

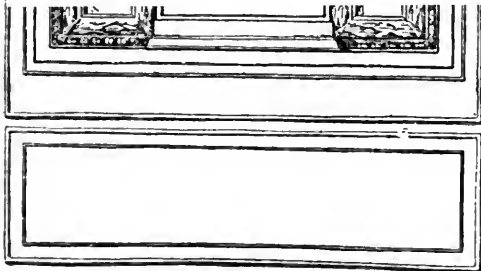
The  
Lord Chancellors  
of Scotland.



UNIVERSITY OF CALIFORNIA  
AT LOS ANGELES



THE GIFT OF  
MAY TREAT MORRISON  
IN MEMORY OF  
ALEXANDER F MORRISON





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THE LORD CHANCELLORS OF  
SCOTLAND

VOL. I.







*John - Maitland, Lord Thirskane*



UNIV OF CALIFORNIA

THE  
LORD CHANCELLORS  
OF SCOTLAND

FROM THE INSTITUTION OF THE OFFICE TO  
THE TREATY OF UNION

BY  
SAMUEL COWAN, J.P.

AUTHOR OF

"THE ROYAL HOUSE OF STUART," "LIFE OF MARY, QUEEN OF SCOTS,"  
"THE ANCIENT CAPITAL OF SCOTLAND," "THE GOWRIE CONSPIRACY," ETC.

VOL. I.



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## P R E F A C E .

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*The Lord Chancellors of Scotland* is a work that could not be produced without the aid of scientific research. The origin of the office is involved in great obscurity, and it has never been finally determined who the first and second Chancellors were. We are indebted to that eminent antiquarian, Mr Cosmo Innes, for much of the information we possess of that early period of Scottish history, the twelfth century. There are few records of that period in existence save charters, issued by the King and signed by the Chancellor, the Chamberlain, the Constable, and various clerical witnesses, and it is remarkable that even these are preserved, considering their great age.

GIFT OF MRS. A. F. MORRISON  
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According to the *Scotichronicon*, a work which possesses some authority, the first Chancellor of Scotland was John, Bishop of Glasgow, who was appointed on the accession of David I. in 1124, and held the office for two years, at the end of which period he resigned, as the duties of the office were not congenial to him. It is possible that the King then allowed the office to lie vacant for a few years, till he appointed as Bishop John's successor Herbert, believed to be Herbert Maxwell, whose signature, "Herbert the Chancellor," appears on many documents of that period. This Herbert the Chancellor was a great personality in his day, and, as noted, we find his signature on many charters, some of them of the very highest importance. He evidently held office for a period of fifteen or seventeen years. The origin of the Maxwell family we have fully explained in the second chapter of the text. It is one of the earliest of our Scottish families, and is represented to-day by Sir

Herbert Maxwell of Monreith, Wigtownshire, Chairman of the Royal Commission on Ancient Monuments.

We do not guarantee the absolute accuracy of the list of Chancellors we have given in the Kalendar, on account of the difficulty of establishing facts even when the period dealt with is a relatively late one. With this qualification, however, the Kalendar may be accepted as fairly accurate.

To the student of history the want of such a work as the present has long been evident, but its production, even with our present knowledge, will in some respects be disappointing. It will be noticed, on perusal of the text, that several of the notices are very brief. This is much to be regretted, but arises from the scarcity of recorded material available for the purpose, and it is impossible, in these circumstances, to enlarge the narrative. The scheme of the work is not to give biographies of the Chancellors, but rather an outline of their official careers

so far as that is possible from authentic sources.

Prior to the Reformation the history of the Chancellors is practically a history of the Catholic Church in Scotland, and it must be confessed that the progress of the Catholic Church in Scotland from the eleventh to the sixteenth centuries makes fascinating reading, and is full of incidents both interesting and important, when we consider the antiquity of these events and their bearing on the political history of the country during the period. Some of the Catholic Bishops and Archbishops made very good Chancellors, but the office was really one which was outside their profession altogether, and the duties foreign to their conception of the order of things.

The influence exercised by the Pope over pre-Reformation Chancellors was sometimes highly detrimental to the interests of the nation, especially when that interminable controversy was introduced,—the supremacy of

Rome or Canterbury, which often caused bitterness on both sides, and sometimes resulted in the resignation of the Chancellor concerned.

The Reformation, or rather the assassination of Cardinal Beton in 1546, put an end to the appointment of Catholic prelates to the office of Chancellor, and thereafter lay peers of the realm were selected for the appointment. Under them the administration of the Chancellorship was vastly improved; its duties multiplied, became more defined, and were executed with efficiency down to the Treaty of Union, when the office was finally abolished.





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# KALENDAR

OF THE

## LORD CHANCELLORS OF SCOTLAND

REIGN OF	NAME OF CHANCELLOR.	TERM OF OFFICE.
David I. . . . .	John de Achaius . . . . .	1124-1126
	Herbert . . . . .	1126-1143
	Edward . . . . .	1143-1145
	William Comyn . . . . .	1147-1150
	Walter . . . . .	1150-1153
Malcolm IV. . . . .	Engelram . . . . .	1153-1165
William the Lion	Nicolaius or Nicholas . . . . . (This Chancellor held office before 1165.)	1165-1171
	Henry . . . . .	1171-1173
	Walter, Bishop of Dunkeld . . . . .	1173-1178
	Roger . . . . .	1178-1189
	Hugo Maxwell . . . . .	1189-1199
	William Malvoicine, Bishop of St. Andrews	1199-1202
	Florence, Bishop of Glasgow . . . . .	1202-1211
Alexander II.	William, Archdeacon of St. Andrews	1211-1226
	Thomas Stirling, Archdeacon of Glasgow	1226-1227
	Mathew Scott, Bishop of Dunkeld	1227-1231
	William Bondington, Bishop of Glasgow	1231-1233
	Sir William Lindsay . . . . .	1233-1249

