although he did not attend the session. Ibid., p. 292.

Dundee, Linlithgow and Haddington also attended Parliament and indicated, by their presence, that the middle class believed that this administration had given more stability to Scotland than had either the regency of Margaret or of Albany.⁷⁵ With the arrival of Arran on the second day of the session, the interests of the Hamiltons became united with those of the majority of magnates and left the Queen and Moray isolated. Although Margaret refused to appear, a petition was presented before the Three Estates which informed them publicly that divorce proceedings between herself and Angus were pending before the Roman Curia. The queen asked for provisions to be enacted which would provide for her maintenance since her husband intruded with her estates.⁷⁶ As Margaret had failed to attend Parliament, her position as the personal custodian of the king and as the principal member of the royal council was declared invalid, although at the personal request of James the fifth, the ordinance was not to become effective for a period of twenty days in order to enable the queen to become reconciled with her opponents.⁷⁷ A commission was given to Angus, the Archbishop of Glasgow, the Abbots of Holyrood and Paisley, Sir William Scot of Balwaary and Mr Adam Otterburn which empowered them to begin negotiations for an amicable settlement with England. The control of the Angus, Argyll and Lennox triumvirate as the leaders of the Scottish government seemed assured.

With the prospect of Margaret's refusal to co-operate with the council becoming a permanent political position, Parliament was faced with

75. Ibid.

76. Ibid. The queen stated that she did not come to the meeting of the Three Estates because she feared for her life because of threats made by Angus. The earl denied these allegations and offered to present sufficient guarantees that her estates would be unmolested in the future. Ibid., pp. 293-4.

77. Ibid., pp. 297-8.

the problem of providing for the safety of the king and the security of the realm. In their desire to prevent the king from coming under the exclusive control of any one particular magnate or group of nobles, the Three Estates established a system of rotating personal guardians who were to be responsible for the protection of James and the management of the royal household. Although during the preceding ten years various groups of individuals had been appointed the king's custodians, and in fact, the earl of Moray had been given conciliar authority to remain with James continually, the system of rotating guardians which parliament created was a departure from previous arrangements in its rigidity and intricacy of detail. Before 1524, James had been a minor and when a Governor was legally appointed, he was held personally responsible for the safety of the sovereign. Since the beginning of the previous August, however, James had been vested with supreme political power. Whoever was given the position of custodian to the king would be able, if he so desired, to exercise complete control of the kingdom. This was to be prevented by the dispersal of responsibility for the custody of the king. But, in their anxiety to maintain the sovereignty of the newly "erected" monarch intact, Parliament erected a monstrous edifice based upon the disinterested patriotism of the magnates and upon the seasonal variations of the year, which was inoperative. It was not only cumbersome in detail but it presupposed that, if most of the chief magnates and members of the episcopate were included among the ranks of royal guardians, it would salve their pride and prevent dissension and discord. There were too many flaws within the structure for it to be a meaningful alternative to the personal custody of the king heretofore exercised by his mother.

It was enacted that a series of four groups of guardians would have custody of James for four periods of forty days each. In the first group, which was to remain with the king from the middle of July until Hallowmass

(1 November), were the Archbishop of Glasgow, the bishop of Orkney, the Earls of Angus and Morton, the Abbots of Holyrood and Arbroath, and Lord Seton. In the second group, which was to take over from Hallowmass to Candlemass (2 February) were the Bishops of Brechin and Aberdeen, the Earls of Arran and Eglinton, the Abbot of Paisley and Lord Forbes; in the third, which was to hold office from Candlemass to Beltane (1 May), were the Archbishop of St. Andrews, the Bishop of Dunkeld, the Abbot of Cambuskemeth, the Earl of Argyll, and Lords Erskine and Fleming; and, finally, in the fourth group, which was to remain with James from Beltane to Lammass (1 August) were the Bishops of Dunblane and Caithness, the Earls of Lennox, Glencairn, and Montrose, and the Abbot of Scone.⁷⁸ There was a conscious effort made to have members from the various factions in each group of royal guardians. In the first, the Archbishop of Glasgow, who was also James's schoolmaster, was a firm friend of Margaret's and had been a consistent supporter of the queen until this meeting of the Estates. John Beinstoun, the Bishop of Orkney, played no important role in the political affairs of the kingdom, but as he received the appointment to his see in 1523, he could not have been unfriendly with the queen. The earl of Morton, regardless of his being a Douglas, had not supported Angus consistently, although the suspicion that he had given aid to Gavin Douglas and David Home of Wedderburn indicates that he was considered to be an ally and associate of Angus. The Abbots of Holyrood and Arbroath were known as friends of the former regent, but Holyrood had appeared in practically every administration since the commencement of the regency of Albany, while Arbroath was the nephew of the Archbishop of St. Andrews and supported his uncle completely. Lord Seton had been inactive

78. APS, II, pp. 294-295.

politically, but was connected with the Somervilles. Of the members of the second group, the Bishops of Brechin and Aberdeen had enjoyed the favour of Albany, who had supported their nomination to their respective benefices; Arran and his son, the Abbot of Paisley, acted in concert, while Eglinton, who had allied himself with Arran in the incident of "Cleanse the Causeway" had a deadly feud with Glencairn, Angus's uncle; Lord Forbes was a vassal and remote kinsman of Angus, whose niece was married to Forbes's son. In the third group, Archbishop Beaton, although decidedly Francophile, had been a major agent in the formation of a confederation of nobles which wrested the management of affairs from Margaret during the preceding February; Argyll was on amicable terms with Angus but was a political moderate; the Bishop of Dunkeld had been one of the Scottish commissioners who had negotiated the Treaty of Rouen with France in 1517; the Abbot of Cambuskenneth had been employed frequently as a diplomat and was a faithful servant of the Crown; Lord Fleming had just inherited his patrimonial lands but his father had been known for his friendship with Albany, while Lord Erskine was also a political moderate who generally served whatever administration was in power. Finally, in the fourth group, the Bishops of Dunblane and Caithness were not advocates of alliance with England; the Abbot of Scone was Albany's brother and had supported Margaret in the crisis which occurred in the previous February; Lennox was a firm ally of Angus, while Glencairn was his uncle and Montrose his cognatic first cousin.

It has been generally assumed that with this transference of the personal custody of the king from Queen Margaret to a series of Custodians composed of members of the spiritual and temporal aristocracy the beginning of the ascendancy of Angus and his "regency" was initiated. Almost all of the contemporary accounts asserted that the pre-eminent position of Angus was assured when he became one of the guardians of James: "and thre

erllis to have his body in keeping thair quarter about, quhilkis wer the erllis of Angus, Argyle and Arroll. And first the earle of Angus begane, and vald on na wyis pairt with him, quhilk causit greit discord."⁷⁹

Only Pitscottie suggested that Angus's control of James did not begin until a year after the system of rotating guardians was established.⁸⁰

An analysis of the composition of the membership of the various quarter periods of royal custody coupled with attendance at the meetings of the council indicates quite clearly that Angus did not assume total control over the young king until several months after the creation of the system of rotating guardians.

Insofar as the sederunts of the Lords of Council reflect the presence of members at any one given time, it is quite remarkable that in no instance is any one group of guardians present as a majority during any of the sittings of the council from July 1525 until August 1526 when the cycle of custodians ended. This is true even for each group's 'peak period', that is, when they were supposed to be in charge of the king. From 17 July until 1 November 1525, there were never more than four members of the first group of guardians present at any one time, and only once did they constitute one half of the council present. This was on 4 November after their tenure of office had ended. Angus did not attend as frequently as did the Archbishop of Glasgow, while the Bishop of Orkney

79. Diurnal, p. 9.

80. Pitscottie, I, p. 306. Cf. Buchanan, History, II, p. 290; Lesley, History, p. 132. Lesley's statement that Angus obtained the nomination of the see of Dunblane after the death of its occupant is quite erroneous. Both James and William Chisholm, who were co-bishops of Dunblane, were alive until the third decade of the sixteenth century. Dowden, Bishops, p. 207; Watt, Fasti, pp. 77-8.

and Lord Seton were never present.⁸¹ During the period from November 1525 until February 1525/6, Glasgow was present on the council twenty-six times, Angus and Holyrood twenty-four times, Arbroath twelve times, and Morton twice. From February until May, Glasgow and Angus were present seventeen times, while Holyrood was present eight times, Arbroath six times, Morton twice and Seton once. It was only in the period from May until August 1526 that Angus outstripped Glasgow in regularity of attendance, for he was present on twenty-two occasions, Glasgow on twenty. Holyrood, however, had the highest record, being present twenty-three times. The Bishop of Orkney was present six times, Lord Seton twice and Morton once. Only once from November 1525 until August 1526, on 24 April, did the members of the first group of custodians of James represent half of the membership of the council.⁸² On average, there were never more than three members of this group present at any one council meeting. This, in fact, was a general trend of the members of all four groups of guardians. In the second group, it is interesting to note that the attendance of the Bishop of Aberdeen doubled from November to February, when, in fact, he was supposed to be one of the custodians of the king. Unfortunately, this cannot be taken as an overall pattern as Arran and Eglinton, the Bishop of Brechin, and the Abbot of Paisley did not attend any council meeting during this period, while Lord Forbes only attended twice. This state of affairs remained until August 1526, although Arran began attending council meetings in July. With the third group a similar situation occurred. The Archbishop of St. Andrews attended the council from July to November 1525 on thirteen occasions; from November to February

81.Cf. ADC. XXXV, ff. 95-153.

82.ADC, XXXVI, f. 12.

1525/6 on twenty-seven occasions; from February to May, his "peak period", on twenty occasions, but he refused to attend after 14 March 1525/6. The Bishop of Dunkeld for the same periods attended the council eleven, two, three and two times respectively. The pattern of attendance of the Earl of Argyll was somewhat different. From July to November he was present only six times, but from November to February 1525/6 he attended sixteen times, while from February to May, his "peak period" he was present on seventeen occasions. However, he too, refused to attend the council after 14 March. The Abbot of Cambuskenneth's record of attendance was as follows: from July to November nine times, from November to February eleven times, from February to May nine times, and from May to August seventeen times. Lords Erskine's and Fleming's records for the same periods were ten, six, six, and seven, five, eight, ott and six respectively. The attendance record of the fourth group was by far the worst. The Bishop of Caithness and Abbot of Scone did not attend a single meeting of the council from July 1525 to August 1526, while Montrose only attended three times from July to November 1525. The Bishop of Dunblane attended only eleven times from July to November. Only Lennox and Glencairn maintained any consistent record of attendance. Lennox was present fifteen times from July to November, twenty-seven times from November to February, thirteen times from February to May, and sixteen times from May to August, while Glencairn's record, for the same periods were nine, eight, ott, and four times respectively. It is significant that during the "peak period" of the fourth group only Lennox and Glencairn appeared at the council meeting and their attendance dropped considerably from what it had been at the close of 1525. There appears to be some justification, in fact, of the charge which Angus levelled at his fellow magnates when he was accused ^{of} to keeping the king under duress. He claimed that the lords did not come to take over their charge. From the

attendance record of the council given in the following tables, it can be seen that in only a few cases did the attendance of those earls and bishops who were charged to take over the custody of the king appreciably increase during the time which had been allotted to them (their "peak period") by act of Parliament.

TABLE I

Attendance Record of the first group of Guardians
of James the fifth

17 July-1 November 1525: PEAK PERIOD

NAME	DATES	SOURCE: ADC	TIMES PRESENT
Archbishop of Glasgow	24, 26, 28, 29 July 3, 4, 9, 30 August 18, 30 September, 4, 7, 10 October	XXXV, ff. 104, 108, 113, 182, 121, 124, 144, 131 150, 132, 151, 152.	13
Bishop of Orkney	0		0
Abbot of Holyrood	20, 24, 26 27-9 July 3, 30 August 28, 30 September, 4, 10 October	ff. 400, 104, 108, 109, 113, 118 121, 131, 132, 151,	12
Abbot of Arbroath	19, 20, 24, 26, 27, 28 July, 3 August 30 September 4, 7, 10 October	94, 100, 104, 108 109, 113, 121, 132, 152	11
Angus	20, 22, 24 July 3, 4, 9, 30 August 27, 28, 30 Sept. 4, 10 October	100, 103, 104, 121 124, 144, 131, 132 151, 152, 153	12
Morton	22 July, 3, 4 August, 27, 28, 30 Sept.	109, 121, 124, 131 132, 153	6
Seton	0		0

1 November 1525-2 February 1525/6

Archbishop of Glasgow	4, 6, 8, 13, 15 16-18, 21-24, 27 November	153, 154, 155, 156 160-62, 165, 168	26
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NAME	DATES	SOURCE: ADC	TIMES PRESENT
Archbishop of Glasgow (cont.)	1, 5, 7, 15, 16, 28 December, 2, 8, 10, 15, 22, 29, January, 1 February.	178, 180, 187, 189 191, 192, 194, 195, 196-198.	
Bishop of Orkney	0		0
Abbot of Holyrood	4, 13, 15-8, 21, 24, 29 November, 4, 5, 7, 9, 11, 14, 20, 28 December 2, 8, 22, 29, January, 1 February	155, 156, 160, 162 168, 176, 182, 191 192, 194, 196, 98	24
Abbot of Arbroath	13, 15, 21, 22 Nov. 1, 4, 11, 20 December 2, 8, 22 January, 1 February	155, 156, 160, 162 168, 176, 182, 191 192, 194, 196, 198	12
Angus	4, 6, 8, 16-8, 21-4 27 November, 1, 2, 4, 16, 20, 28 December 2, 8, 10, 15, 22, 29 January 1 February	153, 154, 160-62, 165, 168, 175, 176 189, 191, 192, 194 195, 197-8	24
Morton	4, 6, November	f. 153	2
Seton	0		0

2 February 1525/6- 1 May 1526

Archbishop of Glasgow	16, 19, 20, 23, 26-8 February, 2, 3, 5, 7-10, 14, 17 March, 24 April	204, 208-10, 214 216, 217, 219, 222, XXXVI, f. 4, 6, 8, 10, 12	17
Bishop of Orkney	0		0
Abbot of Holyrood	23, 27 February, 2, 3, 5, 8, 14 March, 24 April	208, 210, 214, 216 217, 222 XXXVI, ff. 8, 12	8
Abbot of Arbroath	6, 8, 10, 23, 26 February 14 March	199, 204, 208, 209 XXXVI, f. 8	6
Angus	12, 13, 19, 20, 23, 26 28 February, 2, 3, 5, 7, 8, 9, 13, 14, 17 March, 24 April.		17

**PAGE
MISSING
IN
ORIGINAL**

Morton	14, 17 March	XXXVI, ff. 8, 10	2
Seton	26 February	XXXV, f. 209	1
	1 May -31 August		
Archbishop of Glasgow	2, 7, 11, 19, 31 May 17, 26, 28, 30 June, 3, 4, 5, 9, 10, 12, 14 16, 28, 31 July, 2 August	XXXVI, ff. 11, 12, 14 15-17, 20, 21, 23, 26, 28, 40, 43, 45, 46, 64, 66, 70	20
Bishop of Orkney	26 June, 3, 14, 24, 26, 28 July	17, 23, 45, 60, 61, 64	6
Abbot of Holy- rood	19, 31 May 17, 26, 28 June 3, 4, 5, 9, 10, 12, 16 18, 19, 30, 31 July, 2, 8, 11, 13, 16, 21 29 August	14, 15, 16, 20, 23, 26 31, 38, 40, 43, 46, 51 65, 66, 70, 74, 76, 77 84, 91, 93	23
Abbot of Arbroath	0		0
Angus	2, 7, 11, 19, 31 May, 26, 27, 30 June, 3, 4, 7, 9, 10, 12, July 8, 20, 21, 22, 25, 29, 31 August	12, 14, 16, 19, 21, 23 26, 34, 38, 40, 43, 66 71, 74, 87, 90, 91, 93	22
Morton	31 May	14	1
Seton	4, 19 July	26, 51	2

TABLE II

Attendance Record of the second group of guardians
of James the fifth

17 July - 1 November 1525

NAME	DATES	SOURCE:ADC	TIMES PRESENT
Bishop of Aberdeen	20, 21, 28 July, 3, 5, 9, 11, 12, 18 August	XXXIV, ff. 100, 141, 143, 121, 125, 144 147-9.	10
Bishop of Brechin	19, 20, 22, 24, 26-9 July, 3, 4 August	96, 100, 103, 104 106, 108, 109, 113, 118, 121, 124.	10
Abbot of Paisley	19, 20, 24, 26-9 July, 3, 30 August	96, 100, 104, 108 109, 113, 118, 119, 121, 130.	9
Arran	20, 28, 30 July	100, 143	3
Eglinton	0		0
Forbes	0		0

