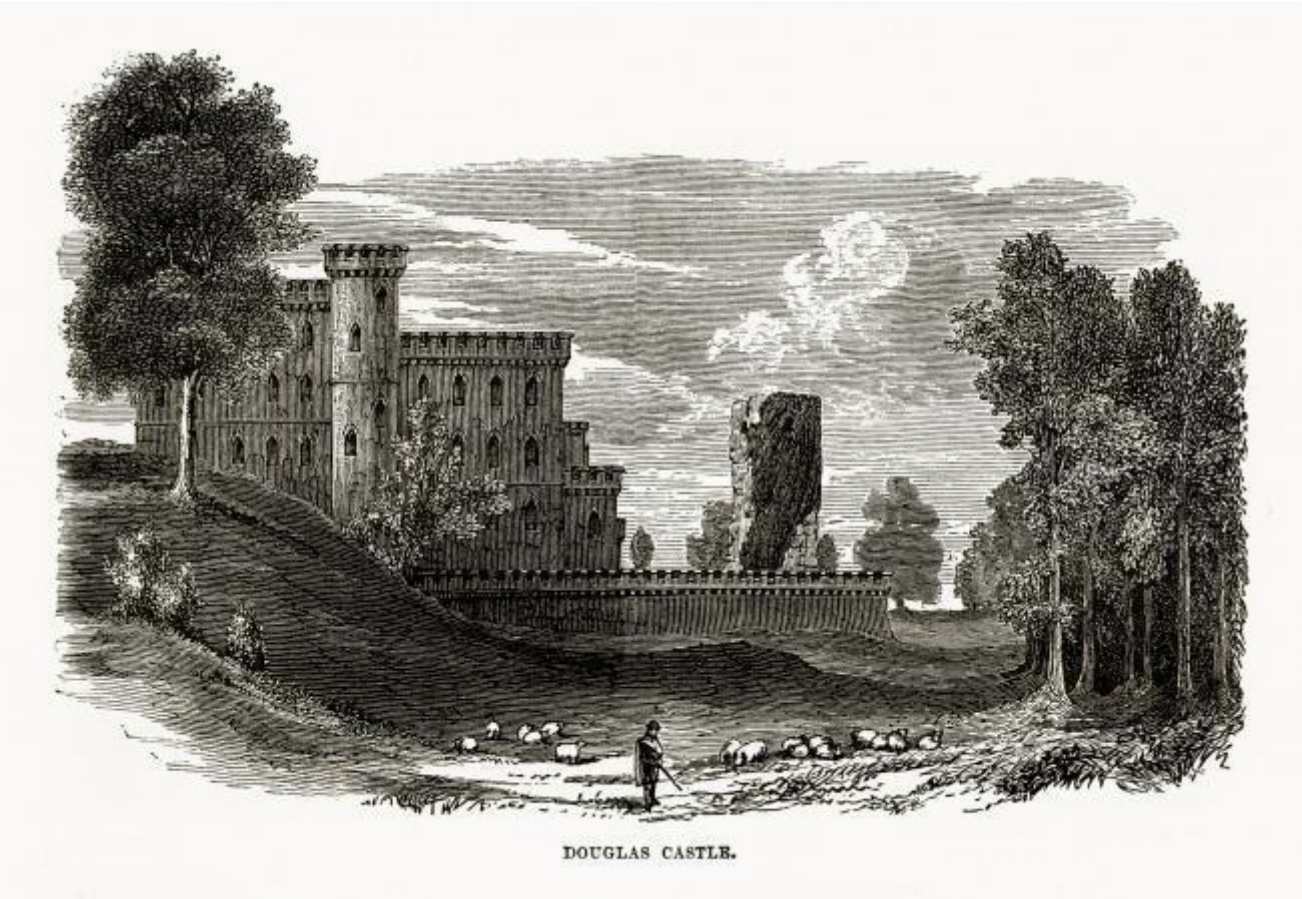
A series of articles By Hamish MacPherson, Journalist

The mightiest Scottish clans: How Douglas saw both tragedy and triumph



DOUGLAS CASTLE.

LAST year when I finished my series on the Highland clans, I promised I would return to the subject of clans by looking at the great lowland clans – and I am starting today and next week with perhaps the mightiest of them, Clan Douglas.

In future columns I will look at hybrid clans who have both Highland and lowland presences, such as Clan Fraser and the Stewarts, and I will also have a look at some of the smaller clans who have interesting stories to tell.

There are no doubt traditionalists who hold that clans can only be Highland, not least because the word derives from Gaelic “clann”, meaning “children” – for those who asked, the earliest use of the word in writing dates to the 1300s and we know that clans began to form two centuries before that. I contend, however, that in some lowland places like Fife, Galloway and the Scottish Borders, the clan system prevailed for centuries, just as it did in the Highlands and Islands.

There were differences in the way that Highland and lowland clans operated, but the basic rule of thumb was the same – the people of a clan shared familial loyalties, they mostly had the same name, they acknowledged the overlordship of a chief or chieftain, and very often shared the same territory.

The clan system was very much male-dominated, and one aspect that came late to the clan system was that if a woman married into a different clan – exogamy was allowed and often encouraged if a new wife brought a good dowry – then she nearly always adopted her husband’s name and became part of the clan.

This was true for both the Highlands and lowlands and was a separate Scottish development, distinct from the English law of “couverture” which forced women from the 12th century onwards to be “covered” by their husbands – ie take their surname.

In any case, most people in mediaeval times did not have surnames as we understand them, most being known by their given name and their father’s name

(Mac Gregor) or place of origin or abode (de Fife), though some people would be known by a nickname usually from some sort of facial or bodily feature – ginger hair would often see someone called “the Red”.