2 *Kalendar of the Lord Chancellors*

REIGN OF	NAME OF CHANCELLOR.	TERM OF OFFICE.
Alexander III.	Robert, Abbot of Dunfermline . . . . .	1249-1250
	Gameline, Archdeacon of St. Andrews	1250-1253
	Richard, Bishop of Dunkeld . . . . .	1256-1257
	William Wishart, Bishop of St. Andrews	1257-1274
	William Fraser, Dean of Glasgow	1274-1291
John Baliol & Edward I.	Alan St. Edmunds, Bishop of Caithness	1291-1292
	Alan, Bishop of Dumfries . . . . .	1292-1300
	Nicholas de Balmyle, Bishop of Dunblane	1301-1306
Robert I. . . . .	Bernard Linton, Abbot of Arbroath	1306-1327
David II.	Walter Twynham . . . . .	1329
	Adam, Bishop of Brechin . . . . .	1330-1338
	William Bullock . . . . .	1338-1341
	William de Bosco . . . . .	1342
	Sir Thomas Charteris . . . . .	1342-1346
	William Caldwell, of Glasgow . . . . .	1349-1354
	Patrick Leuchars, Bishop of Brechin	1354-1370
Robert II.	John Carrick, Canon of Glasgow . . . . .	1370-1376
	John Peebles, Bishop of Dunkeld . . . . .	1377-1384
	Duncan Petit, Archdeacon of Glasgow	1384-1396
Robert III. . . . .	Gilbert of Greenlaw, Bishop of Aberdeen	1396-1421
James I. . . . .	William Lauder, Bishop of Glasgow	1421-1425
	John Cameron, Bishop of Glasgow	1425-1437



*Kalendar of the Lord Chancellors* 3

REIGN OF	NAME OF CHANCELLOR.	TERM OF OFFICE.
James II.	Sir William Crichton . . . . .	1438-1444
	James Kennedy, Bishop of St. Andrews	1444
	James Bruce, Bishop of Glasgow .	1444-1447
	Sir William Crichton . . . . .	1447-1455
	William, Earl of Orkney . . . . .	1455-1458
James III.	George Shereswood, Bishop of Brechin	1458-1460
	Andrew Stuart, Lord Avondale .	1460-1482
	John Laing, Bishop of Glasgow .	1482-1483
	James Livingstone, Bishop of Dunkeld	1483
James IV.	Colin Campbell, first Earl of Argyll	1484-1493
	W. Elphinstone, Bishop of Aberdeen	1488
	Archibald, fifth Earl of Angus .	1493-1498
	Archibald, second Earl of Argyll .	1494
	George Gordon, second Earl of Huntly	1498-1501
	James, Duke of Ross . . . . .	1501-1504
James V.	Alexander Stewart, Archbishop of St. Andrews	1511-1513
	James Beton, Archbishop of Glasgow	1515-1525
	Archibald, sixth Earl of Angus .	1526-1528
Mary	Gavin Dunbar, Archbishop of Glasgow	1528-1543
	Cardinal Beton . . . . .	1543-1546
	George Gordon, fourth Earl of Huntly	1546-1562
	James Douglas, Earl of Morton .	1563-1565
	George Gordon, fifth Earl of Huntly	1565-1567

4 *Kalendar of the Lord Chancellors*

REIGN OF	NAME OF CHANCELLOR.	TERM OF OFFICE.
James VI.	James Douglas, Earl of Morton .	1567-1572
	Archibald, fifth Earl of Argyll .	1572-1575
	Sir John Lyon, tenth Lord Glamis	1575-1577
	John Stewart, fourth Earl of Atholl	1577-1579
	Colin Campbell, sixth Earl of Argyll	1579-1584
	James Stewart, Earl of Arran .	1584-1585
	Sir John Maitland, Lord Thirlstane	1585-1595
	John Graham, third Earl of Montrose	1598-1604
Charles I.	Alexander Seton, first Earl of Dunfermline	1604-1622
	George Hay, first Earl of Kinnoull	1622-1634
	John Spottiswoode, Archbishop of St. Andrews	1635-1638
Charles II.	John Campbell, Earl of Loudoun .	1641-1660
	William Cunningham, ninth Earl of Glencairn	1661-1664
	John Leslie, seventh Earl of Rothes	1664-1681
James VII.	George Gordon, first Earl of Aberdeen	1682-1684
	James Drummond, fourth Earl of Perth	1684-1688
William and Mary	John Hay, first Marquis of Tweeddale	1692-1696
	Patrick Hume, first Earl of Marchmont and Baron Polwarth .	1696-1702
Anne	James Ogilvy, first Earl of Seafield	1702-1704
	John Hay, second Marquis of Tweeddale	1704-1705
	James Ogilvy, Earl of Seafield .	1705-1708

# THE LORD CHANCELLORS OF SCOTLAND

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## CHAPTER I.

See of St. Andrews—Laws of the Burghs—The Great Officers of the Crown—Pre-Reformation Period—Thomas À Becket, Lord Chancellor of England—Queen Eleanor, Lady Chancellor of England—Turgot and Eadmer, Archbishops of St. Andrews—Policy of King Alexander I.—John Achaius, the Pope, and the Archbishop of York.

THE subject of the Lord Chancellors of Scotland, it may be stated, is difficult to handle on account of the obscurity in which it is involved, and the want of authentic information to guide the student of history in formulating a narrative that might be regarded with unqualified accuracy. The office was evidently instituted by King Alexander I., son of Malcolm Canmore, but we have no record

of any kind indicating the Chancellor's official duties. Then, as now, he was evidently the responsible officer of the Crown for administering the laws, such as these were at that period, and presiding at courts of justice. The most learned and scholarly men of the time were usually chosen for this high office. In early times all Scotsmen who could afford it, whether peers or prelates, were mostly educated abroad, either in France or Italy,—the University of Padua so long as it was under Erasmus being a favourite school for learning. Those who meant to take holy orders paid a visit to Rome.

In consequence of the disorders that had followed the death of Malcolm III. the See of St. Andrews, or Primacy, remained vacant ten years, or until the death of King Edgar. Alexander in the first year of his reign, 1107, appointed Turgot, an Englishman, to the See. The proceedings connected with the election and retirement of Turgot's successor, Eadmer, in 1120 and 1121, are the earliest events of

Scottish history where we have evidence of the concurrence of a National Council. In the charters of the kings who preceded this reign there is no mention of any great officers of the Crown. The charters of Alexander are witnessed by his Chancellor and his Constable,—the office of Chancellor evidently rendered necessary by the introduction of royal fiefs and charters, the latter marking the rise of a feudal baronage. The earliest undoubted writings of Scotland are the Charters of Edgar, preserved among the Edgar and Coldingham Charters of Durham (Cosmo Innes). The Coldingham Charters are principally those of Edgar and David I. We have no official record of any Chancellor before Alexander I.

Of the administration of the law in early times we have no very definite information. The office of Sheriff was partially introduced as early as the reign of David I., and at a still earlier period the King's Justiciar at the Justice Ayres exercised a general, civil, and criminal jurisdiction. The great barons and

churchmen had from very early times a jurisdiction which they exercised in their own courts. David I. and William the Lion were accustomed to sit and judge in person, and they were in the habit also of inspecting and perambulating lands, in questions of disputed boundaries (Cosmo Innes).