1 November-2 February 1525/6: PEAK PERIOD

Bishop of Aberdeen	13, 15-18, 21-4, 27, 29 November, 1, 2, 4, 5, 7, 11, 12, 14-6, 18, 20, 28 Dec. 2, 8, 10, 15, 22, 29 January, 1 February	155, 156, 160-2, 165, 166, 168, 175, 176, 178, 180, 182, 183, 185, 187, 189-92, 194-8.	31
Bishop of Brechin	0		0
Abbot of Paisley	0		0
Arran	0		0
Eglinton	0		0
Forbes	22, 29 January	196, 197	2

2 February-1 May 1526

Bishop of Aberdeen	6, 8, 9, 12, 13, 16, 19 20, 23, 26-8 February 1, 2, 3, 5, 7, 8, 9, 10, 13, 14, March	192, 194-9, 200 203-5, 208, 210 XXXVI, ff. 4.	22
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NAME	DATES	SOURCE: ADC	TIMES PRESENT
Bishop of Brechin	0		0
Abbot of Paisley	0		0
Arran	0		0
Eglinton	0		0
Forbes	12, 13 February	200, 203	2
	1 May-31 August 1526		
Bishop of Aberdeen	17, 26-8, 30 June, 3-5, 7, 9, 10-12, 14 16-20, 23, 24, 26, 27- 30, 31 July, 2, 3, 6-9, 11, 13, 14 16, 17, 21, 22 August	15, 16, 19-21, 42 43, 45, 46, 48, 51, 58, 60, 61, 63-6, 70 71, 73-7, 81, 84, 85 87, 90	39
Bishop of Brechin	0		0
Abbot of Paisley	0		0
Arran	4, 7 July 14 August	26, 34, 81-3	3
Eglinton	0		0
Forbes	0		0

TABLE III

Attendance record of the third group of guardians
of James the fifth

NAME	DATES	SOURCE: ADC	TIMES PRESENT
17 July-1 November 1525			
Archbishop of St. Andrews	19, 20, 22, 24, 26-9 July, 3, 4, 5 August, 28, 30 September	XXXV, ff. 96, 100 103, 104, 108, 109, 113, 118, 121, 124, 125, 132	13
Bishop of Dunkeld	19, 20, 22, 24, 27-9 July, 3, 4, 9, 30 August	96, 100, 103, 104 108, 109, 113, 118, 144, 131.	11
Abbot of Cambuskenneth	21, 24, 27-8 July, 5, 9, 18 August, 28, 30 September	141-2, 109, 143, 125, 149, 132,	9
Argyll	19, 24, 26, 28 July, 3, 4 August	96, 104, 108, 113, 121, 124.	6
Erskine	20, 24, 26, 28-9 July 3-5 August, 28, 30 September	100, 104, 108 113, 118, 121, 124 125, 132	10
Fleming	3, 4, 9 August, 28, 30 September	121, 124, 144, 132	5
1 November- February 1525/6			
Archbishop of St. Andrews	13, 15-8, 21-4, 27 November, 1, 2, 4, 5, 9, 9, 11, 12, 14, 15, 16 20, 28 December, 2, 15, 22, 29 January 1 February	155, 156, 160-2, 165, 168, 175-6, 178, 182-3, 185, 187, 189, 190-2, 195-8	27
Bishop of Dunkeld	8, 22 January	194, 196	2
Abbot of Cambuskenneth	13, 15-8, 21-4, 29 November, 1 December	155, 160, 162 165-6, 169	11
Argyll	13, 15-8, 21-4 Nov. 14-6, 20, 28 Dec. 2, 8 January	155, 160-2 185-7, 190-1 192, 194	16
Erskine	13, 15, 21 November, 22, 29 January, 1 February	155, 156, 161 196-8	6

NAME	DATES	SOURCE: ADC	TIMES PRESENT
Fleming	13, 15, 21-4 Nov. 4 December, 22 January	155, 156, 161-2, 165, 176, 196	8*
2 February - 1 May 1526: PEAK PERIOD			
Archbishop of St. Andrews	6, 8, 12, 13, 16, 19 20, 23, 26-8, February 1-3, 5, 7-10, 14 March	198-9, 200 203-5, 208-11, 214, 216, 217 219, 222, XXXVI, ff. 4, 6, 8.	20
Bishop of Dunkeld	12, 20, 26 February	200, 208-9	3
Abbot of Cambus- Kenneth	23, 26, 28 February 1, 3, 7, 8, 10, 13 March	208-11, 216 219, 222 XXXVI, f. 6	9
Argyll	6, 8, 12, 16, 19, 20 23, 26, 27 February 2, 5, 7-10, 13, 14 March	198-200, 204 205, 208-10 214, 217, 219 222 XXXVI, ff. 4, 6, 8	17
Erskine	26-8 February, 2, 3, 5 March	XXXV, 209, 210 214, 216-7	6
Fleming	0		0
1 May-31 August 1526			
Archbishop of St. Andrews	0		0
Bishop of Dunkeld	29, 31 August	XXXVI, ff. 91, 93	2
Abbot of Cambuskenneth	17, 26 June, 14, 17, 26, 28, 30 31 July, 2, 3, 6-9, 11, 13, 14 August	15, 16, 45, 48, 61 64-6, 70-71, 73-7, 81	17
Argyll	0		0
Erskine	30 June, 3, 5, 7, 9 July, 23 August	21, 23, 31, 34 40, 70, 71	7
Fleming	4, 9, 31 July, 3, 11, 21, August	26, 38, 66, 71 76, 87	6

TABLE IV

Attendance Record of the fourth group of guardians
of James the fifth

NAME	DATES	SOURCE: ADC	TIMES PRESENT
17 July - 1 November 1525			
Bishop of Dunblane	19, 20, 22, 24, 26-9 July, 3, 4, August, 28 September	XXIV, ff. 96, 100, 103, 104, 108, 109, 113, 118, 121, 124, 132.	11
Bishop of Caithness	0		0
Abbot of Scone	0		0
Lennox	19, 20, 22, 24, 26, 28 July, 3, 4, August, 18, 27, 28, 30 Sept. 4, 7, 10 October	96, 100, 103, 104 108, 113, 121, 124, 131-2, 151-2	15
Glencairn	19 July, 3, 9 August, 18, 27-8, 30 Sept. 7, 10 October	96, 121, 144, 131-2 152-3	9
Montrose	19, 20, 28 July	96, 100, 103	3
1 November-2 February 1525/6			
Bishop of Dunblane	0		0
Bishop of Caithness	0		0
Abbot of Scone	0		0
Lennox	4, 6, 8, 13, 15, 21-4, 27 November 1, 4, 7, 11, 12, 15-6, 20, 28 December, 2, 8, 10, 29 January, 1 February	153-6, 160-2, 165, 168, 176, 180, 182-3, 187, 189, 191-2, 194, 195, 197-8	27
Glencairn	4, 6, 21 November, 1, 15-6, 28 December, 8 January.	152-3, 161, 168, 187, 189, 191, 194	8
Montrose	0		0

NAME	DATES	SOURCE:ADC	TIMES PRESENT
2 February-1May 1526			
Bishop of Dunblane	0		0
Bishop of Caithness	0		0
Abbot of Scone	0		0
Lennox	6, 9, 12-3, 16 February, 2, 5, 7, 8, 9, 13, 14, 17 March	200, 203-4, 214, 217, 219, 222, XXXVI, ff. 4, 6, 8, 10.	13
Glencairn	0		0
Montrose	0		0
1 May-31 August 1526: PEAK PERIOD			
Bishop of Dunblane	0		0
Bishop of Caithness	0		0
Abbot of Scone	0		0
Lennox	7, 11, 19, 31 May, 26, 27, 30 June, 3, 4, 9, 10, 12, 14, 16, 17, 30 July,	XXXVI, ff. 12, 14, 16, 19, 21, 23, 26, 38, 40, 43, 45, 46, 48, 65	16
Glencairn	26-8 June, 4 July	16, 19, 20, 26	4
Montrose	0		0

With the establishment of rotating guardians, Queen Margaret's political importance decreased enormously. She refused to give her approval to the new regime and, fearing that her husband might attempt a *contretemps* against her, fled with Moray to reside on his estates in the far north.⁸³ But her hopes of receiving substantial aid from Albany were ended when the French government signed a new treaty of peace with England which forbade the duke to enter Scotland.⁸⁴ Thus the former regent was prevented from becoming a leader of any opposition which desired the end of the new regime of rotating royal guardians. However, greed and self-interest would, once again, create factionalism and dissension among the Scottish aristocracy which would end the short-lived unity displayed in the summer of 1525.

Less than two months after he had become one of the custodians of the king, Angus was faced with a major crisis within his own family which involved his brother William and his kinsman and supporters, the Homes of Wedderburn. On 9 September it was reported that the Homes had killed the laird of Tulliallan, who was also the prior of Coldingham.⁸⁵ This breach of the law made it necessary for Angus to travel in the Marse well protected as he disapproved ~~to~~^{of} the Homes' action and could no longer count on their support. The dispute centred around the possession of the priory of Coldingham which had been a matter of controversy since the death of Robert Blackadder, its former prior, in 1519. Angus's brother, William Douglas, had been given control of the priory almost immediately after Blackadder's death, but Mr Patrick Blackadder, of Tulliallan, a

83. LPH, op. cit., nos. 1597, 1637.

84. Ibid., no. 1600 (xlii).

85. Ibid., no. 1637; SPH, IV, Pt. IV, no. CXLI, p. 402.

kinsman of the dead prior, had received presentation to the benefice from the queen. However, he had resigned his claims in favour of another kinsman, Adam Blackadder.⁸⁶ Margaret was determined to prevent Douglas from enjoying possession of Coldingham but Angus tenaciously requested Henry and Wolsey to use their considerable influence at Rome to obtain confirmation of William Douglas's claims.⁸⁷ Owing to the support of the English king, William Douglas received papal confirmation of his benefice in June 1525 and was probably the prior of Coldingham who was present in the parliament which met in the following July.⁸⁸ However, Douglas faced not only the opposition of Tulliallan and Adam Blackadder in his new benefice, but also the Homes of Wedderburn who believed that they had some claim to the priory since the provision of their kinsman David Home after Flodden. David Home was killed by the Master of Hailes, who was, perhaps, a kinsman of the Blackadders, and the lairds of Wedderburn and Tulliallan had had a feud over the possession of the estates of the Blackadders of that ilk for over a decade.⁸⁹ In July 1524, the previous decision given by the Lords of Council in favour of Tulliallan in establishing his claim as the heir male to the lairds of Blackadder was revoked in favour of Wedderburn on a point of technicality of the law.⁹⁰ Tulliallan, however, began a suit against Alexander Home of Polwarth, who was closely connected with Wedderburn, for despoliation of the lands of Blackadder, but the final outcome of the dispute is not known.⁹¹

86. *Op. cit.*, no. 861.

87. *Ibid.*, nos. 1168, 1170, 1222.

88. *LPH*, *op. cit.*, no. 1395; cf. *ibid.*, no. 1145.

89. Cf. *ADC*, XXXIV, f. 29.

90. *Ibid.*, XXXV, f. 85.

91. *Ibid.*, ff. 105, 108-9.

The general tenor of all of these court proceedings indicates that neither party was really willing to accept the intervention of the central court. Only an armed conflict would settle the disagreement. George Buchanan accused Angus of complicity in Tulliallan's murder in 1525,⁹² but this seems hardly reasonable in view of the fact that he was involved in quelling his unruly relatives. In point of fact, the earl appears to have supported Adam Blackadder's claim to the priory. Angus induced his brother William to agree to the provision of Blackadder to Coldingham by offering his brother the provision to the abbacy of Holyrood, which Douglas had received by August 1526.⁹³ Shortly thereafter, in November and December, Adam Blackadder, Prior of Coldingham, granted two discharges to William Douglas for intruding with the fruits of the priory and agreed not to bring legal action against him. These discharges, however, specifically excluded the claims which the heirs of the Laird of Tulliallan had to the priory.⁹⁴ The struggle between the Homes of Wedderburn

92. Buchanan, History, II, pp. 290-91.

93. APS, II, p. 305; RSS, I, no. 3485.

94. Thomson, Coldingham, Appendix, no. XXIII; SRO, Morton Papers, GD 150/1727. The identity of the new prior is proven by the fact that his father, Adam Blackadder of Inginwar/Ynewar was also a signatory of this discharge dated 3 December 1526. The fact that the discharge was drawn up at the abbey of Culross and that among the lands which belonged to the abbey which were incorporated into the temporal lordship of Culross in 1609 were those of Inzeweris (RMS, VII, no. IX), undoubtedly identical with Inginwar, demonstrates that this branch of the Blackadder family had followed the lairds of Tulliallan in acquiring lands in Perthshire. William Douglas, Abbot of Holyrood, claimed to exercise some right of ownership over the lands of Coldingham even after this settlement had been negotiated. When the lands in question were appraised in 1528 to the Laird of Buccleuch for debts owed to him by the laird of Aytoun, the Abbot of Holyrood protested that this should not prejudice his right. ADC, XXXVIII, f. 114. There has been some confusion as to the identity of the laird of Tulliallan, Mr Patrick Blackadder. He was Archdeacon of Glasgow, but William Fraser, in his Douglas Book, wrote that one Patrick Blackadder, Archdeacon of Dunblane was killed in 1519. Fraser has confused Patrick Blackadder with Robert Blackadder, Prior of Coldingham, who was killed in that year, and Patrick Blackadder was never Archdeacon of Dunblane. Unfortunately, the creation of two Patrick Blackadders has been followed in Dr Watt's Fasti, which is erroneous. Watt, Fasti, pp. 90, 173.

and the Blackadders over the possession of the priory of Coldingham had ended in the victory of the latter with the assistance of Angus. His refusal to help them in their claim would be remembered by the Homes when he needed their support two years later.

The disorders upon the borders, of which the Home-Blackadder feud was but an example, had aroused the earl of Angus to embark upon an expedition to restore peace to that region. He left the king in Edinburgh under the guidance of the Archbishop of Glasgow and went to the Merse,⁹⁵ but his attempt to bring the borderers to heel was unsuccessful. The Archbishop of Glasgow admonished the earl to attend to his duties as Warden of the Marches and to crush the troublesome Armstrong clan.⁹⁶ But the end of the term of his guardianship of the king was in sight and Angus's only concern was that he might be separated from James the fifth.

Four days before the actual termination of his office, it was reported that the earl "keeps near the King, being afraid of being out from him."⁹⁷ Angus resolutely refused to leave James as he feared that once he lost his accessibility to the king his enemies would once again attempt to exclude him from the court and from the administration of the government. This decision, in fact, marked the actual beginnings of the supremacy of Angus and of his "regency". It is conceivable that if the second body of royal custodians had not included Arran and his allies, who were firm opponents of Angus and his family, the earl would have been willing to see James under the control of other magnates. But he feared being displaced by an old antagonist who had done everything possible to prolong his exile from Scotland. Added to this was his

95. SPH, IV, Pt. IV, no. CXLIII, p. 404.

96. Ibid., no. CXLV, p. 414.

97. LPH, op. cit., no. 1725.

suspicion that Arran was in favour of the continued domination of the French alliance in Scotland's diplomacy which Angus was determined to end.⁹⁸ A combination of personal emotions with political inclination motivated Angus's decision to remain with James.

Angus did not have an exclusive monopoly of attending the king and the court as Argyll, Lennox, Cassillis and Glencairn were in regular attendance at meetings of the council until the end of December.⁹⁹ There was no major change, therefore, in the personnel of the custodians of the king in November. At the first occasion when the elaborate scheme of royal guardians was to be put into effect, it had proven itself unable to force those whose legal title was based upon its provisions to renounce their position in favour of their successors. However, continuity of administration meant continuity of policy. This insured that Anglo-Scottish attempts to reach an amicable settlement of their differences would continue. Queen Margaret, who had hoped that her ally Arran would become the chief guardian of her son, realised that Angus was determined not to allow this. She requested her brother to inform the Scottish council that he favoured her return as the sole keeper of James and that she be allowed to enjoy her lands without interference from her husband.¹⁰⁰ But Henry, who was aware that Margaret had reopened communication with Albany, was not willing to upset the precarious stability of the Anglophile government in Edinburgh, especially as negotiations for a treaty of peace were proceeding in a favourable manner. His representative, Thomas Magnus, had had his licence to

98. Ibid.

99. ADC, XXXV, ff. 168, 175, 176, 178, 180, 182, 183, 185, 187, 189, 190, 191.

100. LPH, op. cit., no. 1810.

remain in Scotland renewed in November,¹⁰¹ and by the end of the year, Angus informed the English king that commissioners were to be sent to Berwick to conclude the long hoped for treaty. The Abbot of Holyrood and Mr Adam Otterburn were empowered to sign a three year treaty of defensive and offensive alliance with their English counterparts and this was done at Berwick on 15 January 1525/6.¹⁰² The Anglo-Scottish entente was an established fact.