As we have seen, clans tended to develop over many generations, and were often created by splits in an original clan. Some simply grew out of the families of noblemen. The extraordinary King David I, who ruled from 1124 to 1152 and who I often say was Scotland’s greatest monarch, was ultimately responsible for creating several clans in central and southern Scotland.

Having been a “guest” at the English court, which was really Anglo-Norman in character, David was so impressed by Norman culture that he imported powerful men from the Continent and they helped him transform Scotland, taking lands which the king gave them in return for military service. Thus did the Bruce family, for example, come to Scotland.

Another immigrant family was that of Theobald Le Fleming, whose family originated in what is now Belgium or northern France and which came across as part of the Norman Conquest of England. Born in about 1120 in Aldingham Manor in Lancashire, Theobald came north to be given land by the Abbot of Kelso who had been building the magnificent Kelso Abbey.

Though the Flemish connection is disputed, there is little doubt that in return for services to the Abbey – could he have been a guard or garrison commander? – Theobald was given land by the Douglas Water, the dubh glas or black stream, in what is now South Lanarkshire.

It was Theobald's son William who was the first of that name to enter written history when he witnessed a charter by Jocelin, Bishop of Glasgow, to Kelso Abbey in 1174.

As William de Douglas, he clearly by that time was Lord of the Douglas lands, and he also made good marriage to Margaret, sister of the powerful Freskin de Moravia, the likely progenitor of the Clan Murray who was himself of Flemish origin.

The Douglases and the Murrays would be linked thereafter, so much so that a 15th century poet and chronicler, Andrew of Wyntoun, wrote:

"Of Murrawe and the Douglas,

How that thare begynnyng was,

Syn syndry spekis syndryly

I can put that in na story.

But in thare armeyis bath thai bere

The sternys[stars] set in lyke manere;

Til mony men it is yhit sene

Apperand lyk that had bene

Of kyn be descens lyneale

Or be branchys collaterele."

The original Lord William of Douglas was definitely the first to bear that name, though there is a recurring myth propounded by, among others, historian David Hume of Godscroft (1558-1629) that one Sholto who fought for the king of Scots in the eighth century was the original progenitor of the clan.

Unfortunately for that myth, there is no actual evidence of any such Sholto other than Hume's flight of fancy. He was, after all, writing a history of the Douglases and all clans wanted to know they were extant from ancient times and were descended from heroes.

During the 13th century, the Douglas family prospered and built a castle at Douglas and started the village around it which stand to this day. Through marriage they became related to the powerful Bruce family, the Earls of Carrick.

William's son Archibald was named in numerous church charters while Archibald's brothers included Bricious, who became Bishop of Moray, and his sister Margaret married Hervey de Keith, Marischal of Scotland, who was close to successive Scottish kings, Malcolm the Maiden and the long-reigning William the Lion.

It was their alliance with the Bruces which would make the Douglas name famous and bring them both triumph and tragedy. Sir William Douglas, known as the Hardy, married Elizabeth Stewart, daughter of Alexander, 4th High Steward of Scotland, and they had a son James who we will learn more about. William went on the Eighth Crusade in 1270 and returned to Scotland to play his part in one of the best known stories about the early Douglas chiefs.

In 1288, the recently widowed Douglas laid siege to Fa'aside Castle near Tranent in East Lothian. It was a possession of the English La Zouche family and Douglas

objected to their demands for rent from people he considered to be his kin. He was about to raze the castle when he was told that it contained a wealthy widow, Eleanor

Ferrers, who William Douglas promptly seized and carried off to Douglas Castle. Douglas went to prison briefly but emerged to marry Eleanor and the pair lived happily ever after, having two sons.

William the Hardy was imprisoned three times by the forces of King Edward Longshanks, the second time after the capture of Berwick-upon-Tweed in 1296. Douglas had been made governor of the town by the Guardians of Scotland after the exile of King John Balliol and he and his garrison eventually had to surrender to the English, who had slaughtered almost all of the townspeople.

HAVING sided with William Wallace's rebellion, he was captured a third time, and brutally mistreated, he died in the Tower of London in 1298. The next Lord of Douglas was the most famous – or infamous if you were English – Sir James "the Black" Douglas. He became Robert the Bruce's friend and ally and was adored in Scotland and feared across England.

In The Brus, John Barbour describes him thus:

But he was not so fair that we

Should praise his looks in high degree.

In visage he was rather grey;

His hair was black, so I heard say,

His limbs were finely made and long,

His bones were large, his shoulders strong,

His body was well-knit and slim

And those say that set eyes on him,

When happy, loveable was he,

And meek and sweet in company,

But those with him in battle saw

Another countenance he wore!

His battle prowess was undoubted and it may even have been Douglas who devised the guerrilla tactics of Bruce's growing army as they slowly but surely drove the English back south, leaving only garrisons in castles such as his own Douglas Castle – he recaptured it in 1308 and beheaded all the English occupants.

The last main English presence other than Stirling was Roxburgh Castle, which Douglas recaptured in February 1314, with his men disguised as sheep and cattle as they approached the walls under cover of darkness before a lighting attack captured the castle.

His final encounter with the English was his most daring and successful. On the night of August 3 to 4, 1327, Douglas attacked the army of King Edward III, actually led by would-be usurper Roger Mortimer, at Stanhope Park on Catterick Moss.

An eyewitness account described how close Douglas came to killing King Edward III, son of the loser at Bannockburn: "The Lord James Douglas took with him about two hundred men-at-arms, and passed the river far off from the host so that he was not perceived: and suddenly he broke into the English host about midnight crying

‘Douglas!’ ‘Douglas!’ ‘Ye shall all die thieves of England’; and he slew 300 men, some in their beds and some scarcely ready: and he stroke his horse with spurs, and came to the king’s tent, always crying ‘Douglas!’, and stroke asunder two or three cords of the king’s tent.”