We must remember that at that period Scotland was in a lawless and uncivilised condition, with a weak monarchy, supported by turbulent and illiterate nobles, with no resources for the preservation of order but an appeal to arms. If the National Council just referred to appeared for the first time in 1120, that would be the pioneer of a new and more enlightened administration, and would materially contribute as time went on to the development of education, civilisation, and a more effective National Executive, securing greater respect for the supremacy of the Crown and the peace of the realm. Prior to the advent of the Stuart dynasty, the National Council had made itself very little

felt, and this is manifest from the disturbed state of the kingdom; but after the weak and incapable reign of Robert III. had come to an end a tremendous advance was made by his son, James I., by the adoption of a firm, wise, and vigorous policy, which did more than anything hitherto attempted, to restore the kingdom to a state of law and order.

In 1425, under James, it was ordained that the Chancellor and, with him, certain discreet persons of the Three Estates be chosen by the King to sit three times a year, to examine, conclude, and determine all complaints, causes, and quarrels that might be determined before the King's Council. The Scottish Parliament of 1457 enacted that the Lords of Session should sit thrice a year, each time forty days, in Edinburgh, Perth, and Aberdeen. The number of persons should be nine, *e.g.*, three from each of the Three Estates. James VI., in his speech at Whitehall in 1607, said: "I must note unto you the difference of the two

parliaments : in Scotland they must not speak without the Chancellor's leave, and if any man utter any seditious or violent speeches he is at once interrupted and silenced by the Chancellor's authority" (Cosmo Innes).

The laws of the burghs are the earliest collated body of the laws of Scotland of which we have any mention. The reference to them in the charters of the reigns following that of David are very numerous. The constitutions of many burghs in the reign of William the Lion consist merely of the chief enactments of this code embodied in the shape of a special privilege. The statutes of 1318 are found in almost all the MSS. The copy in the Register of Arbroath may have been framed under the immediate direction of Bernard, the Chancellor of Scotland, who was also Abbot of Arbroath. The first holder of the office of Chancellor of whom we have any note was probably John de Achaius, Bishop of Glasgow ; the second, Herbert ; the third, Edward ; the fourth, William Comyn,—



all of whom held office in the reign of David I.

A well-known writer (Crawford) referring to the office of Chancellor says: "It is found in England in Saxon times, but it was not till a much later period in Scotland, when the traces of a Celtic government became faint and almost imperceptible and the Gothic race of the Saxons and the Scoto-Normans drove back the Celtic people into the remoter regions of the country, that Herbert the Chancellor appears amongst the officers of the Crown."

The High Steward was presumably the first officer of State; the Chancellor, the Chamberlain, the High Constable followed in succession. By the peers it was in post-Reformation times considered an office of distinction, was frequently competed for when a vacancy arose, and was usually given to the nobleman who was most learned and most influential with the King. Whatever may have been the duties in early times, it is evident the holders of the office of Chancellor

after 1546 were laymen, and, in addition to being Privy Councillors, presided, but not always, at the Scottish Parliament, the General Assembly, Courts of Justice, Court of High Commission, and usually delivered sentences of death.

From the institution of the office down to the Reformation, the Chancellors of Scotland were mostly Catholic prelates. The Primate was the Archbishop of St. Andrews, that See having a greater revenue than any of the other dioceses of Scotland; and consequently its archbishop was head of the hierarchy, and was usually appointed Chancellor. This will be more intelligible by referring to the Kalendar of the Chancellors which we have given. After the assassination of Cardinal Beton in 1546 down to the Treaty of Union under Queen Anne, with one exception, all the Chancellors on the other hand were Peers of the Realm.

One of the earliest Lord Chancellors of England was Thomas à Becket, Archbishop of

Canterbury, who was appointed Chancellor in 1154 by Henry II. According to Lord Campbell it is doubtful whether at this time the Chancellor had any separate judicial duties. Becket sat as a member of the Supreme Court or "Aula Regis"; and he sealed all the King's grants with the Great Seal. He had the care of the Chapel Royal, and acted as Secretary to the King in domestic affairs and in all foreign negotiations. The Chancellor's house and table were open to all of every degree about the Court who wished to partake of his hospitality. No exceptions were made. He ordered the rooms in which he entertained company to be daily covered during winter with clean straw and hay, and in summer with clean rushes and boughs, for the gentlefolks to lie down upon, who on account of their numbers could not be accommodated at the table, so that their fine clothes might not be soiled by dirty floors. His house was splendidly furnished with gold and silver plate, and was plentifully supplied with the most costly meats

and wines. Many nobles and knights paid homage to the Chancellor.

When he was going beyond sea he had a fleet of six or eight vessels for his own use, and he carried over free of expense all who wished to cross at the same time. When he was landed he recompensed the masters of the ships and the sailors to their hearts' content. Hardly a day passed in which he did not give away magnificent presents, such as horses, hawks, apparel, gold or silver, furniture, or sums of money. The Chancellor was in high favour with the King, the clergy, the nobles, and the people on account of his eminent virtues, his greatness of mind, and his good deeds. One cold wintry day, as the King and he were riding on horseback along the streets of London, they observed an old beggar man coming towards them wearing a worn-out tattered garment. King Henry, turning to the Chancellor, asked: "Do you see that man?" "I see him," said Becket. "How poor, how wretched, how naked he is; would it not be great charity to give him a thick

warm cloak?" "Great, indeed," replied the Chancellor; "and you as King ought to have disposition and an eye for such things." Meanwhile the beggar came up, the King stopped, and the Chancellor along with him. The King in a mild tone addressed the beggar, asking him "if he would like to have a good cloak." The beggar, not knowing who they were, thought they were jesting. Then said Henry to the Chancellor: "You, indeed, shall have the grace of this great charity"; and putting his hands on the very fine new cloak of scarlet and ermine which the Chancellor then wore, he struggled to pull it off while the Chancellor did his best to retain it. A great scuffle and tumult arising, the rich men and knights, who formed their train, in astonishment hastened to find out what sudden cause of contest had sprung up, but could gain no information; both the contending parties were eagerly engaged with their hands, and seemed as if about to tumble to the ground. After some resistance the Chancellor allowed the King to be victorious, to pull off his cloak and give

it to the beggar. The King then told the whole story to his attendants, who were convulsed with laughter. There was no want of offers from them of cloaks and coats to the Chancellor. The old beggar man walked off with the Chancellor's valuable cloak, enriched beyond his hopes, rejoicing and giving thanks to God.