This had been accomplished in spite of a full scale revolt against the administration in Edinburgh. Margaret, with her colleague, the earl of Moray, decided to re-assert control of the government and had entered into association with other dissident elements to effect a revolution. In the first week of January, it was known that Moray and the Queen were coming from the north with a large army and the earl was ordered to return to his estates. A general proclamation was made against "all landed men from making convocations."¹⁰³ Attempts were made between the supporters of the rebels and those of Angus and Lennox to end the disputes between them but these were unsuccessful. The alignment of the various allies of the rebels and of the government shows a curious admixture of the interplay of consanguinity, tenurial obligations and common interests. With Arran, the leader of the rebels, were the Earl of Eglinton, Lords Home, Semple, Avandale, the Master of Hailes, Hew Campbell, Sheriff of Ayr, Sir Patrick Hepburn of Wauchtoun, the lairds of Ferniehurst, Cessford and Cragy, and, supposedly, Lord Somerville. Angus was supported by the earls of Lennox, Crawford, Morton, Glencairn, Montrose, Lords Forbes, Yester, Glamis, Ross, Lyle, Somerville,

101. ADCP, p. 229.

102. Op. cit., no. 1893.

103. ADCP, op. cit., pp. 235-6.

Borthwick, the lairds of Drumlanrig, Bass, Lochinver, Garlies, Bargany, Buccleuch, Cessford, Dolphinton, Caldwell, Belliboch and the tutor of Wedderburn.¹⁰⁴ Arran, Eglinton, Home (who also had the support of the Abbot of Jedburgh, his kinsman) had long-standing personal feuds with Angus and Home was disputing with the earl over the control of the lands of Cockburnspath. Lord Avandale was the father of the queen's future husband, Henry Stewart; Lord Semple, the Sheriff of Ayr and the laird of Cragy were supporters of Eglinton (Cragy and the Sheriff were also first cousins); the Master of Hailes and the laird of Wauchtoun were among the closest agnates of the earl of Bothwell and resented Angus's control over that nobleman's lordship of Liddesdale; Ferniehirst, who was Angus's vassal, and Cessford were kinsmen and neither had any amiable feelings for the powerful magnate. Angus had the support of his kinsmen Morton, Glencairn (his uncle), Montrose (his first cousin), Lords Yester and Glamis (his brothers-in-law), and Lord Borthwick (Yester's nephew). Lords Ross and Lyle were disputing ownership of various properties with Lord Semple; the lairds of Drumlanrig, Lochinver and Garlies were in alliance with Lord Maxwell and Angus; Bargany was Glencairn's kinsman, and the lairds of Buccleuch, Caldwell and Belliboch were supporters of Lennox. Lord Somerville's long dispute with his cousin the laird of Cambusnethan had been settled, at least momentarily, through the intervention of Angus, who had extracted a promise from him that he would remit his charges against Cambusnethan on the payment of thirteen hundred marks. As this agreement was followed by a bond of manrent between Angus and Somerville which was drawn up on 14 January 1525/6, it is extremely doubtful that Somerville was a supporter of

104. Ibid.

Arran at this time.¹⁰⁵

The triumvirate of Angus, Argyll and Lennox acted quickly and decisively to suppress this rebellion. Nothing is more striking than the reaction of England during the crisis. If civil disorder had occurred during the governship of Albany, the English would have given material aid to the faction which opposed the regent, but during this affair, they remained neutral. It was obvious, however, that they supported the regime in power as they assured the Scottish council, after the dispersal of the rebels, that the supporters of Arran, Lord Home and Ferniehurst would not receive asylum in England.¹⁰⁶ The rebels fled to Hamilton without engaging the forces of Angus and his supporters in actual combat, according to the account which the earl gave to the government in London.¹⁰⁷ The earl of Moray had joined the victors while the queen went with Arran to his ancestral home. But the ease with which this rout was accomplished was deceptive. What Angus had neglected to say was that with the king present, any attack upon the royal army would automatically be a crime of high treason. Although one contemporary believed that this insurrection had had its origin in the mind of the king himself: "divers tymes he pre-walt subtile to pass fra thame bot he mycht nocht first he inducit his brodir the erle of Moraf, and the lord Hameltone to cum with thare power

105. Fraser, Douglas Book, III, pp. 223-4.

106. LPH, op. cit., no. 1910. The deep animosity between Ferniehurst and his feudal superior is apparent from the fact that the former informed the English that he would be willing to make redress for grievances but would not do so at the request of Angus.

107. Ibid., no. 1912 (ii). The most contemporary account of this revolt mentioned that the Bishop of Moray was one of the insurgents. Ibid., no. 1908. This seems unlikely as he was given a commission to negotiate with the English for peace. Ibid., no. 1890.

bot thai prewallit nocht."¹⁰⁸ Moray, in fact, received preferential treatment from Angus and his allies. He was made a member of the privy council and, once more, was ordered to remain with the king daily.¹⁰⁹ In the account which he rendered in the following July for the rents due from the crown lands of Ardmannach which he had in lease, all the debts which he owed to the exchequer were remitted to him "in completam solutionem expensarum domine regine tempore que fuit in Moravia."¹¹⁰ He showed his change of heart by being in almost constant attendance at council meetings for the next two months.¹¹¹ Angus and his associates deemed that it was essential that peace be restored to the realm and their moderate treatment of Moray would not only disarm a former opponent, but would induce others who were still hostile to reconsider their positions. The queen, however, remained intractable.

Border affairs once more occupied the attention of Angus. Disorders had increased during the early part of 1526 which coincided with the rebellion of Arran and the queen, but within a month after its suppression, Angus appeared on the Marches and met with the English warden to redress grievances. In spite of his willingness to satisfy the demands of Northumberland, Angus declared that he was in no position to do so as the offenders were inhabitants of Liddesdale which was under the jurisdiction of its feudal superior, the earl of Bothwell.¹¹² But, in order to rectify this situation, he obligated himself before the council to punish the men of Liddesdale and to pacify the Anglo-Scottish frontier.¹¹³ He

108. Abell MS., ff. 116-7.

109. ADC, XXXV, f. 196.

110. Exch. Rolls, XV, p. 264.

111. Op. cit., ff. 197-9, 204.

112. LPH, op. cit., no. 1968 (111).

113. ADCP, p. 239.

showed a determination to abide by his promise for various members of the clans of the Homes and Kers were called before the council to answer for their mischievous activities. Even one of his severest critics, Thomas Magnus, reported that "the Borders were never better ruled."¹¹⁴ But the solution of efficient border administration was not a simple one. The borders were divided into three marches and, although Angus had been given charge of two of them, the West March was under the control of Lord Maxwell, who was engaged in building up an efficient network of alliances cemented by means of bonds of manrent and by personal favours between himself and several of the leading lairds of that wardenry.¹¹⁵ Maxwell's aim in this was motivated by personal and parochial factors: he was interested in creating a hegemony for his family in the West March. He constantly followed an independent policy of his own and categorically refused to help in the policing of Liddesdale. He even denied responsibility for the crimes which were committed by the men of Eskdale and Ewesdale, which formed an integral part of the West March.¹¹⁶ Angus was not sufficiently powerful to punish Maxwell which was a source of weakness to Angus's regime, although an understanding between the two men must have been operative as Maxwell supported Angus during the gravest crisis which confronted the earl. Liddesdale, which bordered on the West March, was, technically speaking, a part of the wardenry of the Middle March. However, it was the property of the powerful earl of

114. Op. cit., no. 2004.

115. William Fraser, The Book of Carlaverock, (Edinburgh, 1873), II, pp. 456-64. Cited hereafter as Fraser, Carlaverock. From 1514 until 1525 there are notices of eleven such bonds in this source alone.

116. LPH, op. cit., nos. 2003 (1), -2017.

Bothwell, and, although that nobleman was still a minor in 1526, his curators, the Prior of St. Andrews and the Master of Hailes (Patrick Hepburn of Bolton) were not anxious that it should come under the control of the descendant of the ancient lords of Liddesdale. In his determination to enforce order along the frontier, Angus was able to exert pressure upon the Hepburns to allow him complete freedom to interfere with their lordship, as the Scottish council informed the English warden in March 1525/6 that Liddesdale "belonged" to Angus who, in the future, would answer for the behaviour of its inhabitants.¹¹⁷ Yet the exigencies of the national political situation impinged upon Angus's attempts to create an efficient border administration to such a degree that he was never able to implement his policies effectively.

Angus was scheduled to meet with the earl of Northumberland in late March to answer for border disturbances but he excused himself by the rumours, so he claimed, of the imminent arrival of Albany in Scotland; that certain borderers remained impervious to his demand that they amend their behaviour; and that no major magnate remained with the king.¹¹⁸ English reaction to this epistle was one of extreme annoyance and the true reason, that of Angus's reluctance to leave James, was perceived at once. In fact, this letter is of crucial importance in determining the exact establishment of Angus's position as the unquestioned "regent" of the realm. Although he had mentioned his reluctance to leave the king in November, which certainly heralded his retaining custody of James, this had now become a settled matter of policy. In the membership of the council for the month of March 1525/6 can be seen a pattern which showed the increasing reluctance of the leading ecclesiastics and magnates to

117. Ibid., nos. 1978, 2017.

118. SPH, op. cit., no. CLVII, p. 447.

attend its sessions. On 1 March, the archbishop of St. Andrews, and the Bishops of Ross and Aberdeen were present, but no magnate;¹¹⁹ on 2 March, the Archbishops of St. Andrews and Glasgow, the Bishops of Ross and Aberdeen were present, and Angus, Argyll and Lennox were present;¹²⁰ on the 7, 8, and 9 of March the membership remained static, except for the departure of the Bishop of Ross;¹²¹ on the 10 only the two archbishops, the bishop of Aberdeen and the earl of Argyll were present, while on the 13, Angus and Lennox were present, but St. Andrews was not.¹²² On the 14, James himself was present, as were the two Archbishops, Aberdeen, Angus, Argyll, Lennox and Morton,¹²³ but by the 17, St. Andrews and Argyll were no longer attending the council at all.¹²⁴ The council did not meet until 24 April and for the following three months there was a dearth of magnates and bishops attending, although Angus and the Archbishop of Glasgow were assiduous attenders.¹²⁵ When Angus reported that his associates had left the court, he was substantially correct, but his refusal to give up possession of the king, which was the reason for their doing so, was not mentioned.

During the crucial spring of 1526 Angus began to sense that it would be advantageous to reach agreements with his antagonists. Thomas Ker, Abbot of Kelso, who was Ferniehirst's brother, had not been noted

119. ADC, XXXV, f. 211.

120. Ibid., ff. 216-7.

121. Ibid., ff. 219, 22; XXXVI, f. 4.

122. Ibid., XXXVI, f. 6.

123. Ibid., f. 8.

124. Ibid., f. 10.

125. Ibid., ff. 12-16.

for his support of the earl, yet he was given the important diplomatic task of taking James's ratification of the recent treaty concluded with England to Berwick to meet with the envoys of the English king.¹²⁶ In the first week of March, Sir James Hamilton of Finnart compeared before the council to register certain obligations which he had made with John Somerville of Cambusnethan. Hamilton agreed to resign all his claim to the lands of Cambusnethan and in return, Somerville bound himself to pay 2400 merks. Angus was a party to the transactions as he discharged Hamilton from all actions of spuilzie which the latter had committed upon his lordships of Bothwell and Douglas. He also granted certain lands in his baronies of Bothwell and Douglas to Hamilton, which was confirmed under the great seal.¹²⁷ This compromise between two old opponents was probably initiated by Angus and was the beginning of a rapprochement between Angus and Arran which would have such far-reaching results in the following September.¹²⁸

The new pre-eminence of the earl was a generally recognised fact by April. When the city council of Aberdeen sent a gift of wine to the king and his council, the chancellor and Angus were singled out to receive separate gifts as well.¹²⁹ This had not been calmly accepted, however. When the council, designating itself Parliament, met in mid March, widespread discontent with the state of affairs was reflected in the enactment which forbade any change in the previous provisions made concerning the

126. LFH, op. cit., nos. 2019, 2031(ii).

127. ADC, op. cit., XXXV, ff. 214-6; SRO, Cunningham of Caprington Muniments Gd 149, Box 1, Bundle III, no. 6; John Somerville resigned his lands of Whiterig in favour of Finnart. Cf. RMS, III, no. 378.

128. Buchanan believed that the union of the old antagonists occurred shortly after the battle of Melrose in July 1526. Buchanan, History, II, p. 293.

129. Extracts from the Council Register of the burgh of Aberdeen: 1398-1570, ed. John Stuart. Spalding Club (Aberdeen, 1844), p. 115.

regulation of the custody of the king.¹³⁰ This additional endorsement of the cumbersome machinery which had been established in the previous July only indicated its failure and was passed to soothe public opinion. In the convention of the Three Estates in the following June, James the fifth was "re-erected" to supreme power and all acts which had been passed concerning the custody of his person were annulled. Although it was declared that the king should be guided by the members of the privy council, no declaration of providing for his safety or the management of his household was enacted. In reality, power now became vested in Angus who refused to allow the king complete freedom of movement. But just as the "re-erection" of James confirmed the earl's position, it also provided the foundation of his forfeiture. Angus's custody of the king lacked any legality as James was declared to be of age and in command of the government. When the institution of rotating guardians was abolished, Angus was deprived of any excuse which could justify his retention of the king. The parliamentary decree which formulated the basis of Angus's "regency" also contained the germ of its destruction.¹³¹

At this same parliament, an official policy of reconciliation was instituted by Angus. George, Lord Home and Andrew Ker of Ferniehirst were exonerated from a summons of treason which had been raised by the earl because of their refusal to comply with Angus's demand to assist him in maintaining order along the Marches.¹³² As a campaign against the unruly borderers was envisaged, the support of Home and Ferniehirst, who

130. AP3, II, pp. 299-300. This was actually a meeting of a general council rather than one of a full parliament. Cf. ADC, XXXVI, f. 8.

131. Op. cit.

132. Ibid., pp. 303-4.

were both feudal magnates and leaders of powerful kin groups in the Marches, was essential. Almost immediately after this relaxation from the sentence of treason was enacted, Lord Home bound himself to assist Angus and Lennox at all times as they were serving the king.¹³³ A series of decrees solidified the position of Angus and those who had co-operated with him: a general remission was given to Angus, Argyll, Lennox, Glencairn, Lord Maxwell and their kinsmen for nineteen years;¹³⁴ James exonerated Angus, Lennox, Lords Maxwell and Fleming and the Master of Kilmaurs from any crime which they might have incurred from their destruction of the lands of Bolton where the Master of Hailes and other rebels were;¹³⁵ £1600 was paid to Angus for his services done on the Borders;¹³⁶ letters were sent with the approval of Parliament to the pope in favour of William Douglas's nomination to the abbacy of Holyrood;¹³⁷ Archibald Douglas, Provost of Edinburgh, was appointed principal searcher of all ships entering and departing from the realm to prevent the exportation of gold and silver;¹³⁸ the rescinding of the forfeiture of John Somerville of Cambusnethan was confirmed;¹³⁹ and all the gifts which Albany had made to Lord Home were ratified.¹⁴⁰ A summons of treason was raised against Eglinton, Lord Semple, Sir Neil Montgomery and Sir John Stirling of Keir on the ostensible pretext of slaughtering a servant of the Laird of Lochleven.¹⁴¹ The close relatives and associates of the architect of

133. Fraser, Douglas Book, III, p. 225.

134. APS, II, p. 307.

135. Ibid.

136. Ibid.

137. Ibid., p. 305.

138. Ibid., p. 306.

139. Op. cit.

140. Ibid., p. 308.

141. Ibid., p. 307. With the possible exception of the laird of Keir, all of these noblemen had supported Arran in his attempt to oust Angus from power six months previously. ADCP, pp. 234-5.

Scotland's new government had been well rewarded while those who opposed him were placed under official censure.

Preparations were begun for a campaign in the Marches in which Angus hoped to suppress the disorders of those turbulent regions. Accompanied by the King, Angus left Edinburgh with some of his followers on the 17 July, went to Peebles on the 18, was at Melrose on the 19 and was in Jedburgh by the 20.¹⁴² Using Jedburgh Abbey as a base of operations James and Angus intended to hold courts for redress of grievances but the skirmish near Melrose in which various borderers under the leadership of Sir Walter Scott of Buccleuch attempted to seize the king, forced the royal party to return to Edinburgh, although James had written to his uncle to inform him that the insurrection had been suppressed easily.¹⁴³

Although the first rebellion against Angus's ascendancy over the king had been suppressed, it reflected the fact that the "regent" did not have the unquestioned obedience from the Scottish aristocracy. Contemporary historians believed that James himself inspired Buccleuch to insurrection¹⁴⁴ and after Angus's disgrace, Sir Walter Scott received official pardon for his rebellion as he had come to Melrose at the king's command.¹⁴⁵ But we suggest that this may not have been the case at all. Buccleuch was exonerated immediately after James had escaped from Angus

142. Excerpta e Libris Domicilii Domini Jacobi Quinti Regis Scotorum M.D.XXV-M.D.XXXIII. Bannatyne Club (Edinburgh, 1836), pp. 65-6.