Edward managed to escape but had no option but to sign the Treaty of Northampton-Edinburgh in 1328 which – supposedly once and for all – relinquished any English claim to the kingdom of Scotland.

It was James who took Bruce’s heart on crusade in Spain in 1330 where he perished in battle with the Moors. The legend that he threw the casket containing Bruce’s heart at the Moors shouting “lead on brave heart” is just that – a legend, significantly embellished by Sir Walter Scott in his Tales of a Grandfather.

READ MORE: Last regiment of the famous five: Marching out of the Army List and into history

The Douglases were to pay a high price for their Scottish patriotism and closeness to the royal families of Bruce and Stewart. Sir James’s son William was killed while leading an army loyal to the Bruce’s heir King David II against the English forces of would-be usurper Edward Balliol at Halidon Hill on July 19, 1333, his heir and uncle Sir Archibald being killed in the same battle.

This family line became the so-called Black Douglases. Sir Archibald’s son William was made the first Earl of Douglas and later the Earl of Mar. It was his illegitimate son who began the other line of the Douglas family, the Red Douglases, who

became the Earls of Angus. Other splits occurred and the branches of the family fought each other at times.

Next week I will describe how the Douglas clan split and featured heavily in the many massive scandals, murders and intrigues that immersed the Scottish royal court over the next three centuries.

I will also show how Clan Douglas, though recognised by the monarchs and the courts as a clan, eventually came to the current situation where they do not have a chief recognised by the Lord Lyon King of Arms, who has the responsibility of legalising clans, their coats of arm and identifying their chiefs, which seems a shame for this mightiest of lowland clans.

The tragedy that befell Clan Douglas may have inspired Game of Thrones

By Hamish MacPherson, Journalist

BACK IN THE DAY

The Black Dinner is said to have partly inspired the Red Wedding scene from Game of Thrones

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LAST week, I began this short series on the great lowland clans by describing how the Douglas family came to prominence, largely through the efforts of William “the Hardy” and his son Sir James “the Black” Douglas, long-time friend and ally of King Robert the Bruce. I will return to Sir James in a future column in my next series about men and women who shaped Scotland without taking the throne.

This week I will show how Clan Douglas split into two lines, the “Black” Douglases of Douglasdale and the “Red” Douglases of Angus. There would later be many more branches of this mighty clan, and some of its leading figures would play a major part in Scottish and indeed British history, yet the Douglas clan today has no formally recognised chief – I’ll explain why next week. Given the historical facts about the Douglases, there will be some gruesome details in this week’s column, but I will try and keep them to a minimum.

The mightiest of Scotland’s lowland clans: How Douglas saw tragedy and triumph

Though they outgrew the village of Douglas and its castle, the family for many generations kept to a Douglas tradition by being buried in St Bride's Kirk, which effectively became a mausoleum for the Black Douglas line. You can see their memorials in the Kirk to this day.

The split into Black and Red Douglases came because of tragedy when James, the 2nd Earl of Douglas and Earl of Mar, was killed fighting the English at the Battle of Otterburn in 1388. He was the son of the 1st Earl of Douglas and Margaret, Countess of Mar, and had married Princess Isabel, daughter of King Robert II, but had no legitimate children at the time of his death. He did have two illegitimate sons, William and Archibald, the ancestors of the clan's branches of Douglas of Drumlanrig and Douglas of Cavers.

It was his sister Isabel, Countess of Mar, who inherited a lot of the Douglas property but the title and most of the Douglas lands passed to the 2nd Earl's cousin, Archibald, the illegitimate son of Sir James Douglas. Hugh, the Lord of Douglas, perhaps should have inherited all, but his nickname "the Dull" suggests he was a simpleton and he was persuaded to pass the Earldom to Archibald who was an important personality in the development of the Black Douglases.