Sometimes the King took his meals in the dining-hall of the Chancellor for the sake of amusement, and to hear the stories told at his table and in his house. While the Chancellor was sitting at the table the King would be admitted into the hall on horseback, sometimes with a dart in his hand, returning from the chase or riding to cover; sometimes he would drink a cup of wine, and then, having saluted the Chancellor, withdraw; sometimes, jumping over the table, would sit down and partake of the banquet. Never in any age were two men more familiar or friendly than King Henry of England and Thomas Becket, his Chancellor.



JOHN LESLIE  
Seventh Earl and First Duke of Rothes





It is a curious fact that in early times one of the Lord Chancellors of England was a lady. This lady was Queen Eleanor, wife of Henry III. She was a French lady, a daughter of Berenger, Count of Provence, and her term of office lasted one year, 1253. It is recorded that she never made any attempt to acquire the slightest knowledge of English, Norman-French or Provençal being spoken at Court; Latin being the language of the Church. She was a lady of great force of character, and it is said was very exacting and arrogant in her disposition. She displeased the citizens of London by requiring that all vessels freighted with corn, wool, or any valuable cargo, should discharge at Queenhithe, near London Bridge, on the Thames. She levied an excessive tax on them, which she claimed to be due to the Queen Consort of England. She and the King it is said were very poor, and unable to bear the expense of keeping a table. They daily invited themselves, with a chosen number of their kindred

or favourites, to dine with the rich merchants of the City of London, or the great men of the Court, and showed much discontent unless presented with costly gifts at their departure, which they took not as gifts, but as a matter of right. There were great rejoicings when she gave birth to a son and heir to the throne, afterwards Edward I., one of the most distinguished of the English kings and a great enemy to Scotland.

Prior to his visit to Gascony the King entrusted her with the custody of the Great Seal, and he afterwards sailed to Bordeaux to take the command in person of an army there assembled, and the Queen was left in the full exercise of her authority as Lady Keeper of the Great Seal. The more important duties of the office she executed in person. She sat as judge in the "Aula Regis," or Supreme Court, during her term of the Lord Chancellor's office. She availed herself of the King's absence to enforce rigorously her dues at Queenhithe, and demanded from the Corpora-

tion of London a large sum which she insisted they owed her for *aurum reginae*, or Queen's gold, being a claim by the Queen of England on every tenth mark paid to the King on the renewing of leases or Crown lands or the granting of charters. For the non-payment of this urgent demand the Lady Keeper in a summary manner committed the Sheriffs of London and the Lord Mayor to Marshalsea Prison.

In the beginning of 1254 a Parliament was called, and the Queen being present, and making a speech, pressed for supply, but on account of her great unpopularity it was peremptorily refused, and the Great Seal was some time after transferred to other hands. On 15th May she sailed to the Continent to join her husband at Bordeaux, where she remained some months. Queen Eleanor and the King arrived at Dover on their return journey on 5th January 1255, and on 27th January made their public entry into London with extraordinary pomp. In the following

year, while residing at the Tower, she was threatened with violent treatment by the citizens of London, and she resolved for safety to proceed by water to Windsor Castle, but as she approached London Bridge the populace assembled to insult her. The cry ran "Drown the witch," and, besides abusing her with the most opprobrious language and pelting her with dirt and rotten eggs, they had prepared great stones to sink her barge if she should attempt to shoot the principal arch. She took refuge in the Bishop of London's palace, and was afterwards privately conveyed to Windsor. Some time after the accession of her son to the Crown she renounced the world and retired to a monastery, when in 1284 she took the veil, and died in 1292, about the time her son had reduced Scotland to feudal subjection.<sup>1</sup>

The *Scotichronicon* (Gordon) informs us on the authority of the Chartulary of Dunfermline that John Achaius, Bishop of Glasgow

<sup>1</sup> Campbell's *Lives of the Chancellors of England*.

(1115-47), was in 1124 appointed Chancellor. He is said to have been a man of learning and probity, had travelled in France and Italy to complete his education, and on his return was appointed preceptor or tutor to Prince David (afterwards David I.). He was about the same time elected to the See of Glasgow, and consecrated by Pope Paschal II. in 1115, in the reign of Alexander I. He and two monks of Canterbury who were on a visit to Eadmer, also a monk of Canterbury, sought on one occasion an interview with King Alexander I., the result of which was that Eadmer refused for reasons stated, evidently because the King and he differed on the question of supremacy, to be Bishop-Elect of St. Andrews. The King assured him he was resolved to do everything in his own kingdom himself. Eadmer had no alternative but either to submit to the King's pleasure or resign his appointment. His consecration was opposed by King Henry of England. In 1120 King Alexander addressed a letter to the Archbishop of Can-

terbury desiring that Eadmer be elected to the See of St. Andrews. The consent of Henry I. of England having been ultimately obtained, Eadmer went to Scotland in the summer of that year, and on 29th June, the Feast of St. Peter and St. Paul, took possession of the See, which he held for two years, 1120-22.

A question involving considerable discussion arose at this period, and that was the supremacy of the See of St. Andrews—the See so closely identified with the Chancellorship—and whether it was subject to Canterbury or York. In 1107 King Alexander I., after the See had been vacant ten years, gave the appointment to Turgot, and he considered he was subject to the Archbishop of York, which displeased the King, and Turgot in consequence resigned office. The King then appointed Eadmer as Turgot's successor, and being a monk of Canterbury he approved of being subject to Canterbury. This also displeased the King, on the ground that it would probably introduce

the English King into his dominions, and so interfere with his authority. Eadmer also resigned office, when the King appointed Robert, Abbot of Scone, as his successor. This King founded Scone in 1115.

Eadmer remained in Scotland some months. Thurstan, Archbishop of York, induced Henry I. of England to order Ralph, Archbishop of Canterbury, not to consecrate Eadmer. Eadmer said that he desired to go to Canterbury for consecration, but King Alexander opposed this. Eadmer consulted John, Bishop of Glasgow, and two Canterbury monks of his own company, who advised him that he must either adopt the usual practice in Scotland or resign; and if he chose the latter course he must return the ring he received from the King, and the pastoral staff which he had taken from the altar. Eadmer returned the ring to the King and the staff to the altar. He declared that he resigned the bishopric, and he returned to Canterbury.