143. LPH, IV, Pt. 1, no. 2335.

144. Buchanan, History, II, pp. 292-3; Lesley, History, pp. 134-5; Abell MS, f. 117.

145. Fraser, Buccleuch, II, pp. 151-2.

when it was essential for the king to gain as much support as possible. What really may have originated as a raid between Buccleuch and his rivals, the Kers of Cessford and Ferniehirst, both of whom gave valuable assistance to Angus at Melrose, was declared ex post facto to have been the attempt of a loyal subject to free his captive sovereign. Between Buccleuch and Lennox there existed feudal and tenurial bonds but there is no direct evidence to link the earl with the rebels. Only a month before the skirmish, the king had entered into an agreement in which he promised to follow the advice of Lennox in all matters.¹⁴⁶ It has been suggested that this bond was the foundation of the enmity of Lennox towards Angus which was to terminate in the field of Linlithgow in September. However, one of the witnesses to the agreement was Angus's cousin, William, Master of Kilmaurs and it is possible that the "regent" approved of this contract as a means of ensuring Lennox's continued support.¹⁴⁷ Indeed, Lennox was at the battle of Melrose with Angus¹⁴⁸ and remained with him and the king until the end of July.¹⁴⁹ Thereafter he left the capital.

Within a week of his departure, however, Lennox had bid open defiance to Angus. The earl appeared before the council and protested that Lennox had charged him with keeping the king in captivity. Angus denied the accusation and protested that in the forthcoming struggle he should not be held responsible for the outcome as "he remanit allanerlie with the

146. Fraser, Lennox, II, pp. 226-7.

147. ADCP, p. 252. One of the witnesses, Ninian Crichton of Bellibocht, had supported Buccleuch at Melrose.

148. Law's MS, f. 145.

149. ADC, XXXVI, f. 65.

kingis grace of his command and to do his grace service."¹⁵⁰ Angus was under no illusions of the seriousness of the danger which threatened him. He realised that he was engaged in stopping a full scale revolt against his authority.¹⁵¹ There were four main groups of potential rebels: Eglinton, Lord Semple and their associates who had been summoned for treason in June; Sir Walter Scott of Buccleuch and his powerful border clan; Lennox and his following of clients and vassals in the west of the kingdom; Queen Margaret, who also had the support of the Archbishop of St. Andrews. If unity of purpose could be arranged between the various factions, then Angus would be defeated in his attempt to maintain his control of James. Queen Margaret wrote to Henry the eighth that she, the Archbishop of St. Andrews, and Lennox would rescue James in spite of his "being in thraldome be the Erle of Angus and his part takaris."¹⁵²

But the necessary catalyst for uniting Angus's opponents was lacking. Despite the defection of his own kinsman, the Master of Kilmaurs,¹⁵³ and the probable opposition of James,¹⁵⁴ Angus maintained his control of the king and retained command of the situation. It is significant that the council continued to meet throughout August;¹⁵⁵ in spite of the impending crisis the central administration remained operative. The

150. ADCP, op. cit., pp. 250-51.

151. Cf. SPH, IV, Pt. IV, no. CLX, p. 455.

152. Ibid., no. CLIX, pp. 452-4.

153. Ibid., no. CLXI, p. 456-7; LPH, IV, Pt. II, no. 2449.

154. Ibid., no. 2425. The origins of this letter are suspicious, however, as it was sealed with the queen's signet.

155. ADC, XXXVI, ff. 70-93.

"regent" had carefully cultivated the friendship of Arran and the Hamiltons and Arran began to attend the council in July¹⁵⁶ while bonds of manrent had been made between Angus and William Hamilton of Maknarriston and the earl of Rothes.¹⁵⁷ When Lennox met the combined forces of Arran and Angus at Linlithgow on 3 September, in all probability he did not enjoy any great advantage, either in morale or in the numerical superiority of his forces. In Angus's account of the "Lennox affair" he mentioned that the rebels were led by Lennox, the two Archbishops, the Bishops of Orkney and Dunblane, the earls of Crawford, Cassillis, Lords Lindsay, Ross, Sample, Lyle and Avandale.¹⁵⁸ Of the other major magnates, Argyll and Moray remained uncommitted while Bothwell and Huntly were minors. With the death of Lennox and the dispersal of his supporters, opposition to Angus's administration dissolved.¹⁵⁹

Accounts of the battle given by contemporary and near contemporary sources vary in detail and in chronology. Apart from Angus's partisan letter, John Law's chronicle is the most contemporaneous with the events and he noted that the confrontation occurred on 3 September and the Archbishop of St. Andrews, who had aided the fallen Lennox, wandered in hiding some time afterwards.¹⁶⁰ Adam Abell stated that Lennox and the laird of Houston were killed in the conflict,¹⁶¹ while the author of the Diurnal wrote that the battle took place on 4 September and that James

156. Ibid., f. 26.

157. Fraser, Douglas Book, III, pp. 225-6.

158. LPH, op. cit., no. 2487.

159. Ibid., no. 2483.

160. Law's MS., f. 145.

161. Abell MS., f. 117.

supported the insurrection.¹⁶² With the later works of Lesley, Buchanan and Pitscottie the meagre details of the affair were amended by the colourful stories of Angus being delayed by the dalliance of the king who feigned illness so as to prevent the earl from reaching his confederate Arran in time; that Sir James Hamilton of Finnart brutally and deliberately killed Lennox; and that George Douglas, in his anxiety to force the king to appear upon the battlefield compelled him to ride forward. Buchanan, in fact, invented the famous reaction of Douglas to James's delaying tactics: "before the enemy shall take you from us; if your body should be torn in pieces, we shall have a part."¹⁶³ The charges against George Douglas and Sir James Hamilton are apochryphal at best,¹⁶⁴ although the victorious army did proceed to St. Andrews afterwards in search of Archbishop Beaton, and the fact that a foreign ambassador reported that the king of Scots favoured the insurgents indicates that his complicity in the "Lennox affair" was widely believed.¹⁶⁵

However, the crucial factor of the conflict was that Angus enjoyed the complete support of England. Although Henry wisely did not directly intervene in the matter, the borders were kept quiescent so as to make it unnecessary for Angus to have to divert any of his forces to that quarter. When he heard of the triumph of Angus and Arran, Henry "greatly rejoiced the valiaunt acqytaile and prosperous successe...against thaire

162. Diurnal, p. 10.

163. Lesley, History, pp. 135-6; Buchanan, History, II, pp. 293-6; Pitscottie, I, pp. 321-2.

164. The accusation against Finnart must have been a common rumour at the time. When an amicable agreement was reached in February 1530/1 between Matthew, Earl of Lennox and Finnart, the latter denied that he had had anything to do with the death of Lennox's father. Fraser, Lennox, II, p. 237.

165. CSP Milan, I, no. 729, pp. 448-9.

enemys and the disturbers of the peace and quiet of Scotland."¹⁶⁶ The reaction of the French, on the other hand, was one of despair. Albany bitterly complained of the death of Lennox and that James was not the prisoner of Angus and his disreputable associates "tous ses parentz sont meurtriers larrons et gens de mauvaise vie et conversation autour du Roy."¹⁶⁷ But criticism from the former regent hardly stemmed from impartiality and he began to make frequent demands that he be sent over to Scotland to put the Scottish king at liberty.¹⁶⁸ It is, in fact, doubtful, however, that James would have enjoyed complete freedom which the rebels and the former governor claimed was their only reason for opposing Angus, as it seems unlikely that the king would have been allowed to forget that he owed a debt of gratitude, which was to be paid by lands, office, and emoluments, to his "liberators."

After the decisive defeat of Lennox, Angus embarked upon a programme to crush all opposition to him. Letters were sent to the earls of Crawford and Cassillis and Lord Semple summoning them for treason;¹⁶⁹ the royal army captured Stirling castle from the queen although it was given back to her,¹⁷⁰ and an insurrection was put down in Dunkeld during the latter half of October.¹⁷¹ Those men whose faithful support had been essential for Angus's success were well rewarded: his uncle was promised the escheat of John Lord Lindsay, one of the insurgents, who had been summoned for treason;¹⁷² his brother George received the ward

166. Ellis, Letters, 2nd series, I, no. LXXXII, p. 289.

167. Teulet, Papiers, I, no. XVII, pp. 78-9.

168. Ibid., pp. 80-4.

169. TA, V, p. 315.

170. LPH, IV, Pt. II, no. 2575.

171. TA, op. cit.

172. RSS, I, nos. 3490, 3534.

of various lands in the shire of Dumbarton which had belonged to the late earl of Lennox and was promised the escheat of Sir John Stirling of Keir, who was also under summons of treason.¹⁷³ Sir James Hamilton was given the superiority of other estates which had belonged to Lennox and to Stirling of Keir, and was made captain of Linlithgow palace with the queen's consent.¹⁷⁴ Margaret realised that now she had no option but to come to some sort of understanding with her husband especially as he was aware of the role which she had played in the late rebellion. On 20 October she gave a tack of the lands of Cockburnspath to Angus's brother George, for the duration of her life,¹⁷⁵ and she resigned the ward of the young earl of Huntly to Angus himself.¹⁷⁶

When Parliament convened in November, the position of Angus and Arran was solidified. Sir John Stirling of Keir was forfeited,¹⁷⁷ and Angus and his supporters, i.e. Arran, Morton, Lords Maxwell, Home, Somerville, the Master of Eglinton, George and Archibald Douglas, James Douglas of Drumlanrig, Sir James Hamilton of Finnart, Andrew Ker of Ferniehirst, James Gordon of Lochinvar and his brother William, Mark Ker of Dolphinton and Andrew Ker in Greenhead and their servants were given a complete remission for their opposing Buccleuch upon the field of Melrose, and for their opposing Lennox upon the field of Linlithgow as the latter had attempted to abduct the king. They demanded that the Estates should ratify their actions as they had quite justly defended

173. Ibid., no. 3520.

174. Ibid., nos. 3503, 3518; SRO, Crawford Priory Collection GD 20/19/ no. 629.

175. Register House, Calendar of Charters, V, no. 994.

176. ADCP, p. 252.

177. APS, II, p. 311.

their sovereign and this was duly done.¹⁷⁸ The gifts of the forfeited lands of Stirling of Keir to George Douglas and to the Laird of Finnart were confirmed¹⁷⁹ and Cassillis was acquitted from the charge of allegedly giving assistance of Lennox.¹⁸⁰ It was thought necessary that James make an official progress to the northern parts of the realm to hold justice ayres. Pressure was put upon the Prior of St. Andrews who promised that the earl of Bothwell would keep a tighter control over Liddesdale.¹⁸¹

Despite the sentence of forfeiture and the gifts of lands to Angus's supporters, the most remarkable feature of these parliamentary decrees was their essential mildness. The regime of Angus was not to be constructed by measures of draconian severity. Of all those who had been summoned for treason, only one had actually fallen under that sentence, while the Bishop of Dunblane, an adherent of Lennox, was present at this parliament as one of the spiritual lords. It was reported that the queen, Lords Lindsay, Avandale, and the Laird of Buccleuch had all received respites while Archbishop Beaton had bribed Angus and Arran.¹⁸² Margaret came to court and was allowed free access to her son. She also mediated with Angus for the return of the Archbishop of St. Andrews, but her motives for doing so were not above suspicion.¹⁸³

178. *Ibid.*, p. 312. The support of Drumlanrig and Lochinvar was assured as they received a respite for the murder of Thomas McClellan of Bombie in June. *RSS*, I, no. 3399. Cf. *HMC 15th Report, Appendix: Pt. VIII: MSS. of the Duke of Buccleuch and Queensberry at Drumlanrig Castle*, no. 14, pp. 14-5.

179. *APS*, op. cit., p. 316.

180. *Ibid.*, p. 317. It was commonly believed that Cassillis had, in fact, been present with Lennox at Linlithgow. Cf. *LPH*, op. cit., no. 2487; Buchanan, *History*, II, pp. 294-5.

181. *APS*, op. cit., pp. 313, 315.

182. *LPH*, op. cit., no. 2678; *SPH*, op. cit., no. CLXIII, pp. 460-1.

183. *Op. cit.*, no. 2777.

From the autumn of 1526 until June 1528 Angus was the virtual and unquestioned "regent" of the realm. During the period of his administration, his relations with Queen Margaret and with England were of primary importance. His wife's suit for a divorce from the earl continued to drag on at Rome. Although she had obtained a papal interdiction against anyone who attempted to interfere with the running of her estates (this was obviously directed at her husband), she continued to complain of her poverty and neglect.¹⁸⁴ There was no hope of reconciliation between husband and wife, and by the spring of 1527, when she had taken up residence at Stirling again, she wrote to solicit Albany's help in obtaining a divorce from Angus.¹⁸⁵ The decree was pronounced by the Cardinal of Ancona on 11 March 1526/7¹⁸⁶ but owing to the sack of Rome by the Emperor's army, the final sentence of divorce was not given until 2 April 1528.¹⁸⁷ News of the pronouncement had reached the queen by the end of 1527 because on 8 December of that year she entered a formal protest that, as sentence of divorce between herself and Angus had been given on the preceding 11 March, she considered herself legally divorced.¹⁸⁸

Albany had given valuable assistance to the queen in this matter which was perhaps motivated by a desire to marry Margaret himself, but, if so, he was deluded as her attachment to Henry Stewart was well known.¹⁸⁹

184. Angus protested that this interdiction should not prejudice his conjugal rights. ADCP, p. 241.

185. James V Letters, pp. 135-6; LPH, op. cit., no. 4091. This is calendared erroneously as 1528 instead of 1527.

186. Ibid., no. 4113. This is also calendared wrongly as 1528 instead of 1527; op. cit.

187. SPH, op. cit., no. CLXXIX, footnote, pp. 490-1.

188. Miscellany of the Maitland Club, II, Pt. II, "Royal Letters and Instructions...from the Archives of the Earls of Wigtown," no. II, pp. 387-9.

189. LPH, op. cit., no. 3105.

But she did not precipitately rush into marriage again. Not until April 1528 was Stewart spoken of as her husband.¹⁹⁰ Unfortunately the actual petition of the queen which was presented before the pontiff has never been published and is contained among those archives of the Vatican which are not open for inspection. But there were two grounds which were allegedly used by the queen to obtain her decree: that James the fourth was still alive after Flodden when she married Angus and that Angus had been contracted to marry a noblewoman before his marriage to the queen. Only Lesley in his History mentioned that the queen obtained her divorce as Angus "was first mariet with the Lorde Hwmis sister, and was never lauchfullie divorceit from her."¹⁹¹ Godscroft wrote that Angus had been married to a member of the Stewart family of Traquair, but both of these presuppositions are incorrect as the only person to whom Angus was precontracted was Margaret Hepburn, sister to Adam, earl of Bothwell and she appears to have married John Cockburn, younger of Ormiston, and later, John Murray of Falahill.¹⁹² As there is no evidence that a dispensation was granted to the queen and Angus for their marriage, this precontract would have been sufficient grounds for divorce. As regards the question of the saving clause to protect the legitimacy of Margaret Douglas, the offspring of the marriage, this was granted as a matter of course as children of a marriage could not be bastardised if one of the parties was ignorant of any impediment when marriage was contracted. Because of Margaret's claim to the English throne, her parents' divorce aroused acute interest three decades later when Elizabeth Tudor ascended the English throne. English agents were sent to Scotland

190. Ibid., no. 4134(1).

191. Lesley, History, p. 140.

192. Fraser, Buccleuch, II, pp. 117-9; Scots Peerage, II, p. 155.

and after great delay were able to obtain a copy of the divorce.¹⁹³ It is instructive that the English authorities were never able to prove concretely that Margaret Douglas was illegitimate. In Scotland she was always regarded as legitimate and her difficulties in obtaining possession of her father's estates (which she never succeeded in doing) ^{were} due to the provisions of a new entail that was enacted in 1547, rather than to any disparagement because of her parents' divorce.¹⁹⁴ The severing of the marriage of Margaret and Angus only ratified an existing situation of several years' standing. In spite of the fact that he was ordered to return her goods and to pay the costs of the case (which he never did), the queen's animosity towards him remained unabated.

Angus's relations with England revolved around the problem of maintaining peace and order along the frontier between the two kingdoms. During the ^{crisis} of "the Lennox affair" Angus, who was also Warden of the East and Middle Marches, had had no time to devote to the settlement of border disturbances. The preoccupation of the central government with quelling the insurrection allowed its control over the borders to lapse considerably so that by the end of the year the situation there was chaotic.¹⁹⁵ However, with the assistance of his English counterparts, Angus had been able to restore order to the Marches except for that perennial problem area, Liddesdale.¹⁹⁶ Despite Angus's willingness

193. Calendar of the State Papers relating to Scotland and Mary Queen of Scots: 1547-1603, ed. Joseph Bain (Edinburgh, 1898), I, no. 1081, pp. 604-5. Cited hereafter as CSP Scot.