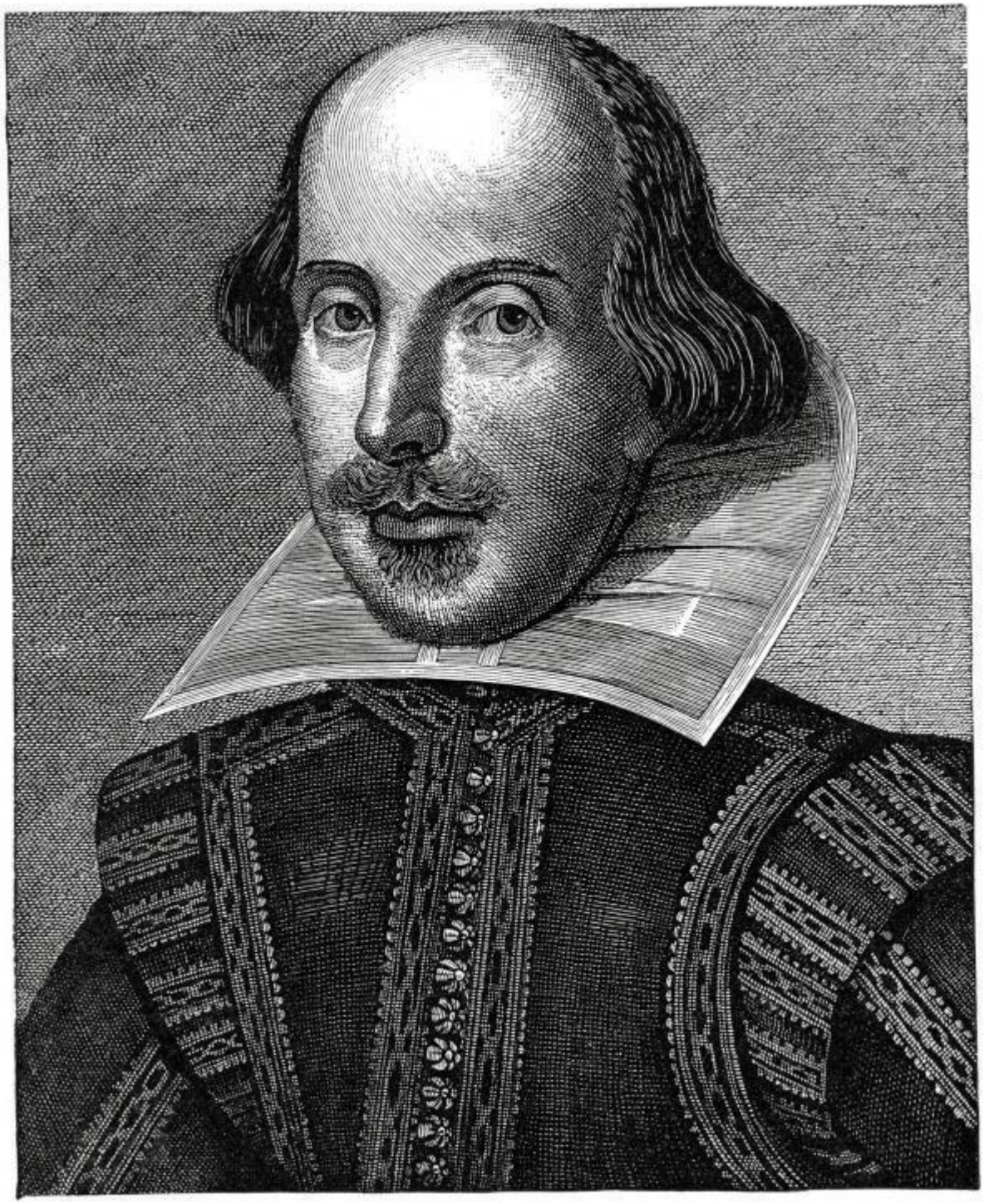
He was a warrior who had fought for the French against the English at the Battle of Poitiers and who had then become Lord of Galloway in 1369 after a series of successful battles to oust the English occupiers from southern Scotland. He duly built a new power base, Threave Castle, whose iconic ruins still stand on an island in the River Dee near Castle Douglas.

Archibald (1330-1400) has come down to us largely thanks to his nickname – the Grim. He got that name from the English troops that he ousted from Lochmaben Castle in 1385, with one Scottish chronicler writing: “He was callit Archibald Grym be the Englishmen becaus of his terrible countenance in wierfare [warfare]”.

He married well in 1362 to Joan or Johanna Moray, the Lady of Bothwell, a dynastic arrangement which brought several estates across Scotland to Archibald and which also appears to have been a happy marriage as they had numerous children. He was also not so Grim as he was painted – he endowed several church institutions and was known for his chivalrous behaviour as long as he wasn’t fighting.

As 3rd Earl of Douglas and the most powerful lord in southern Scotland, Archibald the Grim imposed his law and order on the Border chieftains, and he also secured a royal marriage for his son and heir – also Archibald – to King Robert III’s daughter Princess Margaret. Most important of all, he arranged for his daughter Marjorie to marry David Stewart, Duke of Rothesay and heir to the throne. That latter marriage would end in tragedy as Rothesay’s uncle, Robert Stewart, the Duke of Albany, was regent of Scotland due to Robert III’s illnesses, and was in no mood to relinquish his power, arranging for his nephew to be imprisoned on trumped-up charges. The 4th

Earl of Douglas, Archibald – known perhaps erroneously as the “tyneman” or loser – also turned against Rothesay, accusing the heir to the throne of gross misconduct against his sister Marjorie. The Douglas Earl was implicated in the plot to imprison Rothesay, who died in the pit of Falkland Palace. Funnily enough, though he was just 24 and fit, an inquiry said he died of natural causes and cleared Albany and Douglas of all blame.



WILLIAM SHAKSPERE.

The 4th Earl has a claim to fame as one of the few Scottish characters in the plays of William Shakespeare outside of Macbeth. As Archibald “The Douglas” he features in

Henry IV Part One, and is captured by Henry Hotspur – only to be released to fight in the rebellion against Henry, in which he kills Sir Walter Blunt or Blount, and nearly gets the king, too.

Those were true events, but the scene after the Battle of Shrewsbury in 1403 – where he is freed because of his courage and chivalry – is an invention, as Douglas was held captive for several years.

He would later join the French war against Henry V of England, and in 1424 responded to a personal plea from King Charles VII of France to come to his aid. For doing so he was made Duke of Touraine and appointed Lieutenant General of the French army, the first foreigner to be made a French duke. He enjoyed the title for just a few months as he was killed in the disastrous – for the French and Scots – battle of Verneuil, with his son James also among the dead.

Meanwhile, the Red Douglas line was getting going. George Douglas (1380-1403) was the illegitimate son of the William, the 1st Earl of Douglas and Margaret Stewart, the Countess of Angus, Dowager Countess of Mar and Lady Abernethy, titles which she held in her own right. She was one of the most powerful women in the land and seems to have dominated the weak King Robert III, persuading him to allow her son George to marry the king's daughter Princess Mary, upon which marriage George became Earl of Angus and gained more land and titles from his half-sister Isabel, the Countess of Mar. George Douglas, Earl of Angus, was captured by the English at the battle of Homildon Hill in 1402 and died from the plague in captivity a year later at the age of 22 or 23.

George's son, the 2nd Earl of Angus, inherited the title at the age of four, and when King James I was captured and imprisoned by the English in 1406, it seemed he might be sent south as a hostage by the Duke of Albany. He escaped that fate and was one of the nobles who greeted King James when he returned to Scotland in 1424.

James purged his court of the Albany Stewarts and the Earl of Angus – and his cousin the 5th Earl of Douglas – sat on the jury which condemned the 2nd Duke and his two sons and their ally the Earl of Lennox to death by beheading for treason.