A year and a half afterwards he wrote King

Alexander thanking him for kindness to him from the time the King chose him to be Bishop. If they could meet he would tell the King in secret what he had learned since he had resigned the bishopric. He assured the King of his loyalty to him and of his zeal for the honour of the country. He says that those who have heard "*qualiter electus susceptus et pontificata sanctus et loco pontificis substitutus fui*" assure him that he cannot resign the bishopric, nor can any be substituted for him so long as he lives. He ascribes his former resignation to the "*perpes discordia*" shown to him at the King's side by willing friends, and also to the King having twice illegally deprived him of property belonging to the See. Eadmer desired to return to St. Andrews. He would do so with loyalty to the King and to the See, and he would make concessions with regard to the King of England, to the Archbishop of Canterbury, and the consecration. As he cannot explain himself fully in a letter he desires exceedingly to speak to the King in private.



The Archbishop recommended the King to invite Eadmer to return to St. Andrews; the King had canonically elected him to be Bishop; he had been sent to Scotland; he was wedded to the See and could not be divorced; so long as he lived he must be Bishop of St. Andrews. Eadmer died in 1124.

A well-informed writer (Dr Conway) makes the following reference to the two archbishops:—

“Turgot, a Benedictine monk of Durham, and formerly Saint Margaret’s confessor, was elected in 1107, and received consecration at York on 1st August 1109. Friction arose between him and the King, since he wanted to recognise the Archbishop of York as his metropolitan. He retired to Durham Abbey, where he died on 31st August 1115, while contemplating his withdrawal from Scotland and the Primacy. He founded thirty altars with chaplains in Saint Andrews Parish Church.

“Eadmer, a monk of Canterbury, and the

friend of Saint Anselm, was elected on 29th June 1122, at the instance of Alexander I. Dissatisfied with his northern See, he withdrew to Canterbury unconsecrated. After a year and a half he promised the King of Scotland to return and fulfil his duties, but died Bishop-Elect in 1124."

Bishop John, the Chancellor, in order to avoid differences which might arise, attempted to go on a pilgrimage to Jerusalem, but was prevented by Paschal II., who summoned him to Rome for consecration, enjoining on him obedience to York. Bishop John became involved in a struggle against the pretensions of the See of York, and eventually in 1122 Archbishop Thurstan of York suspended him. The Bishop had appealed to Rome, but the appeal was dismissed. The Archbishop of York also claimed supremacy over the diocese of Glasgow, a claim which King David did not recognise. Paschal's successor, Calixtus II., renewed these injunctions, but, notwithstanding that, Bishop John refused to be subject

to York, resigned his See in 1122, and went to Rome to plead his cause (*Bellesheim's History*).

There is no doubt that this complicated question of ecclesiastical supremacy engaged the attention of all the leading men in Scotland at this time, and created friction not only at King Alexander's court but between the Papal authorities at Rome and the Scottish bishops. Pope Calixtus appears to have expressed himself in pretty strong terms in a dispatch, of which the following is a copy, to John Achaius, Bishop of Glasgow, the Chancellor.

“Pope Calixtus II. to John, Bishop of Glasgow: Calixtus, Bishop, servant of the servants of God to a venerable brother, John, Bishop of Glasgow, greeting and the apostolic benediction. At the request of the Church of York you were consecrated as Bishop by our lordly predecessor of holy memory, Pope Paschal. This kindness surely you ought humbly to have acknowledged, but instead of this as we understand you are so puffed up with

pride that you will neither acknowledge the authority of your metropolitan, the Archbishop of York, nor yield obedience to our command. Know for certain that we shall no longer endure this pertinacious contempt. Therefore again we enjoin that you show not yourself an ungrateful son, but that you acknowledge your mother, the Church of York, in the chapter of which as a suffragan you were elected, and give obedience to our venerable brother, Thurstan, your metropolitan. Otherwise, we by divine authority ratify the sentence which he has with canonical justice promulgated against you. Given at Tarentum, 15th January 1122."

On 20th November 1119 Pope Calixtus II. had written the Scottish bishops ordering them to render canonical obedience to the Archbishop of York as their metropolitan. The Bishops of Glasgow and Orkney were the only bishops in Scotland at that period.<sup>1</sup> The same year Ralph, Archbishop of Canter-

<sup>1</sup> Lawrie's *Early Charters*.

bury, wrote to the Pope asserting that the bishops of Scotland were subject to Canterbury.

On 15th January 1122 Pope Calixtus wrote King Alexander I. complaining that he had received no answer to his previous letters, and commanding him to refuse to permit the bishops to be consecrated unless by licence from the Archbishop of York. The letter to Bishop John of Glasgow by the Pope is also dated 15th January 1122.

Bishop John disregarded the command of the Pope, and on 26th August 1122 the Pope wrote him: "Obey the Archbishop of York within thirty days." Bishop John still refused to obey, and having been suspended he left his diocese and went to Rome, thence to Jerusalem. He returned to Glasgow in 1123.

On 29th November 1131 Pope Innocent II. wrote John, Bishop of Glasgow, reminding him that he had been consecrated by Pope Paschal, and that Pope Calixtus and Pope Honorius had ordered him to render obedience

and reverence to Thurstan, Archbishop of York, his metropolitan ; but though the Bishop had promised to do so he had not fulfilled his promise. Now the Pope orders him without further delay or pretence to obey the Archbishop. At this point the matter was allowed to drop.

## CHAPTER II.

Appointment of John Achaius, first Chancellor—Dissensions between Bishop John and Bishop Hugh—William the Lion comes on the Scene—Consecration of Glasgow Cathedral—King David's Council at Carlisle—Battle of the Standard—Resignation of John Achaius—Appointment of Herbert the Chancellor—King David's Govan Charter—King Edgar's Coldingham Charter, 1098—Charter of Joceline to the Church of Maxwell, 1180—King William's Charter to St. Kentigern and Glasgow, 1174—Herbert and the King William Charter to St. John's, Roxburgh, 1189-99—Henry and Eschina of Molle and the Monks, 1190—Charter of Roland of Innerwick and Heloise, his wife, to Abbot and Monks of Kelso, 1190—King William's Edenham Charter to the Abbey of Kelso, 1189-98—King William's Confirmation Charter to St. Kentigern and Glasgow of the Lands of Muncrath, 1200-3—Herbert's Family—Charter by Richard of Lincoln and Matilda, his wife, to the Monks of Kelso, 1182-1203—Charter of Robert, son of Herbert Maxwell, to the Monks of Kelso, 1210—Charter by Herbert: Govan Church and Revenues and St. Mungo, 1147-53—Charter by Robert, Bishop of St. Andrews, granting Borthwick to Herbert, 1150—Confirmation Charter by Herbert of the Church of Molle, 1150.