194. At least one modern authority believes that it was Margaret Douglas's illegitimacy which prevented her inheriting her father's estates. Such was not the case. Cf. Mortimer Levine, The Early Elizabethan Succession Question: 1558-1568 (Stanford, California, 1966), p. 9.

195. LPH, op. cit., no. 2729.

196. Ibid., no. 2885.

to co-operate with the English in maintaining order along the borders, and the many expeditions he made into the Marches for this purpose (he made six altogether, from 1525 until 1528),¹⁹⁷ he was always hampered by two factors: the existence of powerful feudal magnates and kindred groups whose first loyalty was the parochial one to kin and neighbourhood, and, secondly, the fact that his position as "regent" meant that he could not devote his entire energy or resources to border affairs. Although he had been fortunate in enjoying the good will of other Scottish frontier officials, by 1527 the position upon the Marches had changed considerably. The chief of the powerful Scott kindred was an outlaw; Lord Maxwell, who had given Angus invaluable assistance during the previous year, was perhaps disgruntled that he did not receive any of the spoils of victory and, resentful of the increasing pressure put on him by Angus to spend order in his wardenry, was becoming increasingly hostile to the "regent"; the earl of Bothwell was emerging from tutelage and would have a right to exercise control of Liddesdale. Thus the unity of action which had marked, in general, the border administration from 1525 until the end of 1526 was no longer in evidence by the spring of 1527. This is seen quite clearly in the attempts of Angus to capture the English rebels, Sir William Lisle and his sons.

The Lisles were English outlaws who had carried on a personal vendetta against their enemies in Northumberland and by July 1527 were in Scotland where they had formed an alliance with members of the Armstrong clan. The English hoped that Angus and James would act swiftly and efficiently to bring the Lisles to justice. Indeed, when the first request for Scottish assistance was made, James the fifth ordered both

197. T.I. Rae, The Administration of the Scottish Frontier: 1513-1603, (Edinburgh, 1966), pp. 261-2.

Angus and Lord Maxwell to punish the malfactors. Angus gave his solemn word to Henry that every possible effort would be made to capture them.¹⁹⁸ It seemed incomprehensible to Northumberland, the new English Warden, that Angus should have such difficulties in capturing the Lisles unless he was secretly giving them assistance. He assumed this because he claimed that many of the Armstrongs were his servants.¹⁹⁹ This charge was groundless. None of the Armstrongs had any connection with the earl either by ties of dependantship or by ties of blood. The Lisles were operating from the Debateable Land, an area contiguous to Liddesdale which was claimed by both countries, and, as a consequence, lacked strong jurisdictional control from either kingdom.²⁰⁰ The breakdown of the efficiency of the Scottish border administration caused by the unco-operativeness of the earl of Bothwell and of Lord Maxwell in supressing disorders in their respective wardenries was noted by the English, which caused Henry to suggest that English troops be allowed to enter the northern kingdom to punish the rebels.²⁰¹ Not even Angus, with his marked feelings of anglophilia would allow this, and the offer was politely ignored. English exasperation mounted as the Lisles remained at large;²⁰² and the rumour of Albany's return to Scotland was employed as a tacit threat by the English to assure Angus's continued assistance in tracking down the rebels. But it can hardly be doubted that the English would have seriously given support to Albany, despite their

198. SPH, IV, Pt. IV, no. CLXIX, p. 469; LPH, op. cit., no. 3338.

199. Ibid., no. 3403(i); op. cit., no. CLXXII, p. 477.

200. LPH, op. cit., no. 3358.

201. Ibid., nos. 34039(ii and iii), 3407.

202. SPH, op. cit., nos. CXXIII, p. 429.

annoyance at the inefficiency of the Angus regime in policing the Borders. The "regent" induced James to write to Henry the eighth that the return of the former governor was neither desirable nor acceptable to him.²⁰³ During the crisis of confidence by the English government with Angus, that nobleman wrote a remarkable letter which virtually set forth the premises which formed the basis of his foreign policy. "My forbearis in all tymes bipast hes bene about to foster and furthbeir good luff peax and rest betuix this two realmes and athir of the Princes thereof, as is notourly knawin to all and sindry in this partis...sa that my hail mynd and intentioun has evir bene, sen I grew to ony perfectioun (and mekill mair sen I was constitut in office and auctorite, and ans hevy cure laid on me) to study always possibill for the intertenyng and uphalding of gude peax amite and concord betwix this twa realmes."²⁰⁴ This manifesto of Angus's "regency" was, indeed, the basic principle which determined his political attitude and showed that Anglo-Scottish amity was considered by him to be essential for the prosperity of Scotland. When the Lises were captured in January 1528, English confidence in Angus was fully restored and they informed him that Albany would not be allowed to return.²⁰⁵ This amicable understanding between the two countries was of great importance as during the spring the effectiveness of the Angus regime on the Marches for maintaining order was decreasing rapidly. Angus himself attempted to lead an expedition against the Armstrongs which degenerated into a fiasco because of the reluctance of the border kindreds to give him any sort of assistance whatsoever. Proclamations were issued against the turbulent Liddesdale clan, but

203. LPH, op. cit., nos. 3704, 3705, 3773, 3774-6, 3778, 3791, 3794, 3805.

204. SPH, op. cit., no. CLXXVI, pp. 484-5.

205. LPH, op. cit., no. 3924(i and iii).

Lord Maxwell refused to have them read in his wardenry. When James escaped from Angus in June 1528, he received support immediately from Maxwell, the Kers and the Homes. Even before Angus had been shorn of his power, he had lost control of the Marches.

The period of Angus's administration in Scottish history has been described recently as the nadir of Scottish political and moral decline during the sixteenth century.²⁰⁶ It has generally been assumed that with Angus in control of the king, who was the fountainhead of honours and patronage, that the doors were opened exclusively to the kinsmen and vassals of the earl. This was not the case. From September 1526 until June 1528 no grants of lands, pensions or of escheats were given to the Douglasses of Bonjedburgh, Cavers or Borg, the first two of whom were vassals of Angus and the third was closely allied to the earl of Morton. Only one gift of lands was given to Archibald Douglas of Glenbervy, and the lands in question had belonged previously to his father.²⁰⁷ James Douglas of Drumlanrig, a supporter of Angus at Linlithgow, received the office of Master of the Royal Wine Cellar and was granted official sanction for his seizure of the castle and lands of Enoch in Dumfriesshire from Sir Robert Menzies of that ilk.²⁰⁸ James Douglas, Earl of Morton, was elected one of the Lords of Articles, a member of the privy council, and received the barony of Buittle in feuferm, which had been among the

206. Essays on the Scottish Reformation, 1513-1625, ed. David McRoberts (Glasgow, 1962), p. 4.

207. RSS, I, no. 3735; Exch. Rolls, XV, pp. 415, 483.

208. Ibid., p. 381. In November 1526, the laird of Menzies entered a protest before Parliament against Drumlanrig, but nothing was done. However, in July 1528, after Angus lost control of the king, the council ordered Drumlanrig to deliver the lands to Menzies. Cf. APS, II, p. 311; ADC, XXXVIII, ff. 135-6.

ancient possessions of his family.²⁰⁹ James Douglas of Parkhead was made Master of the Larder and received the lands of Trabeauch in Ayrshire, which he lost upon Angus's forfeiture.²¹⁰

With the immediate members of his own family, the policy of Angus was marked by venality and nepotism, although not to the utter exclusion of other important members of the aristocracy. Lady Glamis, his sister, and her husband received a Crown charter of the barony of Baky, which had pertained to him in heritage,²¹¹ while his other sister Alison Douglas received the gift of the ward and nonentry of John Edmonton of that ilk and her son, the laird of Wedderburn was remitted the castle wards which he owed from his lands of Wedderburn and Polwarth.²¹² Sasine of the Blackadder estates was given to Lady Wedderburn's young daughters, Margaret and Beatrice Blackadder, who were the heiresses of that family.²¹³ Archibald Douglas, his uncle, was Provost of Edinburgh, Treasurer of Scotland, auditor of the royal exchequer, and chief customer of Edinburgh; his own merchant goods were exempted from tax. He was made principal searcher of all vessels of the kingdom to prevent the exportation of precious metals and was given unlimited powers to exercise his duties.²¹⁴ He and his wife, Isobel Hopper, were given the wards of the heirs of the late James, Lord Carlyle and the late Gilbert, earl of Cassillis,²¹⁵ and

209. APS, II, pp. 300, 304, 309; ADCP, p. 263; RSS, op. cit., no. 3733; ADC, XXXVII, ff. 170, 188-90.

210. Exch. Rolls, op. cit.; RMS, III, no. 524; APS, op. cit., p. 329.

211. RMS, op. cit., no. 529.

212. RSS, op. cit., nos. 3866, 3867.

213. Cf. Exch. Rolls, op. cit., p. 647.

214. Ibid., pp. 270, 272, 362, 364, 373, 438-9; RSS, op. cit., nos. 3407, 3534; APS, op. cit., p. 306.

215. RSS, I, nos. 3620, 3878.

various lands which belonged to the earl of Eglinton in Ayrshire.²¹⁶

Furthermore, the council decided in their favour when they brought proceedings against William Baillie and Eglinton, both of whom owed money to Isobel's former husband, Mr John Murray of Blackbarony.²¹⁷

The death of Robert Shaw, Bishop of Moray meant that an opening presented itself to have a member of the Douglas family raised to the episcopate and letters were sent to Clement the seventh in favour of Alexander Douglas, the illegitimate son of the Treasurer of Scotland, while the temporalities of the see were given to the nominee's father in November 1527.²¹⁸

The lands of Kilspindy in Perthshire, which had belonged to David Spens, had been given to Archbishop James Beaton, who, in turn, had renounced the ward and marriage of David's daughter and Heiress, Elizabeth, to Archibald Douglas and Isobel Hopper his wife.²¹⁹ Those

related to the Treasurer through marital ties were also recipients of royal favour. In 1527 £300 were paid to Katherine Bellenden as part of her tocher, for the good services which Marion Douglas, her mother, had done for the king.²²⁰ Katherine Bellenden married Adam Hopper,

the brother of Isobel, and he was made customer of Inverness, Ross, Sutherland, and Caithness.²²¹ However, he enjoyed the confidence of the king and was not involved in his sister's disgrace in 1528 but continued

216. *Ibid.*, no. 3788.

217. ADC, XXXVII, ff. 12, 85, 93. However, Isobel Hopper was still suing William Baillie for the same debt in 1538. ADC et Sess., XI, f. 5.

218. *Op. cit.*, XXXVIII, f. 30; LPH, *op. cit.*, no. 4205; Theiner, *Monumenta*, no. DCCCCXCV, p. 561.

219. ADC et Sess., XI, ff. 133-4; Acts and Decrees, I, Pt. II, ff. 318-9, 382-3.

220. *TA*, V, p. 330.

221. *Exch. Rolls*, IV, pp. 270, 360-61, 440, 513-4.

to enjoy his office until his death in 1529. Andrew Murray of Blackbarony, the stepson of Archibald Douglas, was given the office of bailie of Ballincrief, which his father had enjoyed and received some of its lands in feu.²²²

Angus's brothers, William and George, also received grants because of their kinship to the powerful earl. William Douglas received the temporalities of the abbacy of Holyrood in August 1526, was given the escheat of two supporters of Lennox in the following month, was made a lord of Articles in November 1526, and in his capacity as Commendator of St. Mary's Isle, won a case against Alexander Stewart of Garlies for the latter's refusal to pay rents from lands which belonged to the priory.²²³

George Douglas was granted, on 21 August 1526, the gift of the mails of the lands which pertained to his wife Elizabeth Douglas,²²⁴ various grants of lands which had belonged to Lennox and to the Laird of Keir,²²⁵ and received a tack of the lands of Pinky from its superior, the Archbishop of St. Andrews.²²⁶

His father-in-law, David Douglas of Pittendreich, was able to utilise the favour shown to George by receiving a remission for communicating with traitors and for obtaining a favourable decision against John Kinnaird of that Ilk over the lands which had belonged to Pittendreich's grandfather, William Hay of Ury.²²⁷

Angus himself received the ward of the earl of Lennox with the office of Sheriff of Dumbarton; the captaincy of the palace of Falkland with the office of chamberlain of Fife for seven

222. RMS, III, no. 574; SRO, Elibank Papers GD 32/15/4.

223. RSS, I, nos. 3485, 3513; APS, II, p. 309; ADC, XXXVIII, ff. 69.

224. RSS, op. cit., no. 3481.

225. Ibid., nos. 3490, 3520; RMS, III, nos. 396-7; APS, op. cit., p. 316.

226. SRO, Morton Papers GD 150/768, 769.

227. RSS, op. cit., no. 3536; ADC, op. cit., f. 5.

years; the gift of the ward of the earl of Huntly; and the gift of any vacant benefice worth 1100 merks.²²⁸

Although the array of lands and offices given to his relatives at first seems to confirm the belief that Angus utilised the royal patronage solely for the aggrandisement of his family, this view needs to be modified. Although he received a favourable charter in February 1526/7 from the earl of Crawford, which was probably given to assuage his anger at the latter's support of Lennox,²²⁹ Angus did not follow a vindictive policy of crushing his opponents. He was bent upon winning support by following a policy of leniency which is seen clearly in his treatment of his erstwhile enemies. The earls of Crawford, Eglinton, Lords Ross and Semple, and even the Laird of Buccleuch remained in control of their estates in spite of their opposition to the earl: Eglinton was made Justice general of the northern half of the kingdom in February 1526/7 until the king reached his full majority of twenty-five years;²³⁰ Sir Walter Scott of Buccleuch was granted a complete remission for all his crimes and was allowed to return from France in February 1527/8;²³¹ Lord Lindsay of the Byres, who was with Lennox at Linlithgow and had been under summons for treason, received various lands in February 1526/7 and in March 1527/8;²³² and Lord Maxwell, whose relations with Angus were strained, retained control of his wardenship of the West Marches without any opposition and was a fairly regular attender of the council from April to October 1527.²³³

228. RSS, *ibid.*, nos. 3506, 3509, 3538, 3552.

229. Fraser, Douglas Book, III, pp. 227-8.

230. William Fraser, Memorials of the Montgomeries Earls of Eglinton (Edinburgh, 1859), II, pp. 104-5. Cited hereafter as Fraser, Eglinton.

231. Fraser, Buccleuch, II, p. 150. It is highly unlikely that Buccleuch ever left Scotland as in December 1527 he was allowed to remain in the kingdom until the beginning of Lent.

232. RMS, III, nos. 417, 564.

233. RSS, I, nos. 3476, 3737; ADC, XXXVII, ff. 113-241.

Even less important individuals were not debarred from enjoying their goods and property though they had opposed Angus. Between October 1526 and August 1527 twenty remissions were granted to various men who had been opponents ~~to~~ of the earl in "the Lennox affair."²³⁴ All these men had opposed Angus during the biggest crisis of his tenure of office, yet, with apparently little difficulty, official displeasure had been removed.

Sir John Stirling of Keir, who had been forfeited in November 1526, was restored to his full honours and dignity at the following meeting of the Estates, in May 1527. He appeared before Parliament on 10 May and demonstrated that the sentence of forfeiture had been pronounced upon him on the very day that he was summoned to appear on the following day to answer his accusers, and that the sentence was therefore null and void in itself, which was granted. Although his forfeiture had been rescinded upon a technical point of legal procedure, and not upon proving that the allegations lodged against him were false, the position of the government towards the culprit was a favourable one.²³⁵ The effectiveness of the sentence of forfeiture against Stirling must have been lax indeed, for only three months after his proscription (and before his restoration) he promised to infeft Sir James Hamilton of Finnart in the lands of Pardowy within the earldom of Lennox. Not only does Sir John use his forfeited designation (which legally he was not entitled to do) but also one of the witnesses was George Douglas, Master of Angus.²³⁶ Licence was granted to Stirling to alienate his lands; certain lands were given to him in feuferm by charter under the great seal, before his forfeiture

234. Op. cit., nos. 3527, 3563, 3564, 3576, 3583, 3623, 3623, 2651-58, 3667, 3732, 3754, 3764, 3774, 3876.

235. APS, II, pp. 319-20.

236. Fraser, Keir, pp. 328-9.

was reduced.²³⁷ Official hostility of the Laird of Keir had only lasted for a few months and even during that time it had not been of a very onerous nature.