James himself met a grisly end, assassinated in Perth on February 20, 1437, and he was succeeded by his son James II, then only six. At this point the Black Douglases

reached a new zenith of power, as the Earl of Douglas was appointed Lieutenant General and Regent of Scotland until his death in 1439. His son and heir William was 15; his younger son David about nine.

The following year, three powerful men decided to try and seize power for themselves. They were William Crichton, 1st Lord Crichton and Lord Chancellor of Scotland, Sir Alexander Livingston of Callendar. James Douglas, Earl of Avondale – a favourite of James I and second son of Archibald the Grim – is also said to have been involved in the plot that became known as the Black Dinner, but evidence for that is scanty.

What certainly did happen is that having become 6th Earl of Douglas, William and his brother David were invited to dine at Edinburgh Castle in the presence of the 10year-old James II. Legend has it that a black bull's head, a symbol of death, was laid on the table before the men of Crichton and Livingston seized the two youths. They were subjected to a mock trial and despite the young king's protests, they were summarily executed for treason by being beheaded in the castle courtyard. This event is said to have partly inspired George RR Martin to write the infamous Red Wedding scene for Game of Thrones.

Sir Walter Scott (above) described the event thus: “Edinburgh Castle, toune and towre, God grant thou sink for sin! And that e’en for the black dinner, Earl Douglas gat therein.”

The Earl of Avondale promptly became the 7th Earl of Douglas and clan chief and controlled vast areas of Scotland – though he lived for only three years after the Black Dinner, which may have been due to his corpulence: he was known as James the Gross. One can only imagine what effect the event had on James II, and he certainly displayed symptoms of mental upset in later life, not least because of what he did to William Douglas, the 8th Earl and Lord of Galloway and Lauderdale.

Well aware that he was seen as the chief magnate of Scotland and a possible threat to James II, this Lord Douglas wanted out of Scotland, possibly for safety reasons, and went on pilgrimage to Rome. While he was abroad, King James attacked several Douglas properties because there had apparently been insults and damage done to neighbours.

He returned in August 1451, and early the following year he received a summons to attend upon the king at Stirling Castle. The summons was conveyed by Sir William Lauder of Haltoun, a friend and relative of the Douglases. Lauder also brought a letter of safe conduct for the earl signed by the king and this seems to have reassured him about his safety.

It was nothing of the sort. On February 22, 1452, William Douglas was told by the king that he must dissolve a pact for mutual protection that he had formed with the Earl of Crawford and the Earl of Ross, Lord John of Islay, chief of Clan Donald. Douglas refused and James II lost his temper and promptly drew his dagger – more probably a dirk – before stabbing the earl 26 times. Other nobles joined in, and Sir Patrick Gray completed the assassination by bashing out “his brains with a pole ax” as one chronicle put it. The earl’s body was thrown out of the window into the garden below.

As the earl had no legitimate children, William’s brother James became the 9th Earl of Douglas. He rallied the Douglas forces and marched on Stirling with the king’s letter of safe conduct attached to his horse’s tail. Joining the king’s side, however, were the Red Douglases in the person of George Douglas, 4th Earl of Angus.

James Douglas’s allies deserted him and he fled to England. As recently as 1448, the two branches of the Douglases had fought alongside each other in winning the Battle of Sark. But now relationships were sundered, and with the 9th Earl still in

England, the Earl of Angus and his allies in the Borders families fought the Battle of Arkinholm and smashed the Black Douglases once and for all.

The 9th Earl and his family were attainted and the title of ~~Earl~~ Lordship of Douglas – and thus the clan chieftainship – was given to the Red Earl of Angus. Next week we'll see how it all ended.

The tenacious survival of the Douglases despite James V's revenge plot

By Hamish MacPherson, Journalist

IN the penultimate part of this short series about the mighty Clan Douglas, greatest of all the purely lowland clans, I will explain how the Douglases survived – despite the internal squabbles that ravaged the clan from the 15th century onwards.

Those "squabbles" reached a peak at the Battle of Arkinholm on May 1, 1455. I showed last week how James, the 9th Earl and leader of the Black Douglases, rose in rebellion against King James II – understandably, as the king had murdered his brother William, the 8th Earl. James II was known as "fiery face" because of birthmark, but also perhaps because of his legendary temper that led him to kill William Douglas at Stirling Castle in the most brutal manner.

The 9th Earl went to England where he tried and failed to raise support for his uprising. His three brothers stayed and fought the forces of the king at Arkinholm, near Langholm. It is still disputed whether the leader of the Red Douglas side of the family, George Douglas, 4th Earl of Angus, actually commanded the troops against his relatives, but with Borders families such as the Carruthers, Maxwells, Scotts and Johnstones also keen to throw off the Black Douglas yoke, there was no doubt about the outcome.

BACK IN THE DAY

The Battle of Arkinholm in 1455 saw the Red Douglases defeat the Black Douglases

The tenacious survival of the Douglases despite the plotting of a king

Two brothers of the 9th Earl met grisly ends. Archibald, the Earl of Moray, was killed in the fighting, and his head was removed and presented to King James. Hugh, the Earl of Ormonde, was captured and executed shortly afterwards, while John Douglas, the Lord of Balvenie, fled to England. The power of the Black Douglases was destroyed that day at Arkinholm.

The excellent douglashistory.co.uk website quotes a verse on the matter:

Pompey by Caesar only was undone,
None but a Roman soldier conquered Rome; A
Douglas could not have been brought so low,
Had not a Douglas wrought his overthrow.

With their stronghold of Threave Castle captured, James II acted swiftly to ensure that the troublesome Black Douglases could not rise again – he had the Scottish Parliament pass an act of attainder against the 9th Earl and his lands were forfeited to the Crown. James promptly rewarded the Earl of Angus for his loyalty by giving the leader of the Red Douglases much of the old Douglas territories – he was also given the title of Earl of Douglas.