WHEN King David ascended the throne in 1124 he appointed John Achaius, Bishop of

Glasgow, Chancellor of Scotland. Being a godly man, the duties of the Chancellor were not congenial to him, and he resigned office after holding it for two years—1124-26. In 1125-26 Bishop John went to Rome to seek the Pallium (the Archbishop's vestment or mantle) for St. Andrews, but without success. Thurstan was also present, and took occasion to accuse John before the Pope of disobedience by deserting the diocese. Pope Honorius censured John, and fixed a day in the following year for hearing the dispute, but a postponement was agreed to on the intervention of the King. At last the struggle led to the erection of the new See of Carlisle, and the consequent curtailment of the boundaries of the diocese of Glasgow. John therefore having resigned the Chancellorship, deserted his diocese and withdrew to Tiron, in Picardy, where he remained as a monk till 1136. In that year Bishop Lamberton visited Scotland, and, finding John was absent without leave and had left no representative, he ordered him to return.



The original Cathedral Church of Glasgow is recorded to have been erected by this bishop, and was an unpretending edifice, being mostly wood; it was destroyed by fire forty years after its consecration. The See was founded by Kentigern. The bishop divided the diocese into the two Archdeaconries of Glasgow and Teviotdale (*Chronicle of Melrose*), and set up the offices of Dean and Chancellor, Treasurer, etc., and settled a stipend on each of them out of the donations he received from the King. Bishop John witnessed Earl David's Charter of Harverdene and Swinton between 1115 and 1124 (*Nat. MSS. of Scotland*). He was also witness to a charter of King David to the monastery of Newbattle, dated 1140, along with Hugo and Herbert the Chancellor. In a charter by Robert, Bishop of St. Andrews, John, Bishop of Glasgow, was a co-witness with King David, his son Henry, and Queen Matilda.

It would appear that John Achaius, the King's chaplain, was nominated bishop in 1115;

summoned to Rome, he received consecration from the hands of Pope Paschal II. in 1117. In 1122 he returned to Rome to plead for exemption from the jurisdiction of York; from thence he travelled to Jerusalem, and entered as a monk at Tiron, until he received a Papal mandate to return, towards the close of 1123. Holyrood and Melrose were indebted to David I. and the Chancellor for their Great Charters of 1126. He was not present at the consecration of his Cathedral in 1136.

Dissensions arose between John, Bishop of Dunkeld, and Hugh, Bishop-Designate of St. Andrews. It was evidently a competition between two rivals for the highest prize—the See of St. Andrews. John appealed to Pope Urban III., who commissioned the Bishop of Glasgow and the Abbots of Dunfermline, Melrose, and Newbattle to enquire into the matter, and to summon both Bishops to Rome. John agreed but Hugh refused, and sentence of suspension and excommunication was passed against him. Full particulars of the quarrel

are not recorded. The contest continued during the two brief pontificates of Urban III. and Gregory VIII. In 1188 Clement III., who succeeded Gregory, dispatched a nuncio to Scotland with a brief address to the Bishops of Glasgow and Aberdeen directing them to depose Hugh from his office, and to endeavour to induce St. Andrews to accept John as their Bishop. Similar letters were sent to King William and King Henry. King William agreed to John retaining the See of Dunkeld on condition of his renouncing all claim to St. Andrews, to which John assented. Hugh proceeded to Rome to seek absolution from the suspension he had incurred by his disobedience. He had hardly obtained it, says the historian (Bellesheim), when he was carried off by pestilence on 4th August 1188. This plague carried off several of the Cardinals. On 13th April following, Roger the Chancellor was appointed to the See of St. Andrews, and on his accession to office he resigned the Chancellorship.

The Cathedral of Glasgow was consecrated in 1136, King David being present at the solemnity, on which occasion he gave the Bishop certain lands in Partick and Govan. In 1138 King David was resident at Carlisle, and on 26th September a Council of the Scottish Bishops was held there, the Papal Legate being present. The deliberations of this imposing assembly lasted three days. The principal result was the formal acknowledgment of Pope Innocent II. by the Scottish King and clergy. Another matter was the dispatch of letters from the Legate and the King ordering John, Bishop of Glasgow, who had gone to Tiron, in France, and taken the monk's habit there, to return to his diocese in Scotland. The Bishop evidently returned in obedience to this request, after the diocese had been some years deserted, and he continued to discharge his official duties till his death. He died on 28th May 1147, having held the See thirty-two years, that period including the years of desertion (Belle-

sheim). The same year, on St. Bartholomew's Day, Herbert the Chancellor was consecrated Bishop of Glasgow, in succession to Bishop John, who formerly had resigned the Chancellorship. John Achaius was interred in Jedburgh Abbey.

The outstanding event in the reign of King David was the battle of the Standard, the result of a protracted quarrel following on Stephen, grandson of William the Conqueror, usurping the Crown of England on the death of Henry I., the Conqueror's younger son. This took place when Herbert was Chancellor of Scotland. In this quarrel King David supported the claim of his niece, the Empress Maud (widow of Henry V. of Germany), to the Crown of England. This lady is unfavourably criticised by historians of the period. The armies met near Northallerton, Yorkshire, on 22nd August 1138. The English were trained men-at-arms under L'Espece. The presence of a bishop and many priests also gave a sacred sanction to their cause,

while in their centre the host, a trebly consecrated standard, seemed to assure victory to those who fought under its shadow. The mast of a ship fixed in a waggon bore aloft the sacred host, together with the banners of St. Peter of York, St. John of Beverley, and Sir Wilfred of Ripon, so that Jesus Christ was, in their opinion, bodily present as commander in the battle. King David commanded his troops in person, which are said to have numbered 26,000; his loss afterwards was estimated at 10,000.

## HERBERT.

1126-1143.

After the resignation of John Achaius, first Chancellor of Scotland, in 1126, Herbert, the succeeding Chancellor, came into power, as already stated, but we have no record of his appointment or of his retirement from office. From 1126 till 1143, a period of seventeen

years, no other Chancellor but Herbert seems to have held office. His term of office must so far be left undetermined. Herbert appended his signature as Chancellor in 1126 to a charter by David I., giving Coldingham and lands in Lothian to Durham.

It is generally understood that Herbert was Chancellor before 1130. He witnessed a charter of Alexander I. in 1123, and one by David I. and Matilda, who died in 1130. His name occurs in numerous charters of David I., but in few of Malcolm IV. He may have been in office till 1160, as in that year he witnessed a charter by Malcolm IV.