Other members of the Scottish aristocracy received even more official favour under the regime of Angus than did members of his own family. Sir James Hamilton of Finnart received the lands of Pardowy/Bardowe, Drumcorse, Haisty, Wra, and other lands in the shire of Linlithgow along with the captaincy of Linlithgow palace; was appointed chief sewar and Master of the Stables; was given the ward due from his wife's lands as well as the superiority of the lands of John Logan of Balbey, Alexander Douglas of Mains, Colin Campbell of Auchinhowy, Robert Calender of Dowacross, and William Stirling of Glorat, all of whom were tenants of the late earl of Lennox.²³⁸

Angus himself renounced his claim to half the ward of the young earl of Lennox in favour of Finnart; granted him £80 worth of lands in his barony of Bothwell in consideration for money paid to the earl; and paid Hamilton 2400 merks to receive back the lands in his baronies of Bothwell and Douglas which he had given to Finnart when he had negotiated a settlement with the Laird of Cambusnethan.²³⁹ Hamilton also received the post of captain of the strategic fortress of Dumbarton castle.²⁴⁰

In fact, the Laird of Finnart received more charters and marks of royal favour than did any one individual, Angus included, during the years 1526-1528.

237. RSS, op. cit., nos. 3744; FMS, op. cit., no. 451.

238. APS, op. cit., pp. 312, 316; FMS, op. cit., no. 381; RSS, op. cit., nos. 3498, 3518, 3523; SRO, Crawford Priory Collection GD 20/19/629.

239. Fraser, Douglas Book, III, p. 439; ADC, XXXVIII, f. 129.

240. RSS, op. cit., no. 3778; Fraser, Keir, pp. 329-30.

An analysis of the charters, respites, and remissions granted during the tenure of Angus's power gives a different picture from the traditional one of the tyrannical rule of the Douglasses. From 1 January 1525 (we begin with this date as by this time Angus was back in Scotland and was involved in the political affairs of the country) until 1 June 1528 three hundred and eight charters were granted under the great seal. Of these, only eight were granted to Douglasses. Two were granted to George Douglas, one each to Archibald Douglas of Kilspindy, James Douglas of Drumlanrig, James Douglas of Parkhead, Archibald Douglas of Tympandene, and Alexander Douglas of Mains.²⁴¹ None were granted to Angus. If we include those charters which were granted to other close cognate relatives, then we have two more: one to Lord and Lady Glamis and one to Andrew Murray of Blackbarony.²⁴² The number of charters granted to various vassals of Angus during this three year period were as follows: five charters to vassals within the shire of Roxburgh,²⁴³ one to a vassal in Berwickshire,²⁴⁴ and none to any vassals of his lordships of Bothwell, Douglas, Abernethy, or Kirriemuir. During the same period nine charters more were granted to various Hamiltons;²⁴⁵ one to Eglinton;²⁴⁶ four to the earl of Crawford and members of his family;²⁴⁷ five to Sir James Hamilton of Finnart;²⁴⁸ five to the earl of Glencairn;²⁴⁹ two each to Lords Fleming, Lindsay of the Byres, and the earl of Argyll.²⁵⁰

241. RMS, III, nos. 396, 397, 356, 499, 524, 589, 471, 580 respectively.

242. Ibid., nos. 526, 524 respectively.

243. Ibid., nos. 293, 344, 366, 357, 577. The majority of these were given to Ferniehurst.

244. Ibid., no. 590.

245. Ibid., nos. 365, 378, 381, 386, 485, 503, 507, 508. About half were given to Finnart.

246. Ibid., no. 482.

247. Ibid., nos. 414, 444, 467, 494.

248. Ibid., nos. 365, 378, 381, 394, 469.

249. Ibid., nos. 398, 511-13, 541.

250. Ibid., nos. 409, 515, 417, 564, 345, 556 respectively.

With the less costly writs which were issued under the privy seal, there were more granted to members of the Douglas kin group but with a very small proportional increase (from 3.3% in grants under the great seal to 5.5% of those under the privy seal). From 1 January 1525 until 1 June 1525, six hundred and thirty-three documents were passed under the privy seal. Of these, thirty-five were granted to Douglases in toto: five to Archibald Douglas of Kilspindy, four each to Angus and his two brothers William and George, and eighteen to other individuals of the same cognomen.²⁵¹ In contrast twenty-nine precepts and remissions were given to Hamiltons;²⁵² five were given to Hugh Campbell, Sheriff of Ayr;²⁵³ four each to the earl of Glencairn, Lords Maxwell and Fleming;²⁵⁴ three to Cassillis;²⁵⁵ two to Lord Semple;²⁵⁶ and one each to Eglinton, Morton, Lord Ross and the Master of Hailes.²⁵⁷ Of the vassals of Angus, two precepts were given to vassals of the lordship of Douglas; ten to vassals of the regality of Kirriemuir, two to vassals of the Lordship of Jedburgh Forest, and one to a vassal of the lordship of Abernethy.²⁵⁸

251. *RSS*, I, nos. 3407, 3534, 3620, 3788, 3878 (Kilspindy); 3506, 3509, 3538, 3552 (Angus); 3368, 3485, 3513, 3539 (William Douglas); 3481, 3491, 3520, 3566 (George Douglas); 3343, 3346, 3356, 3399, 3408, 3528, 3536, 3570, 3622, 3670, 3671, 3680, 3746, 3753, 3821, 3833, 3866-7.

252. *Ibid.*, nos. 3379, 3401, 3442, 3475, 3488, 3498, 3500, 3503, 3512, 3518, 3523, 3544, 3545, 3590, 3611, 3626, 3660, 3711, 3742, 3777-9, 3792, 3823, 3864, 3881.

253. *Ibid.*, nos. 3541, 3551, 3697, 3862.

254. *Ibid.*, nos. 3398, 3429, 3440, 3491; 3360, 3396, 3476, 3737; 3474, 3556, 3678, 3874 respectively.

255. *Ibid.*, nos. 3386, 3589; 3806.

256. *Ibid.*, nos. 3444; 3691.

257. *Ibid.*, nos. 3857, 3733, 3421, 3457 respectively.

258. *RSS*, I, nos. 3351, 3468, 3414, 3502, 3636, 3699, 3685, 3772, 3725, 3734, 3771, 3811; 3451, 3568, 3844 respectively.

Although twelve remissions had been granted to various supporters of the late David Home of Wedderburn in his rebellion against Albany,²⁵⁹ twenty similar ones were granted to assisters ^{of} to Lennox in the same period.²⁶⁰

Clearly what the overall trend indicates is that Angus was not following a policy of "to the victor belongs the spoils." His influence in most of the grants which were given to various Douglasses cannot be doubted, but his allies the Hamiltons actually received more grants of lands and offices than did the earl's kinsmen. If we are to speak, then, of a hegemony of any one group from 1526 until 1528, it is more sensible to speak of a joint Hamilton-Douglas domination rather than the simplistic designation of a Douglas despotism.

In two other departments of administration there are indications that Angus did not, either from inability or desire, establish rigid control. In several cases before the Lords of Council which involved relatives and tenants of the "regent", their affinity to Angus did not mean an automatic judgment in their favour. Nicholas Ramsay of Dalhousie who had been a faithful supporter of Angus in 1521, appeared in a legal contest with Sir James Hamilton of Finnart and lost his case.²⁶¹ The struggle between Hugh, Lord Somerville and his kinsman, the laird of Cambusnethan, over £40 worth of lands in the former's barony of Carnwath was a matter which was not to be settled until several years after the exile of Angus had begun, but during his regency the case was brought before the council. Angus, who would have had good reason to favour

259. Ibid., nos. 3388, 3391, 3403, 3404, 3495, 3627, 3628, 3629, 3773, 3795, 3796, 3965.

260. Cf. supra, p. 386.

261. The decision in the case was given in April 1527 at the apex of the Angus "regency"; ADC, XXXVII, ff. 73, 77.

Cambusnethan, remained neutral in this dispute. The Council decided that as sasine of the lands in question had been given to Cambusnethan, then the lands belonged to him, but his cousin, Lord Somerville, won a suit against him for the illegal taking and spoiling of his castle of Cowthally,²⁶² When their disputes were brought before certain arbiters in December of 1527, George Douglas, Master of Angus, Mark Ker of Dolphinton, James Douglas of Drumlanrig and his brother John were to represent Lord Somerville in the case, while Mr John Campbell of Lundy, James Crichton ^{of} Cranstoun-Riddell, Robert Boyd in Kilmarnock, and Hew Douglas were chosen to represent the laird of Cambusnethan. The arbiters were ordered to give judgment in the case on 10 January 1527/8 at St. Giles Church, but of this settlement there is no record.²⁶³ Two other lairds who were later accused of being partisans of Angus also lost their cases before the council. Patrick Charteris of Cuthilgurdy claimed that he had from the earl a tack of various lands and the office of keeper of the woods of the lordship of Methven. When he was summoned before the lords by the queen, he produced his letter of assedation which Angus had made to him but, notwithstanding this, the lords annulled the tack and ordered Charteris to cease from any further occupation and molestation of the lands.²⁶⁴ Hugh Kennedy of Birvenmains, who was given a respite for assistance to Angus in 1528, was summoned before the council by the

262. ADC, XXXVI, ff. 137, 159; XXXVIII, f. 1.

263. Ibid., ff. 85-6. The view of the family historian is that after August 1527, Lord Somerville acquiesced in Cambusnethan's possession of the disputed lands in the barony of Carnwath. This is exactly the opposite of what actually occurred. Memorie of Somervilles, I, pp. 353-4.

264. Op. cit., XXXVII, ff. 44, 48-9.

dowager countess of Cassillis to deliver up her castle of Dunure. He, along with other relatives of the late earl, had seized the castle while the countess was in Edinburgh negotiating with the Treasurer a settlement over the matter of the ward of her son. The council ordered Girvanmains to give back the castle at once, under pain of imprisonment.²⁶⁵

In August 1527, Robert Hoppringle of the Blindlee summoned John Murray of Falahill and Andrew Ker of Primsidloch, both of whom were vassals of Angus, before the council. Primsidloch, in fact, had been made bailie of the lordship of Ettrick Forest by Angus, and in his official capacity had, with the collusion of Murray, given an adverse judgment against Hoppringle when the latter was absent. The lords disregarded the connection which the defenders had towards Angus and annulled the proceedings.²⁶⁶

Tenurial or consanguineous bonds with the "regent" did not necessarily ~~prevent~~ ^{prevent} justice from being administered.

The other department which seems to have remained basically unchanged throughout the entire period was the personnel of the royal household.

Although three Douglases received appointments of importance within the royal establishment from 1526-1528, over half of the officials of the household, as well as practically all of the staff and servants, remained static from 1524-1528.²⁶⁷ The major changes in the officials of the household were the following: in 1525 George Douglas replaced Henry Stewart as Carver to the king;²⁶⁸ the Master of Kilmaurs, who was Master of the

265. Ibid., XXXVIII, ff. 91-2.

266. Ibid., XXXVII, f. 188.

267. A careful reading of the persons who received salaries as members of the royal household from 1524 until 1528 shows that an overwhelming proportion were unaffected by Angus's tenure of office. Cf. Exch. Rolls, XV, pp. 200-7, 286-96, 379-87, 458-65.

268. Ibid., p. 203.

Stables in 1525 and 1526 was replaced by Sir James Hamilton of Finnart in 1527;²⁶⁹ William Crawford, the Master of the Larder, also retained his office until 1527 when he was superseded by James Douglas of Parkhead;²⁷⁰ Ninian Crichton of Belliboch who was Master of the Wine Cellar in 1525 and 1526, was displaced by James Douglas of Drumlanrig in the following year;²⁷¹ Andrew Ker of Cessford, who was the King's Cupbearer for part of 1525 was replaced by Buccleuch that same year.²⁷² Buccleuch, in turn, held office in 1526 and 1527 but was replaced by Walter Ker of Cessford, who held his office after the fall of Angus.²⁷³ However, the important posts Master of the Wardrobe, the valets of the royal chamber and the king's familiar servants were unchanged.²⁷⁴ In short, the household did not witness a deluge of Douglases or of their retainers while Angus was in power. After the earl's forfeiture, only those Douglases who held positions of authority in the king's household were removed.

While Angus was "regent," he carried out more campaigns into the borders to restore order than had his two predecessors, Queen Margaret and Albany.²⁷⁵ Important changes were made in the procedure of the central court to rectify the long delays in the administration of justice. The proportionate increase of the lawyers represented on the council was a significant one from about one fourth to one third;²⁷⁶ and the experience

269. Ibid., pp. 203, 288, 380.

270. Ibid., pp. 201, 287, 381.

271. Ibid., pp. 204, 289, 381.

272. Ibid., p. 203.

273. Ibid.; pp. 383, 459; 533.

274. Ibid.; pp. 200-3, 286-8, 380-82, 459, 461, 533-4.

275. T.I. Rae, The Administration of the Scottish Frontier 1513-1603 (Edinburgh, 1966), pp. 260-61.

276. Cf. Appendix II, Table 1.

of several future judges of the first court of Session was formed at this time.²⁷⁷ There were attempts to solve some of the financial problems of the crown by creating a committee which would be in charge of the disposing of wards and casualties, and German engineers were hired to undertake the operations of the gold mines at Crawfordmure to increase the king's wealth.²⁷⁸ Thus the earl was not interested in the sole aggrandisement of his family, but, unfortunately, these beneficial plans for the realm were negated by the force of increasing resistance to the administration dominated by the young magnate.

Despite the conciliatory policy of Angus, his control over Scotland was gradually being undermined by growing disorders caused by the reluctance of the major magnates and nobles to attend the court and council. Not even his assumption of the office of Chancellor in August 1527 seemed to be able to prop up his government or to prevent its deterioration. The earls of Argyll and Atholl in the autumn of 1527 were ordered not to travel except with their "sober household" as they were causing grave damage to the burgh of Perth, but this command was ignored by these magnates.²⁷⁹ In April 1528, Argyll was summoned to render an account of the rents from the lordships which he held in feu from the Crown, but ignored the threat that he might lose his offices and did not appear at court until Angus was disgraced.²⁸⁰ In another quarrel between two nobles, Cassillis and the Sheriff of Ayr, Angus was unable to intervene to prevent the murder of the earl by the sheriff in September 1527. The antagonism and tension

277. Donaldson, James V, p. 42.

278. RMS, III, no. 492. Cf. LPH, Addenda, I, Pt. I, no. 583(3).

279. ADC, XXXVII, ff. 182-4.

280. ADCP, p. 274. Atholl and Argyll were first cousins. Scots Peerage, I, pp. 336, 443.

between them had been growing since the council allowed Cassillis to retain control of the lands of Turnberry until a final decision could be reached.²⁸¹ The sheriff regarded this decision, with some justification, as being a partial one and he protested vigorously to the council on the matter. But when James decided in favour of the Sheriff of Ayr, Cassillis protested in turn that the judgment was unfair. When the Sheriff took matters into his own hands, Angus decided that the culprit must be punished. George Buchanan believed that Hugh Campbell had been instigated to commit this murder by Finnart, while a more recent authority believed that Campbell was an ally of Angus.²⁸² But the determined measures followed by Angus to bring Campbell to justice precludes any assumption that he was responsible for Cassillis's death. By the beginning of October, all of the lieges of the king living in the south and southwestern regions of Scotland were summoned to compear at Edinburgh at the end of the month to accompany James in a campaign against the Sheriff of Ayr and his accomplices.²⁸³ But on 11 October, Finnart was sent to negotiate with the rebels²⁸⁴ and as a result of their deliberations, the sheriff went into exile.²⁸⁵ The disturbances in the western region of Scotland were so serious that when Angus was planning another expedition into the Marches in June 1528, Arran and Sir James Hamilton of Finnart were excused from attending since Highlanders were overrunning the islands of Bute and Arran.²⁸⁶

The causes for the sudden reversal of fortunes for Angus and his

281. *Op. cit.*, p. 258.

282. Buchanan, *History*, II, p. 295; *Scots Peerage*, II, p. 465.

283. *ADCP*, *op. cit.*, p. 266. His accomplices were John Campbell of Cesnock, George Craufurd of Lefinois, and Patrick Black of Templeland.

284. *Ibid.*, p. 269.

285. *Law's MS.*, f. 146.

286. *Op. cit.*, p. 276.

family were rooted in the factionalism which was an integral part of Scottish political society. His control over the country had gradually disintegrated in the course of a year. Yet Angus, mistakenly, believed that he could retain his custody of the king indefinitely. His policy of moderation and conciliation had only mollified his opponents and not disarmed them. Queen Margaret, both Archbishops, and the lairds of Buccleuch and Keir were doubtful allies at best, and Angus's opposition to the marriage of his daughter Margaret to the earl of Moray, which had been arranged by the queen, added yet another powerful noble to the ranks of his antagonists.²⁸⁷

On 28 May 1528 Angus was present as chancellor and the numerical membership of the council was higher than it had been for several weeks. Two days later, the earl wrote to Lord Forbes concerning domestic matters and his letter betrayed no indication of any crisis.²⁸⁸ Yet by 1 June James was at Stirling and out of the control of Angus. Of the actual details of the king's flight, there is but the barest mention in contemporary evidence. But under the deft artistry of Pitscottie, the event became one of great dramatic power: the king pretending to sleep, his changing into the garb of a lowly groom of the stable, his precipitate ride accompanied only by a single servant.²⁸⁹ The other historians of the sixteenth century were more cautious in their appraisal, and simply stated that the king, after he reached some agreement with his mother, went to Stirling where he was joined almost immediately by many of the magnates of the realm.²⁹⁰

287. Moray Muniments at Darnaway, Box 1, no. 199.

288. ADC, XXXVIII, f. 117; Aberdeen-Banff Illustrations, IV, p. 415.

289. Pitscottie, I, pp. 324-8.

290. Buchanan, History, II, p. 298; Lesley, History, p. 140; Diurnal, p. 10.

There is no direct evidence to indicate that any one particular individual was responsible for engineering James's flight, but the one person who was most anxious to liberate him from Angus's grasp was his mother, Queen Margaret. Her rancour against her former husband had never decreased and she had opposed his return from exile vehemently. In every coalition which had been formed to wrest James from the custody of Angus, she had played a crucial and formative part. It is quite significant that James went to Stirling, which was his mother's principal residence as well as being an almost impregnable fortress. With the king there, the queen and her allies could plan their campaign to drive Angus from the kingdom and to make preparations to rule Scotland. However, James was no longer a docile adolescent who would be guided by his mother. His escape from Angus marked the end of his minority both politically and emotionally. The king had come of age.