James II was killed by an exploding cannon at the siege of Roxburgh Castle in 1460. The man who was wounded beside the king and who took over the Scottish forces and successfully captured the castle from its English occupiers was George Douglas, Earl of Angus and Douglas.

The triumph of the Red Douglases was complete when the Earl placed the crown on the head of the new king, James III, during his coronation at Kelso Abbey. He is reported to have said: “There! Now that I have set it upon your Grace’s head, let me see who will be so bold as to move it.” The earl kept his word to the young king, but others of Clan Douglas would not.

The Earl was made Lieutenant of the Realm by Queen regent Mary of Gueldres, and was ambassador to England before his death in 1463. His son and heir Archibald has come down to us through history for his nickname, “Bell-the-cat”, though in his own lifetime he was known as the Great Earl. As the 5th Earl of Angus he was appointed Warden of the East March by James III, which made him responsible for defending Scotland’s east border against the threat of English invasion.

The mightiest of Scotland’s lowland clans: How Douglas saw tragedy and triumph

A year later in 1482, Angus joined a group of nobles who rebelled against James III. It was the Earl who offered to “bell the cat”, ie capture and kill the king’s favourite Thomas (or Robert, no one’s quite sure which) Cochrane – who the nobles despised because of his low birth status. Angus seized Cochrane by the gold chain round his neck and then had him and his associates hanged from Lauder Bridge.

Angus also briefly joined the insurrection of Alexander Stewart, Duke of Albany, but sided with James III once again in 1483. It was a much more serious rebellion by the nobles in 1488, as they were joined by the king’s own son, James, Duke of

Rothesay. Angus fought against James III at the Battle of Sauchieburn, which ended with the king's mysterious murder and the Duke taking the throne as James IV.

Angus flipped sides several times, including his treasonable dealings with England, and was in and out of favour with James IV – who eventually made him Lord of Bothwell, but took control of the Douglas castles at Tantallon and Hermitage. Otherwise, Angus seems to have led a charmed life until the Battle of Flodden in September, 1513, in which both his son and heir, George, Master of Douglas, and his second son Sir William Douglas, were killed. Angus was overcome with grief and died the following month.

His successor as Earl and thus chief of Clan Douglas was Archibald Douglas, about whom I will write extensively in my next series on men and women who shaped Scotland without ever being on the throne. Suffice to say he was an intriguer who married James IV's widow Margaret Tudor, sister of King Henry VIII, with whom Angus formed an alliance. Margaret soon wanted a divorce and she sided with the powerful Duke of Albany against her husband, who found himself charged with high treason and exiled in France and London. He survived that charge and his English allies, including Henry VIII against his own sister, supported his return to Scotland – where he served as regent for the boy king James V.

The Earl was a harsh man and effectively imprisoned James V, who grew up to hate the Douglases with a vengeance which he exacted when he assumed his full kingship in 1528. It did not matter that he was the stepson of the 6th Earl of Angus, though he was still only a teenager, James V wanted punishment for the entire Douglas family.

One of those upon whom he vented his considerable ire was Janet Douglas, Lady Glamis (above), whose story exemplifies the fate of many of those Douglases who were close to the Scottish monarchs. In 1528, she was accused of treason but was not prosecuted for that – instead she was accused of poisoning her husband, John Lyon, 6th Lord Glamis. But, the case never went to court, not least because the couple had been happily married until his death in late 1527. Their noble friends knew this, and some simply refused to act as jurors.

Without her husband’s protection, she and her brothers became fair game for James V and his cronies. The king had outlawed her Douglas brothers and she was accused of giving them shelter and food, contrary to royal decree. Lady Janet was summoned before the parliament to answer charges of assisting the Earl of Douglas in an “insurrectionary design” against the king. The case did not proceed, due to a lack of evidence, and the still young and beautiful Lady Glamis was freed – making the King and his crew more determined than ever to take the fullest action against her.

She married her second husband, Archibald Campbell of Skipness, in 1532 – only for both of them to be implicated five years later in another alleged plot against James V. Campbell was thrown into a dungeon in Edinburgh Castle. With her family and retainers tortured to gain evidence against her, Lady Glamis was duly convicted of planning to poison the king, who then accused her of witchcraft against his person.

A history of the Douglases calls it “one of the most profligate and atrocious outbursts of private revenge which anywhere disfigure the records of authentic history”. It is hard to disagree that Lady Glamis was entirely innocent and that James V simply went too far in his obsession against Clan Douglas. Even those who sat in judgement, knowing the awful penalty for her crimes, asked King James to be merciful, but he was not for it, and said she should suffer death by being burned alive at the stake at Edinburgh Castle.

The Douglas history records: “A little time after the sentence, she was delivered into the hands of the executioner, to be led out to suffer. The constancy and courage of this heroine are almost incredible, which astonished all the spectators. She heard the sentence pronounced against her without the least sign of concern; neither did she cry, groan, or shed a tear, though that kind of death is most frightful to human nature.

“When she was brought out to suffer, the people who looked on could not conceal their grief and compassion; some of them who were acquainted with her, and knew her innocence, designed to rescue her; but the presence of the King and his ministers restrained them. She seemed to be the only unconcerned person there; and her beauty and charms never appeared with greater advantage than when she was led to the flames; and her soul being fortified with support from heaven, and the sense of her own innocence, she outbraved death, and her courage was equal in the fire, to what it was before her judges. She suffered those torments without the least noise, only she prayed devoutly for divine assistance to support her during her sufferings. Thus died this famous lady with a courage not inferior to that of any of the heroes of antiquity.”