A charter of considerable importance was granted by David I. in 1134, attaching Govan to the Cathedral Church of Glasgow. The charter is in the following terms:—

“Charter by King David granting Govan to the Church of Glasgow—

“1134. David, by the grace of God, King of Scots, to all the faithful of Holy Church greeting. Know ye that I have given and

granted to the Church of St. Mungo of Glasgow and to the episcopate of that Church, Govan with its bounds, to be possessed in perpetual alms as freely and quietly as any alms can and ought to be given."

## WITNESSES.

Henry, son of the King, and co-granter with him.

Robert, Bishop of St. Andrews.

Galfred, Abbot of Dunfermline.

Herbert, Abbot of Roxburgh.

Robert de Bruce.

Robert de Umfreville.

Hugh de Morville.

Herbert the Chancellor.

Cospatrick, brother of Dolfin.

Gilmichael, Unist Albus, Alwin Rennere.

The charters in King Edgar's time were few in number and very brief. There is a charter, under date 1098, granting the lands of Coldingham to Durham; and another in similar terms dated 1100. The same year there is a charter by Edgar of the lands of Swinton to the monks of St. Cuthbert, and another



of the same date to the same monks of the lands of Paxton and the lands of Fishwick. As a specimen of Edgar's charters we give the text of his Charter to the Culdees of St. Serf's, date supposed to be between 1097 and 1107 :—

“Edgar, son of Malcolm, King of Scotland, has granted in alms gift to Almighty God and to the forenamed Culdees, Petnemokane [Portmoak], with the whole liberties as is before noted in the preceding charter.” [This appears to refer to a former grant by Macbeth and Gruoch to the same Church of St. Serf, 1040-57, of the lands of Kirkness, the boundaries of which are given and the liberties are thus described :—

“With all the liberty which was with the town of Kirkness, to Almighty God and the Culdees, free of any duty or burden or exaction by the King and the Kingdom, Sheriff or other person, expense of repairing of the bridge, and army or hunting service, the grant being made solely from pious motives and for

the suffrages of their prayers." (*Witnesses follow.*)]

Govan was made a prebend of Glasgow Cathedral by Herbert, Bishop of Glasgow, by charter between 1147 and 1153. Before 1136 Herbert, it is said, ceased to be Chancellor, but the statement requires confirmation.

Maccus, father of Herbert, had two sons, Hugo and Edmund, besides Herbert, who lived in the reign of David I. In a donation by the King to the monastery of Newbattle, Hugo (Maxwell) and Herbert the Chancellor are witnesses. This is the first Chancellor of Scotland who is recorded as such, and, according to a modern writer (Crawford), he was a Churchman, and had held office under Alexander I. Further, he was a witness to the deed or grant which the King made of the lands of Govan, which became afterwards an endowment for a prebend (stipend) in the Cathedral Church of Glasgow. Herbert the Chancellor, who was Bishop of Glasgow, was also a witness to

the donation which King David made to the Church of Totham (London) for masses for the soul of Matilda, Queen of Scots, King David's wife. In a deed of division of the lands of Molle (Roxburghshire), in the reign of David, Edmund (Maxwell) and Hugo de Moreville are witnesses.

That Herbert, the Chancellor of David I., was Herbert Maxwell seems probable, but he is a separate and distinct person from Herbert, Abbot of Kelso. The dates of the appointment to the Chancellorship in the reign of David I. cannot be verified, and must be regarded as to some extent hypothetical. Following on the resignation of Herbert the Chancellor we have the appointment of Edward as next Chancellor of the kingdom. During the administration of Herbert we have among other charters recorded those following on pages 49-65.

It is recorded that Herbert the Chancellor was consecrated Bishop of Glasgow on St. Bartholomew's Day, 1147, by Pope Eugenius

III. at Auxerre. Herbert was contemporary with Robert and Gregory, Bishops of St. Andrews and Dunkeld, 1150-77 (*Chartulary of Cambuskenneth*). In his time sentence was given against Roger, Archbishop of York, and the Church of Scotland was declared to be exempt from all jurisdiction except that of Rome.

Sir John Maccus Well or Maxwell, grandson of Hugo the Chancellor, was Sheriff of Roxburgh and Teviotdale in 1207, and was Great Chamberlain 1231 to 1241. His son, Aymer de Maxwell, was Chamberlain in 1258, and was also Justiciar of Galloway and Sheriff of Dumfriesshire.

In 1300 Sir Herbert Maxwell, grandson of Sir John, held the castle of Caerlaverock when it was besieged by Edward I. This famous stronghold was always equipped with men, engines, and provisions. Its shape was like that of a shield, having only three sides all round, with a tower in each angle, and a double one so high, so long, and so large, that

under it was the gate with a drawbridge. It had strong walls, and ditches full of water. Possession of the castle was subsequently restored to Sir Eustace Maxwell, Sir Herbert's son, who gave in his adherence to Robert Bruce. The Maxwells were Wardens of the West Marches, Stewards of Kirkcudbright and Annandale, Ambassadors to England, Provosts of Edinburgh, and were created Earls of Nithsdale in 1620 by James VI.<sup>1</sup>

A village named Maxwell stood in what is now the Brigend field, Kelso, and this presumably was the "vill" granted by David I. to Maccus, son of Uorwin, a trusted follower, whose name had appeared as a witness to the *Inquisitio Davidis* in 1116. The name of Maxwell, therefore, is evidently derived from the Maccus - vill which once stood in this Brigend field at Kelso.

The origin of the Maxwells, one of our most ancient Scottish families, and the ancestors, though not of the first, at least of the second,

<sup>1</sup> *Scotichronicon*.

Lord Chancellor of Scotland, Herbert the Chancellor, has been fully recorded by Sir William Fraser:—

“Herbert de Maccuswell of Maccuswell and Sheriff of Teviotdale, 1150-1200. Herbert de Maccuswell, the eldest son and successor of Maccus in his lands of Maxwell, lived during the reigns of Malcolm the Fourth, who succeeded to the Crown of Scotland in the year 1153, and of William the Lion, who succeeded Malcolm in the year 1165, and died in the year 1214. The name of Herbert of Maccuswell does not appear in the records of either private or public affairs during the short reign of King Malcolm the Fourth; but he seems to have attended the Court of King William the Lion. He was a witness to many charters and public transactions, the most of which related to the property and privileges of the religious houses during the reign of that sovereign. In giving a summary of these charters, we can, of course, from such materials give only a part of his history, but still they throw much light on

many leading events of his life, and also on the history, particularly the ecclesiastical, of the times in which he lived, and in which he took a special concern, often presenting curious and valuable information respecting the rights and privileges of the Church and the condition of the occupants of the soil when they lived under its shelter. These charters also show the class of persons with whom he was in the habit of associating, who were the chief of the ecclesiastics and the principal courtiers.