From most accounts of this period, it appears that James enjoyed the support of many of the great nobles of the realm when he arrived at Stirling. The earliest account mentioned that James took advantage of the fact that Angus was absent from court and that Archibald Douglas was visiting a concubine in Dundee,²⁹¹ while in a credence written by Margaret for the consumption of the English court, she noted that the king rode surreptitiously from Edinburgh to Stirling, with five or six horses where he was joined by Arran, Argyll, Eglinton, Moray, Lords Maxwell, Avandale, Sinclair, the Sheriff of Ayr and other dissidents.²⁹²

The escape of James and his resolute refusal to negotiate with Angus meant that the downfall of the earl was assured. A common theme of the accounts of the struggle between the king and his former guardian is the

291. Law's MS., f. 146. The Latin of the text is heavily contracted and almost illegible but this is the only possible meaning of the original.

292. Lang, History, I, pp. XV-XVI.

comparative ease with which James was able to exile his hated minister. Pitscottie wrote that, following the earl's forfeiture, Tantallon was delivered to the king by terms of an agreement negotiated after it had been unsuccessfully besieged.²⁹³ Buchanan stated that a parliament forfeited Angus after he had rejected the king's proposals for banishment to Morayshire; this historian also wrote that the siege of Tantallon was unsuccessful although the fortress quickly capitulated.²⁹⁴ Lesley believed that the parliament which forfeited Angus also proscribed several other individuals.²⁹⁵ The Diurnal, whose account is the most detailed as well as being the most accurate, states that parliament met on 3 September to forfeit both Angus and Alexander Drummond of Carnock, that the siege of Tantallon began on 25 October, that James swore he would never receive the Douglasses back onto favour, that the ship "Little Martin" was grounded on 20 November and the servants of Angus despoiled this ship, and that in December, with the help of Argyll and Bothwell, Angus was driven from the realm.²⁹⁶ However, the assumption that Angus was displaced with relatively little difficulty and that his downfall represented a carte blanche disgrace of the Douglasses is an over-simplification which needs to be modified.

The first notice of the change in the political situation in Scotland was indicated in a letter which James V wrote to the English warden to inform him that, because of disturbances "in the inland of our realm" the proposed expedition to the borders to redress disorders there had been postponed.²⁹⁷ Shortly afterwards, James wrote to his

293. Pitscottie, I, pp. 329-32.

294. Buchanan, History, II, pp. 299-301.

295. Lesley, History, pp. 140-41.

296. Diurnal, pp. 11-12.

297. LPH, IV, Pt. II, no. 4397.

uncle and mentioned that his council and the Estates of the realm were dissatisfied with the rule of Angus and he asked Henry not to give any support to the disgraced magnate.²⁹⁸ It was already reported that Angus had offered to give up his office of chancellor and other posts if he were pardoned but that this had been spurned by his opponents.²⁹⁹ Although it was said that James, accompanied by the Archbishop of Glasgow, the Bishops of Aberdeen, Dunkeld, Galloway, and Brechin, the earls of Argyll, Arran, Eglinton, Rothes, Bothwell, Lords Maxwell, Avandale, Seton, Forbes, Home and Yester entered Edinburgh on 6 July,³⁰⁰ he was actually in the capital two days earlier when he bestowed the office of chief carver on Lord Maxwell.³⁰¹ What this indicates quite clearly is the isolation of Angus. Not even Arran, whose family had reaped many benefits during Angus's rule, or Lords Forbes and Yester, who were kinsmen of the earl, dared support him.

The new privy council issued decrees which modified the enactments passed during the Angus ascendancy and made it a capital offence to aid the disgraced earl. Buccleuch received an official exoneration for his attack on the king at Melrose two years earlier;³⁰² Lord Home was made Warden of the East Marches while Lord Maxwell was confirmed in this wardenry; the privy council was re-organised, and Angus, his brother and uncle were forbidden to come within twelve miles of the king. Angus was ordered to pass beyond the river Spey and George and Archibald Douglas were ordered to ward themselves in Edinburgh castle.³⁰³ On

298. SPH, IV, Pt. IV, no. 1111, p. 498.

299. Op. cit., no. 4457.

300. Ibid., no. 4531.

301. Fraser, Carlaverock, II, p. 464.

302. ADCP, p. 276; Fraser, Buccleuch, II, pp. 151-2.

303. Op. cit., pp. 276-7.

11 July proclamations were issued informing the realm that a parliament was to convene in Edinburgh on 2 September. The Douglasses were ordered to compare before it on 4 September to answer charges of treason.

Summonses of treason were officially served on 13 July against Angus, George Douglas, Archibald Douglas of Kilspindy, and Alexander Drummond of Carnock (a Stirlingshire laird); they were commanded to deliver up the castles of Newark, Cockburnspath, Kilmarnock and Tantallon. On the following day, the earl of Bothwell and the lairds of Buccleuch, Cassford, Fernie-hirst, and Dolphinton promised the council that they would ensure good order in Liddesdale.³⁰⁴ Angus wrote a letter of contrition to James in an attempt to assuage the royal ire, but it went unnoticed.³⁰⁵

Patrick Sinclair, an household servant of James's, was sent to Henry the eighth to present to that monarch the reasons for the measures taken against Angus. The earl was accused of misgoverning the realm for his devious purposes and that his expeditions to the Borders were not for the purpose of suppressing thieves and criminals, "bot aganis our Barounis, and other our liegis that wald nocht entir in bond of manrent to him". Angus had refused to obey the command of James to remain in the northern regions of Scotland and was fortifying his castles against the royal authority. James also requested that commissioners be sent to negotiate a new treaty with Scotland as the three year treaty of peace signed in 1525 had almost expired.³⁰⁶ Of the charges against Angus, it could be truthfully said that he was garrisoning his castles with victuals and men, and that his policing of the Borders had failed. However, the charge

304. Ibid., pp. 278-80. Three of these castles, Newark, Cockburnspath, and Kilmarnock belonged to the queen, although the first had been given to Angus when his office as Warden of the East and Middle Marches had been renewed in 1527. ADC, XXXVII, f. 112.

305. Op. cit.

306. SPH, op. cit., no. CLXXXIV, pp. 499-500.

that he used royal expeditions as a means to coerce barons of the Marches to enter into bonds of manrent with him is a highly dubious one. It must be remembered that the earl of Bothwell, Lords Home and Maxwell, and the lairds of Buccleuch, Cessford, and Ferniehirst were among the king's closest supporters at this time of crisis. All of these men were border magnates and all of them had been involved in difficulties with Angus when the latter was in power. It is surprising, in fact, that there is only one bond of manrent extant entered into by the chief of the border kin-group of the Homes with Angus. The lack of record evidence does not preclude the fact that Angus might have entered into similar bonds with other borderers, but the conditions which existed when this charge was made make it highly suspect. It was imperative that Henry should believe that Angus was guilty of the gravest crimes imaginable. The accusations which were thus levelled against the earl were not motivated by justice but by vindictiveness.³⁰⁷

In spite of the fear of James and his council that Angus might attempt to abduct him by force, the strength of the king's supporters was such that it prevented the possibility of any plan of this nature from succeeding. Although Angus had re-established contact with the English by mid July,³⁰⁸ material help from them was not forthcoming. Even after he had sent his brother, the abbot of Holyrood, to England, the only tangible result of his mission was a letter which Wolsey wrote to James rebuking the latter for being alienated from Angus, who had served James faithfully.³⁰⁹ England remained noncommittal in this struggle between king and

307. William, Lord Dacre, the English warden, noted that James was under the influence of Angus's old antagonists, Queen Margaret, her third husband, Lord Methven, and Buccleuch. SPH, op. cit., no. CLXXXV, pp. 501-2; Pinkerton, History, II, Appendix, no. XLX, pp. 481-2.

308. LPH, op. cit., no. 4546.

309. Ibid., no. 4622.

subject, as she realised that the support of James was essential if the Anglo-Scottish alliance were to continue. It was also apparent that James had the upper hand in the struggle from the beginning. Although Archibald Douglas, the former treasurer of Scotland, and his nephew, the abbot of Holyrood, entered Edinburgh during the last week of August, their attempt to seize the capital was suppressed easily.³¹⁰ The lords of Council continued to meet uninterrupted throughout July and August,³¹¹ and James's position was secure enough that he was able to make an expedition to the Merse at the end of July.³¹² The situation in the kingdom was, in fact, remarkably stable.

When the Three Estates convened in Edinburgh in the first week of September, it was a foregone conclusion that the rebels would be forfeited. The actual sentence was passed on the fifth of September. As this is the first^{known} case of treason in Scottish history in which the accused offered a vigorous^{legal} defence, a discussion of the procedure and the charges is essential, especially in view of the fact that it was later rescinded. The king and the Estates declared that Angus, his brother and uncle, and Alexander Drummond of Carnock were permitted to compare before the Parliament in their "proper person" without having any offence added to those which were given in the original summons and that they were guaranteed safe conducts so that they might appear before the court of Parliament. Mr John Bannatyne, a servant of Angus, appeared before the Estates and

310. SPH, op. cit., no. CLXXXV, f. 502; ADCP, p. 280.

311. ADC, XXXVIII, ff. 122-60.

312. SPH, op. cit., no. CLXXXVI, p. 504. An English observer commented on the fact that Angus and his family were in a very difficult position since "their frendes fallas all from theym." Ibid., no. CLXXXIX, footnote, p. 509.

offered a formal protest against the crimes which had been levelled against the earl:³¹³ (1) Angus and his kinsmen protested that as they could not obtain the services of an advocate, and as they were summoned to answer for crimes of treason, that they should not answer the charges; (2) that Parliament was being convened in feriat times and that no court could be held during this holiday season without a dispensation from a higher authority than the sovereign, but as no one was superior to the king in temporal matters no dispensation could be granted which would permit Parliament to sit as a court of law; (3) Angus protested that the demands of the king that he put himself in ward beyond the river Spey and place his uncle and brother in Edinburgh Castle was not reasonable as he dared not comply for fear of danger to his and to their lives and that the king did not have the right to charge any baron to do anything which could prove fatal; (4) the accused protested that the gathering of their friends to resist their enemies and the garrisoning and victualling of their houses and castles were not treasonable as they did this in self defence and that their houses of Tantallon, Cockburnspath, Newark and Douglas were available to the king at his request; (5) they denied that they had given encouragement to the Laird of Johnstone in his feud against Lord Maxwell; (6) Angus flatly denied the charge that the king had been held in duress - "the kingis grace Raid quhair evir he plesit with mony or few this thre Zeris begane and oftymes neuer ane callit Douglas in his cumpany" and brought to Parliament's attention that he had a remission for all his actions which he had committed since 1520; (7) the charge that he had forcibly taken James into battle at the fields of Melrose and Linlithgow ^{was} ~~were~~ refuted by the

313. Mr John Bannatyne/Bellenden was later restored to royal favour and received the benefices of the precentorship of Glasgow and the archdeaconry of Moray. He was granted a remission for aiding Angus on 29 April 1529. Watt, Fasti, pp. 159, 242; RSS, II, no. 56.

earl, who maintained that any crime which he could have been charged with as a result of these two conflicts had been eradicated by the remission which had been granted to him and his assistants by Parliament in 1526. As a gesture of his willingness to appear before Parliament, Angus offered to do so if the Master of Argyll, Lord Maxwell and Sir James Hamilton of Finnart were delivered as pledges for the earl's security to his supporters. Although he promised that they would be released if he were found guilty, Angus's sincerity was hollow as the custody of such important magnates was intended to intimidate the Estates from putting him to the ultimate extremity. At any rate, Parliament dismissed Angus's protestations and he was forfeited.³¹⁴ Alexander Drummond of Carnock was also forfeited for his aiding Angus in victualling Tantallon and Newark castles and for being personally with the earl.³¹⁵

In the formal protest which was lodged by Angus against the summons of treason, there is an appeal to two distinct levels of law - the common law of the realm and the universal law of nature. When he criticised Parliament for overriding the custom of abstinence of court procedure during specified prohibited periods of holidays, he was, in fact, asserting that the king could not override the consuetude of the practick of the realm but was himself subject to it and to the higher law of nature. The challenge of the unlimited sovereignty of the king was not taken up, however,

314. APS, II, pp. 322-324. James V is specifically stated to have put himself at liberty during the previous June. Ibid., p. 325.

315. Ibid., p. 327. The decree against Drummond makes it almost a certainty that he, and not Simon Panango, was the captain of the garrison of Tantallon castle during the forthcoming siege. He would also have had some familiarity with the castle as he had been made its captain by Albany in 1515 and 1516; TA, V, pp. 70-71. But cf. Pitcottie, I, pp. 331-2.

and when Angus brought forward a petition in March 1543 to have his forfeiture rescinded, the earl's accusation, with its revolutionary implications, was allowed to lapse. The conflict between a subject's duty to his natural prince and the laws which emanated from him, and one's duty to the Law of Nature was reflected in Angus's assertion that an individual was entitled to self-defence, and to fortify his castles even if that implied defiance against the State. However, the formulation of this claim was never carried to its logical conclusion and the earl specifically inserted the face-saving clause that his castles were at the command and obedience of James. Indeed, it is extremely doubtful that Angus, despite his call upon the law of nature for his actions, considered himself either an apostle or a proto-revolutionary against the established order of monarchical rule and a customary law which was rooted in the premises of the sacredness of royalty and in the sanctity of property. The aim of Angus in his appeal, was simply to justify his position by whatever means were available. He himself had enough awareness of Scottish history that he could hardly have been under any illusions as to the outcome of his "trial" before the assembled estates. When, in fact, his forfeiture was annulled in 1543, it was done on mere technical points of procedure. The crimes themselves and the tentative expression of the demands which the higher Law of Nature could exert upon one were totally disregarded and forgotten.

Concerning the other charges against Angus (that he had forced the king into battle), the remission which had been granted to Angus by Parliament in 1526 had legalised his activities at the battles of Melrose and Linlithgow. This parliamentary fiat was never rescinded and remained operative in the autumn of 1528. Although his forced custody of the king was obvious, the allegation of Angus that James had enjoyed freedom of movement could, in a technical sense, be true. As far as is known, James was never

kept in actual restraint in any particular place from 1526 until 1528. The fact that Angus himself was not at court when James made his escape suggests that the earl did not live entirely with the king. At least one other earl and a few Lords of Parliament attended the very last council meetings of Angus's "regency" which demonstrates that the earl's control of the king was not overly tyrannical or onerous. The charge that Angus had sided with the laird of Johnstone in the latter's feud with Lord Maxwell was groundless. This dispute, was, as Angus himself pointed out, a private "war between neighbours", i.e. a feud between the two important chiefs of clans over their respective spheres of influence within the West March. Neither of these parties had any ties or connections with Angus and neither of them ^{was} ~~were~~ ever brought to trial over the matter. Any disorders in the kingdom which had originated during Angus's tenure of power were now conveniently blamed upon the ostracised earl. Lord Maxwell would be anxious to have the onus of having given assistance to the rebels transferred to his rival as that would insure James's support for him - which is exactly what occurred.³¹⁶

However, apart from the legal aspects of this particular forfeiture, the most striking feature of Angus's official disgrace is the small number of people who were directly involved. Instead of the more general suppression of the Douglasses on the scale of 1455, only four individuals were outlawed, one of whom was not a Douglas at all. Angus, his brother George and his uncle, Archibald Douglas, the former Treasurer, and Alexander Drummond of Carnock, were forfeited. Angus's other brother, William, Abbot of Holyrood, was not deprived of his benefice and no

316. T.I. Rae, The Administration of the Scottish Frontier 1513-1603 (Edinburgh, 1966), p. 167.

proceedings in the ecclesiastical courts were instituted against him. The sisters of Angus and their husbands were left alone. Indeed, in July 1528, when matters between Angus and James were still unresolved, Lords Glamis and Yester, the earl's brothers-in-law, joined the king at Stirling.³¹⁷ During the same month, James granted a special licence to the earl of Morton to permit that nobleman to contract marriage between his daughter ^{and} the Master of Maxwell,³¹⁸ and another kinsman of the rebel earl, Archibald Douglas of Glenbervy, because "he is so tendir of blude" to Angus, was given permission to remain from the royal army which besieged Tantallon castle in October.³¹⁹ Official displeasure was directed only against those who actively supported Angus.