Her son John Lyon, 7th Lord Glamis, was only 15 or 16 at the time and he, too, had been arrested and imprisoned. James V commanded that he be forced to watch his mother burn. Her husband Archibald Campbell was killed trying to escape from the Castle.

As we shall see in that promised future column, the 6th Earl of Angus had major influence in the events surrounding Mary, Queen of Scots, but chief among his actions was being the father of Lady Margaret Douglas, his only legitimate child by Margaret Tudor. She married Matthew Stewart, 4th Earl of Lennox, and their son was Henry Stuart, Lord Darnley, second husband of Mary, Queen of Scots, the mother of James VI and I who brought about his personal union of the thrones of Scotland and England.

The Red Douglases continued to flourish in royal service, although subsequent Earls of Angus had their disagreements with the Stuart monarchs. The religious upheavals of that era saw them in peril at times, largely because of the 10th Earl of Angus's conversion to Roman Catholicism that saw him placed under house arrest.

His son William spent several years on the Continent for health reasons, but he returned to the court of King Charles I and seems to have become a favourite of the king, being made the Marquess of Douglas during the king's visit to Scotland for his somewhat delayed coronation in 1633. He fought for the Royalist side in the War of the Three Kingdoms, but ended up being imprisoned in Edinburgh Castle and also paying huge fines to Oliver Cromwell. As his son and heir died while he was still alive, the Marquess was succeeded by his grandson, James Douglas, whose main claim to fame is that he was a close associate and privy councillor to both Charles II and James VII and II.

That brings us to next week's final part of the series which will feature one of the most famous legal battles in Scottish history, the Douglas Cause, and I will show how this great clan ended up without a chief.

Scotland's sensational court case on the Clan Douglas legacy

By Hamish MacPherson; Journalist; 1st March 2022

IT is impossible to tell the story of the great Clan Douglas without a long reference to the great 18th century Douglas Cause – still the longest and most expensive civil court case ever held in Scotland.

But first an apology – in last week's column I wrote that the Earldom of Douglas was given to the 4th Earl of Angus, leader of the Red Douglases, after the 9th Earl of Douglas was attainted. Harold Edington of the Clan Douglas Society of North America queried this assertion, and on further checking I can see that it was the Lordship of Douglas, not the Earldom, which went to the 4th Earl of Angus. Happy to correct that, and delighted to know that readers across the Pond are following this series on the Douglases, which ends today.

I left off last week with the succession of James Douglas to his grandfather, as 2nd Marquess of Douglas. William, the 1st Marquess, had numerous children by his two wives, including William, the 1st Earl of Selkirk and George, 1st Earl of Dumbarton – the title now held by Prince Harry.

Meanwhile, other branches of Clan Douglas had been on the rise, the Douglases of Dalkeith becoming Earls of Morton in the 16th century (as promised, the 4th Earl of Morton will feature in my next series, due to his role in the life and times of Mary, Queen of Scots).

In the late 17th century, the Douglas Earls of Queensberry rose to being the Dukes of Queensberry, with the 1st Duke of Queensberry, William Douglas, marrying his distant relative Lady Isabel Douglas, daughter of the 1st Marquess of Douglas. The 2nd Duke of Queensberry, known as the Union Duke, played an important part in securing the Act of Union in 1707, for which service he was also made Duke of Dover.

It was Archibald Douglas, second son of the 2nd Marquess of Douglas who was made the 1st Duke of Douglas in 1703 at the age of nine by Queen Anne, as she wanted the powerful clan on her side. It was the Douglas Earl of Angus who raised the Cameronian regiment in 1689, and no doubt Anne remembered how they had been victors at the Battle of Dunkeld against the Jacobites. The Douglases remained attached to the Hanoverian dynasty thereafter, and mainly fought against the Jacobites in 1715 and 1745.

The Duke played his part in the first Rising, but largely stayed inactive during the '45. He returned to prominence by playing his part in the Douglas Cause, which held the attention of Europe in the 1760s – not least because the litigation was held in three countries, Scotland, England and France, and featured a hugely wealthy noble family fighting among themselves – think Downton Abbey writ large with pistols and dirks.

THE Douglas Cause is a very complicated story, but it helps that there are copious accounts of it; not the least of which is a remarkable series of articles and books by James Boswell, the Edinburgh lawyer who found his greatest fame as biographer of Dr Samuel Johnson.

Sir Herbert Maxwell in his History of the House of Douglas also tells of the run-up to the Cause.

Lady Jane Douglas, right, and a print of Archibald Douglas in the House of Lords

In brief, the facts are these: Duke Archibald Douglas grew increasingly disturbed as he got older, and the fact that he was unmarried and childless meant that his vast fortune and land holdings, not to mention his accumulation of titles, would pass to his heir apparent, his sister Lady Jane, described by Maxwell as “beautiful and witty”. If she remained childless, the Dukedom would pass to their second cousin, the Duke of Hamilton.

Lady Jane surprised the Duke and her family at the age of 48 by secretly marrying a penniless soldier, Colonel Sir John Stewart of Grantully, in 1746. He was a Jacobite and the Duke responded angrily to her dalliance with Stewart, so much so that the couple moved to France, pursued by creditors, and only two years later admitted to being married.

She had to reveal the secret because she was then pregnant, and gave birth to twins at the age of 50 on July 10, 1748. Sir Herbert Maxwell was in no doubt that she did indeed have the twins, who were named Archibald and Sholto, both traditional Douglas names. The Duke responded by cutting off the £300 a year allowance he paid to his sister, as a result of which Colonel Stewart was imprisoned for his debts. Lady Jane tried to meet with her brother back in Scotland, but for whatever reason he failed to make the meeting, and

worse came in 1753, when Sholto Stewart died. She returned to Edinburgh and died there – Maxwell said of a broken heart – on November 22, 1753.

Meanwhile, very late in life the Duke himself got married to another Douglas, Margaret, daughter of James Douglas of Mains in Dunbartonshire – Douglas Academy stands today on the land of Douglas of Mains.

Possibly because she hated the Hamiltons, Duchess Margaret begged her husband to recognise his nephew Archibald as his heir. He was brought up by the Queensberry Douglases, and later changed his name from Stewart to Douglas.

Just before he died in 1761, the Duke of Douglas changed his will to make Archibald his heir. There is some evidence he did so in remorse at the ill-fortune he had visited on his sister, but most likely Duchess Margaret finally convinced him to do what she thought was the right thing.

James Hamilton, the 7th Duke of Hamilton and 4th Duke of Brandon, who had succeeded his father in 1758 at the age of two, inherited the title of Marquess of Douglas and Earl of Angus when the Duke died in 1761. Yet, the Duke's property and lands went to Archibald Douglas, plus an income of £12,000 a year, now worth more than £2 million.

Still only a child, his family went to court on Hamilton's behalf and on December 7, 1762, they began a legal action challenging the legitimacy of Archibald Douglas and thus his right to inherit the Douglas fortunes. The wording of the first Hamilton submissions to the Court of Session in 1763 were blunt: "That the defender, now calling himself Archibald Douglas Esq, was not a child procreate of the body of Lady Jane Douglas, but on the contrary is a supposititious (fraudulent replacement) child and an impostor."

It was staggering accusation, and over the next few years the case would cause a sensation, with people like David Hume and Adam Smith arguing over it, while Dr Johnson also commented, in doing so annoying his friend and biographer James Boswell.

He wrote: "I am going to plead the cause of Mr Douglas. I own I am most warmly interested for him; but I trust that I have examined his cause with impartiality."

Boswell, the Edinburgh lawyer, cuts straight to the nub of the matter – if Archibald was the son of Sir John Stewart and Lady Jane Douglas, it was an open and shut case: "Therefore it is, that according to law, to ascertain the birthright of the subject, so as to entitle him to succeed to the greatest estate and honours, nothing more is required than his being acknowledged by two married persons as their child, and being commonly reputed to be so."

The problem for the Douglases was that witnesses to Lady Jane's pregnancy and the twins' birth had disappeared, especially the male midwife said to have delivered the children.

Then Boswell the campaigning writer kicks in: "The Douglas cause has now made a noise all over Europe; and indeed no cause ever came before a court of justice, so interesting in its nature, and of such universal importance."

His view of the Hamilton faction was scathing and clearly briefed by the lawyers for Archibald Douglas, he wrote: "The family of Hamilton and their adherents, had long carried on designs to obtain the succession of the Douglas estate, on the decease of the late duke; and had succeeded so far, that the duke had actually made a settlement upon that family, in prejudice of Mr Douglas, his nephew, the defendant in the Douglas cause, who was artfully represented to the duke as a supposititious child.

"In this situation matters continued till after the duke's marriage, when the Duchess of Douglas, who was fully convinced of the iniquity of all the accusations brought against Lady Jane Douglas, sister of the duke, and mother of the present defendant, exerted herself with a spirit and generosity which will ever do her honour; and was so happy as to undeceive the duke, and to prevail with him."

Boswell revealed to his readers that before her death, Lady Jane had taken her son's case to the highest in the land: "She consulted my Lord Prestongrange, then his Majesty's advocate for Scotland, in whose judgment and honour she had a perfect confidence, assuring him, that God knew her innocence, and that the children were hers: that she did not doubt but that the man-midwife was still alive; and that if his Lordship thought it necessary, she would bring any proof that should be thought proper.

"His Lordship, with a spirit worthy of himself, and of the person whom he was addressing, answered her Ladyship: 'That she needed give herself no uneasiness about that matter; for that as she and Mr. Stewart acknowledged these children, there was no further proof necessary; for it behoved those who challenged the birth to prove that they were not her Ladyship's children.'"

It was on this point that the Hamilton case struggled, for Lady Jane Douglas had an impeccable reputation and they simply could not prove beyond doubt that Archibald and Sholto were "bought in" and not the children of Sir John and Lady Jane.

The legal documents piled up, and according to the excellent douglashistory.co.uk website "by 1767, at the request of the judges, each side had published memorials – 1000 page statements of their cases, containing letters, documents, witness reports, affidavits, citations of Scots and French law and anything else that the lawyers could think of. For the

legal profession the case was a bonanza, lasting eight years and racking up costs of £52,000 before it was resolved. Litigation took place in Scotland, England and France, with immense public interest throughout Europe being taken in every stage of the process."

In the longest ever pleadings before the Court of Session, 24 lawyers made speeches over the course of three weeks. At the end of the case on July 14, 1767, judges were tied 7-7 on their verdict and the Lord President, Robert Dundas, gave the casting vote in favour of the Duke of Hamilton.

Nevertheless, Archibald's lawyers continued to fight the case and appealed to the House of Lords. Public feeling was running very much in favour of Archibald Douglas, and when the Lord unanimously voted for him and against the Duke, the Edinburgh mob rioted and smashed the windows of the residences of those judges who had voted against him.

The Hamiltons became the Douglas-Hamiltons and that is why there is no chief of Clan Douglas as the Lord Lyon King of Arms says a clan must have a single name. The current 16th Duke of Hamilton, Alexander Douglas Douglas-Hamilton, has probably the best claim to be clan chief, while his son Douglas is the Marquess of Douglas.

There have been many famous Douglases, and the family was featured in The Lady of the Lake by Sir Walter Scott – the great American abolitionist Frederick Douglass took his adopted name from them.

Sir Alec Douglas-Home, the former Prime Minister and Foreign Secretary is probably the best known member of the clan in recent history, and before anyone mentions Kirk Douglas, he was born Issur Danielovitch.