Once the forfeiture of Angus was completed, it was assumed that with a minimum of effort, he and his confederates would be forced to flee into exile.³²⁰ But such was not the case. Angus was determined that he should not be forced into exile and counted on support from England to enable him to come to some sort of agreement with James. However, his campaign of attrition against the royal forces only hardened James's determination to be rid of the meddling magnate. To encourage resistance against the rebels, the council issued on 7 September a series of rewards for anyone who either captured or killed any of the insurgents.³²¹ Preparations were made to besiege Tantallon castle, which, besides being Angus's strongest castle, was the nearest in proximity to the capital

317. ADC, XXXVIII, ff. 126, 129.

318. Morton Registrum, I, p. 1.

319. Fraser, Douglas Book, III, p. 228.

320. SPH, op. cit., no. CLXXXIX, footnote, p. 509; LPH, op. cit., no. 4720. The news of the downfall of Angus delighted his enemy Albany, who naively hoped that he would become, once again, the mentor of the King of Scots. James V Letters, p. 147.

321. ADCP, p. 282.

and posed a threat to its security. The Borders, that thermometer of the internal affairs of Scotland, disrupted into civil war between the allies of Angus and of the king. The actual extent of this mutually destructive policy is unknown but the bitterness between the outraged monarch and his insubordinate subject was expressed by the bravado ^{with} which the king annulled his gifts of Angus's lands to his nobles until they drove the earl from the land, and the latter sending some of his men to burn several towns near Edinburgh so "that the King myght have light to see to risse with."³²² The Scottish council informed Henry the eighth that the sentence against Angus had been an impartial one, but their claim was belied by the fact that his personal enemies, Argyll, Arran, Maxwell, Sir James Hamilton, the Sheriff of Ayr, the lairds of Buccleuch and Keir, were present when his forfeiture was pronounced and received lands which had pertained to him and to his brother.³²³

However, it is interesting to speculate as to how long Angus could have maintained his opposition to James without the assurances of England. The policy of England during this struggle was crucial. Henry had always proclaimed his great love and concern which he had for the welfare of his nephew, the King of Scots. As James was a sovereign prince, and Angus had been condemned for the severest crime possible, that of treason, Henry could not give open support to his former ally as this would indicate that he favoured traitors and outlaws against established authority. In some ways, the problem of Henry's relations ^{with} towards Angus in 1528 was quite similar to Elizabeth Tudor's relations ^{with} towards Moray in 1565. To encourage a prominent nobleman's rebellion in a neighbouring kingdom would

322. SPH, op. cit., footnote, pp. 510-11.

323. LFH, op. cit., nos. 4718, 4719.

invite that monarch to entertain rebels from one's own realm. The English were intent that the Anglo-Scottish amity which had begun during Angus's administration should be continued and were anxious to have the treaty of peace between the kingdoms renewed. But Henry was unwilling to completely abandon his protege. When Angus justified his actions before Henry and protested that his forfeiture was "unordourly and aganisthe lawis and consuetude of the realme, and als aganis God and gud conscience, considering I never faltit nor committit sic sobir crymes as was allegit...as I sall ansuer to God,"³²⁴ his request for support was answered by the assurance that in times of dire necessity, he would be allowed to enter England.³²⁵ In fact, when James pursued Angus and his assisters in the Merse in October 1528, Northumberland allowed English borderers to assist the beleaguered earl,³²⁶ but this support was of little use to him.

James was determined to reduce the insurgents to submission and embarked upon an expedition to Coldingham in September when he dislodged Angus and appointed the Abbot of Jedburgh to be its keeper. His success was only momentary as Angus with his forces easily recaptured the priory and continued to use it as a base of operations for carrying on guerilla warfare in the Merse.³²⁷ The king, in order to insure the complete support of the Homes, entered into an agreement with Lord Home and his brother, the Abbot of Jedburgh, and promised to give Angus's baronies of

324. SPH, op. cit., no. CLXXXVII, p. 505.

325. Ibid., no. CLXXXIX, p. 510.

326. Ibid., no. CXCIV, pp. 519-20. George Douglas, who was sent by Angus to the English court in October received £100 from Wolsey to aid them in their struggle against James. LPH, op. cit., no. 4857.

327. Ibid., no. 4830.

Bonkle and Preston in Berwickshire to Home, and to give Coldingham and a tack of the lands of Cockburnspath to Jedburgh. In return, the Homes promised to expel the Douglasses from Coldingham and Cockburnspath.³²⁸

But despite all efforts, neither Tantallon nor the strongholds of the Merse held by the rebels were captured by the king's forces.

The dismal failure of the siege of Tantallon refused to move the obdurate king to consider any reprieve for the rebels. On 9 November he swore before the council, and they promised to uphold his demand, that he would never receive Angus or his brother or his uncle into favour again.³²⁹

A change in the administrators for the borders was not instituted but Argyll, the new Warden of the East March, found it as difficult as Lord Home, the former warden, had to expel Angus from Coldingham and other strongholds in the Merse.³³⁰ The Tutor of Wedderburn and the lairds of Blanerne and Billie were ordered to find caution that they would not aid their former feudal superior Angus, but he was still able to maintain his control of several castles in the Marches. James was so anxious to have these castles turned over to him that in the treaty of peace between England and Scotland, an article was included that allowed Angus and his allies to enter into England on the condition that the fortresses in his possession would be handed over to the royal forces.³³¹ Although the English would have preferred the restoration of Angus, they were not willing to sacrifice Anglo-Scottish unity on his account.³³²

Tantallon still held out against the king's forces. Negotiations

328. HMC 12th Report, Appendix: Part VIII: MSS. of the Earl of Home, no. 307, pp. 179-81; ADCP, pp. 286-7.

329. *Ibid.*, p. 290.

330. *Ibid.*, p. 299.

331. *Ibid.*

332. SPH, op. cit., no. CXCVII, p. 529.

for its capitulation were begun in October 1528 but ended in failure. Wolsey wrote letters to various members of the Scottish court asking them to persuade James to forgive Angus.³³³ But the king was only angered by the concern which the English displayed for the proscribed magnate and this, together with his growing frustration at not being able to capture the fortresses held by the rebels, led him to accuse the earl of maltreating foreign ambassadors and of plotting his death, both of which charges were groundless.³³⁴

In January 1528/9 the castles of Tantallon, Blackadder, Billie, and Hutounhall still remained under the control of Angus³³⁵ and remained so two months later.³³⁶ However, the situation was becoming increasingly precarious for Angus and his supporters and, on 24 March 1528/9, through the mediation of Robert Barton of Over Barnton, the new Treasurer of Scotland, Angus promised to give up Tantallon and other castles in the Merse to James. The earl, his brother and uncle were allowed to leave Scotland with their moveable goods, while the king promised that their castles would not be destroyed and would be held only by the Treasurer or servants of the royal household. James also promised that as soon as it was convenient he would take possession of all of the lands which formerly belonged to Angus and would keep control of them.³³⁷ Although Angus envisaged almost a royal trusteeship of his estates during his exile, his aim was thwarted. The castles were not given up immediately and the retainers of Angus were still creating havoc a month later when the council called upon all loyal subjects to subdue the rebels.³³⁸

333. LPH, op. cit., nos. 4951-3, 4963.

334. Ibid., no. 4987.

335. ADCP, op. cit., pp. 300-2.

336. Ibid., p. 308.

337. Acts and Decrees, I, Pt. I, ff. 210-11.

338. Op. cit., p. 309.

Angus himself was able to remain in Berwickshire until the middle of May 1529,³³⁹ but his position was untenable and shortly afterwards he entered England. It is a striking comment on the ineptitude of Scottish military expertise and the inefficiency of the central government that Angus, with only the support of his household servants, was able to defy James the fifth for nine months after his forfeiture.

Without major support from England, which in view of the diplomatic and political situation in the autumn of 1528 was impossible, and from his own vassals, who were cowed into obedience by the fear of forfeiture, Angus could not have maintained his rebellion against his sovereign indefinitely. He had assumed that he could still extricate himself by demonstrating to James that only by an agreement whereby Angus and his family would be restored to their lands and possessions, would peace be re-established in Scotland. Although he clung to this policy tenaciously his obstinacy only increased James's hostility towards him and made a rapprochement between monarch and magnate impossible. Angus, by his enforced custody of James had put himself into an impossible position. Once James succeeded in freeing himself from that nobleman's control, he would remember the earl's behaviour with deep rancour. Although the king protested that he was willing to restore the earl under certain conditions, he made these protestations to his uncle, who favoured such a restoration, and it is doubtful that he would have tolerated a new integration of Angus into the body politic. Perhaps he might have considered it before the siege of Tantallon, but the fiasco of that enterprise, coupled with the personal affront to James by the killing of his captain of the infantry and the capture of the royal artillery by Angus crystallised in the king

339. LPH, IV, Pt. III, no. 5565.

the determination to be rid of Angus entirely. The extent of the animosity engendered in this conflict is seen in that when a general pardon was issued to all his subjects when he reached his full majority of twenty-five years, the crimes of Angus and his family, and assistance given to them, were exempted from the benevolence of the royal will. When Angus, his brother and uncle went into exile, they went unaccompanied by hosts of faithful followers and they would not return until after the death of their implacable foe.

When the first accounts of the minority of James the fifth were penned, their authors were all contemporaries of Angus and his great antagonist. They were, however, loyal Scotsmen and upholders of the monarchy and their judgments of events were not marked by historical objectivity. Of the three accounts most contemporaneous with the actual events, the prose works of John Law and Adam Abell, and the poetic works of Sir David Lindsay of the Mount, the restraint used by Law and Abell in the description of the rule of Angus is notable especially as it differed so much from the later treatment of the period.

To John Law, the chief failure of Angus was that he was lax in the administration of justice which caused great disturbances in the kingdom. The government was so discredited by the easy accessibility of remissions to criminals, on payment of the requisite fees, that James was tauntingly referred to as "hinc dicebatur the 5+ (sh.) kyng."³⁴⁰ He insinuated that the Treasurer of Scotland was noted for his venality but the³⁴¹ accusation was not levelled against Angus himself. When James escaped

340. Law's MS., f. 145.

341. Law's MS., f. 146.

from Angus, Law wrote simply "James on his escape barred the Douglasses from the court and all the offences of the Douglasses were turned against them and treated as crimes."³⁴²

Adam Abell explained that after Angus had returned from his exile in France, he "be consall of ewill awisit kynnismen (at considerit nocht perrall afterwert to cum) he tuik hails cuyre of ye king and gidit ye kinrik be Archbald his eym and george his brodir."³⁴³ He believed that the "pridfull wife, Dik Opparis douchr" of Archibald Douglas of Kilspindy was responsible for Angus's disgrace: "and ye comon woce is yat had nocht ben hir heichness ye noble erle of Angus had bene peceable now in Scotland."³⁴⁴ The disorders and disturbances which the rule of Angus created in Scotland according to later historians are not mentioned by either Law or Abell, although the latter condemns the earl for his keeping of the king without authority.

With the poetic works of Sir David Lindsay, a courtier and personal favourite of James, begin the germination of the account of the reprehensible rule and despotism of the Douglasses which was incorporated into the fabric of Scottish history. The lack of justice, according to Lindsay, was notorious and was the "falt (of) the heid; For thais in quhome dois ly our hole releif. I fynd thame rule and grund of all our greif... So, I conclude, the causis principall/of all the trubyll of this Natioun/ Are into Princes, in to speciall/The quhilkis hes the gubernatioun."³⁴⁵

342. Ibid.

343. Abell MS., f. 116.

344. Ibid.

345. The Poetical Works of Sir David Lindesay with Memoir, Notes and Glossary, ed. David Laing (Edinburgh, 1879), I, "The Dreame," II. 878-81, 883-6, p. 34. Cited hereafter as Laing, Sir David Lindesay.

The breakdown of good rule was a direct result of the change of government which occurred when James was twelve years old "quhen new reularis come, in their raige,/For common weill makand no cair/But for their proffeit singulair."³⁴⁶ The new regime was marked by the greed and covetousness displayed by the new rulers who "become ryche, I you assure,/Bot aye the Prince remanit pure"³⁴⁷ and the court was ruled by "tyrannis, tratouris, and transgressouris,/and commoun publict plaine oppressouris/Men murdrusaris and commoun theiffis/in to that court gat all releiffes."³⁴⁸ Scotland was under theyoke of greedy, unscrupulous men which was put to an end by the liberation of James. But the impartiality of one who wrote that he hoped that these rulers of the court would be displaced because they blocked his own advancement is to be doubted.³⁴⁹

Once the portrayal of the evils of the Angus regime had been set down, obviously with the approval of James the fifth, by the virtual poet laureate of Scotland, it continued to be used and amended by later historians. Although the author of the Diurnal only accuses the Douglasses of controlling James against his will,³⁵⁰ George Buchanan and Robert Lindsay of Pitcottie added to the growing condemnation of Angus's regency with such effectiveness and persuasiveness that it became incorporated into practically all of the histories of the period that followed. Buchanan magnified David Lindsay's assertion that Angus took James away from the schools at an early age to one of a deliberate attempt to inculcate in the king vicious habits in order to assure his continued domination.³⁵¹

346. Ibid., "The Complaints of Schir David Lyndsay to the Kingis Grace," ll. 128-30, p. 48.

347. Laing, Sir David Lindesay, "The Complaint of Schir David Lyndsay to the Kingis Grace," ll. 231-2, p. 51.

348. Ibid., ll. 361-4, pp. 55-6.

349. Ibid., ll. 374-6, p. 56.

350. Diurnal, p. 9.

351. Buchanan, History, II, pp. 291, 298.

Lindsay of Pitscottie pointed out the greed and corruption which caused such a travesty of justice that only the kinsmen of Angus were favoured: "and nane at that tyme dyrst stryve witht ane Douglas nor zeit ang Douglas man ffor gif they wald they gat the war. Thairfoir nane durst pleinze of no extortoun, thift, reif nor slaychter done in them be the Douglas or thair men, ffor in that cace they war not hard sa lang as the Douglassis had the court in gyding."³⁵² It was unfortunate that the Fife laird, with his facility of style, was able to influence future historians to such a degree that the apochryphal accusations which he laid at the Douglas's door became transformed into unquestioned dictums. The fact that Pitscottie had personal reasons for his malevolence against Angus, as he was the grandson of that Lord Lindsay who had supported Lennox at Linlithgow and whose escheat had been promised to Archibald Douglas,³⁵³ was ignored.

The downfall of Angus was seen, in fact, as the working of Divine Providence. Angus had defied the natural order by his attempt to control the king "ane is at ane lord or ony noble at leiffis at hes in his awne lordschip or bowndis he is nocht wis to ingire him to ye kingis court and maist of all to reule ye court. For ane king natralie hes desire to reull and nocht be rewritt,"³⁵⁴

"And, now of lait, quho clam more heych amang us,
Nor did Archebalde, unquhyle the Erle of Angous;
Quho, with his Prince, wes more familier.
Nor of his grace had more auctoritie?
Was he nocht gret Wardane and Chancellor?"

352. Pitscottie, I, p. 307.

353. RSS, I, no. 3534. Although Lord Lindsay was not forfeited, there existed a tradition in his family that they had suffered severe losses because of his participation with Lennox at Linlithgow.

354. Abell MS., f. 117.

Yit, when he stude upon the heychest gre,
 Traistyng nothyn bot perpetuitie,
 Was suddanlie dēposit frome his place,
 For falt, and flemit, he gat non uther grace,
 Quharefor, traist nocht in tyll auctoritie,
 My deir brethir, I praye yow hartfullie:
 Presume nocht in your vaine prosperitie,
 Conforme your traist in God alluterlie".³⁵⁵

To these loyal Scots, the sanctity of the Crown had been preserved and the actions which James the fifth instituted against the presumptuous magnate were justified by the latter's heinous attempts to disrupt the commonwealth. It was believed that the inveterate enmity which James displayed towards the banished earl was based upon righteous indignation at the iniquities and injustices which Angus's "regency" had inflicted upon the kingdom. Only one historian was prescient enough to suggest that there may have been other motives at work behind the formulation of the historiography of the regime of Angus. "When crimes began again to abound, every theft and murder was laid to the charge of the Douglasses by the courtiers, because they thought it would gratify the king, that a name formerly so popular, now became detested by the people."³⁵⁶

355. Laing, Sir David Lindesay, "The Testament and Complaint of the Papyngo," I, ll. 589-601, p. 83.

356. Buchanan, History, II, p. 301.