“Herbert, like his father, appears to have been devotedly attached to the Church. Under the designation of ‘Herbert of Macuswel’ he made a donation in or before the year 1159 to the Church of the Virgin Mary of Kelso, and to the monks there serving God, of the Church of Maccuswel or Maxwell.<sup>1</sup> In that year this donation, along with numerous lands and churches, was confirmed to that Abbey by Malcolm the Fourth at Roxburgh. It was afterwards confirmed in 1180 by Joceline, Bishop

<sup>1</sup> *Liber de Calchou*, tom. i., pp. vi., 14.

of Glasgow; by King William the Lion at Jedburgh, 4th July, between the years 1195 and 1199, along with many other churches; and on 19th May 1232, by Walter, Bishop of Glasgow.<sup>1</sup>

“The Church of Maxwell was dedicated to Saint Michael, and was in the diocese of Glasgow. To it was granted, as already observed, before the year 1180, an oratory, which was founded in the territory of Maccuswell, in honour of Saint Thomas the Martyr, with one toft which he had given to it for a free and perpetual alms. This grant was confirmed by Joceline, Bishop of Glasgow, so that the monks of Kelso from their possessing the Church of Maccuswell might also possess that oratory.

“The confirmation is in the following terms :—

“Joceline, by the grace of God, Bishop of Glasgow, to all the sons as well future as present of Holy Mother, health in Christ,—

<sup>1</sup> *Liber de Calchou*, tom. i., p. 229, and tom. ii., pp. 316, 319.



Know that we have granted, and by the present writing have confirmed to the Church of Saint Michael of Maccuswel a certain oratory which *ex novo* is situated in the territory of Maccuswell in honour of Saint Thomas the Martyr, with a toft which Herbert, Lord of the same feu, gave to that oratory for a free and perpetual alms; so that the monks of Kelchou, to whom belongs the before-mentioned Church of Maccuswel, may have and possess the above written oratory as a member of the foresaid Church, as freely and quietly for ever as they have and possess their other donations, under reservation of episcopal right and usage; the witnesses being Simon, Archdeacon of Glasgow; Richard de Theuidale, Dean; Richard, Monk; the Bishop's Chaplain, and others' (*Liber de Calchou*, tom. ii., p. 325).

“This oratory was called the Chapel of Saint Thomas of Harlawe.

“Herbert of Maccuswell was witness to a charter granted by King William the Lion to Saint Kentigern and the Church of Glasgow,

and Joceline, Bishop of Glasgow, and his successors, bishops thereof, for augmentation of the Bishopric of Glasgow, of the lands of Badlayn, to be held for free and perpetual alms. Among the witnesses, besides Herbert, were the granter's brother, David; Walter of Bidun, Chancellor; John, Abbot of Kelso; Richard of Morville, Constable; and Robert of Bruce. The charter is dated at Linlithgow, the year not given; but it appears to have been granted soon after Joceline became Bishop of Glasgow, a dignity to which he was elected at Perth 23rd May 1174, and to which he was consecrated at Clairvaux 1st June 1175 (*Chronica de Mailros*, pp. 86, 87). In the charter King William asserts that he was led to grant it on account of the bereavements suffered by him and his after the decease of Engelram, Bishop of Glasgow (*Registrum Episcopatus Glasguensis*, tom. i., p. 36). That bishop died 2nd February 1174. After this King William was taken prisoner by the English in his camp near Alnwick on 13th July 1174, imprisoned

in the Castle of Richmond, and on 8th August taken by the English King into Normandy, but was set at liberty on 15th February 1175-76, having given his oath of fidelity to the English King as his liege lord, and submitted to other conditions, for the observance of which he delivered to him the castles of Roxburgh, Berwick, Jedburgh, Castrum Puellarum (the Castle of Edinburgh), and Stirling, and a number of hostages (Palgrave's *Documents and Records illustrating the History of Scotland*, p. 63). The above charter must have been granted after the liberation of King William. King William's bereavements, to which reference is made in the charter, were caused by an inundation of the Tay, which overflowed and destroyed the palace and the greater part of the town of Perth. By this calamitous event, from which the King himself narrowly escaped with his life, his son and his nurse, fourteen of the Royal domestics, and many of the inhabitants of Perth perished. [This statement is not authenticated.]

“Herbert of Maccuswell was also a witness to a charter of confirmation by the same King, confirming to God and Saint John’s Church of the Castle of Roxburgh that carucate of the dominical land of Roxburgh, which King David, the granter’s grandfather, gave to that Church, and a full toft and a residence in the castle, together with the whole oblations of those who resided in the castle, a (fourth) part of the granter’s oblation when he or his family should be in it, a tenth of his grove, and a tenth of the tallow of what was slaughtered for him in Teviotdale. The charter is dated at Roxburgh, the year being omitted, but it would be between the years 1189 and 1199; as Hugh or Hugo, the King’s Chancellor, who was a witness to the charter, was made Chancellor in the former of these years, and died 10th July 1199.<sup>1</sup>

“If Herbert of Maccuswell did not inherit from his father the office of Sheriff of Teviotdale, he was, from his position, and from the

<sup>1</sup> *Registrum Episcopatus Glasguensis*, tom. i., p. 66.

estimation in which he was held by King William and by the community, appointed by the King to that office.

“In a charter by Bernard of Hauden, granting to the Abbey of Kelso the mill and mill pond of Reuedene, Herbert’s son, John, who was a witness, is styled ‘John de Maccuswell, son of Herbert, Sheriff.’<sup>1</sup>

“Under the designation of ‘Sheriff of Theuydale’ (Teviotdale), Herbert of Maccuswell was witness to the amicable settlement of a dispute that had arisen between the Abbot and monks of Kelso on the one side, and Henry of Molle and his wife, Eschina, on the other, concerning the pasture which the former claimed in the territory of the latter’s land of Molle by right of the Church and in name of the parson. The agreement was to the effect that the said Henry and his wife, Eschina, granted and confirmed a right in perpetuity in the territory of their land of Molle to the Abbot and monks of Kelso of pasture for 700

<sup>1</sup> *Liber de Calchou*, tom. i., p. 176.

sheep and 120 animals, which they claimed as aforesaid; and, besides that, the vicar appointed by the monks and their men dwelling on the land of the Church would have common pasture with Henry of Molle's men of that land. The witnesses, besides Herbert, were Robert, Archdeacon of Glasgow; John, Dean of Roxburgh; Hugh, Chaplain; Elias, parson of Old Roxburgh; and Edward of Lyntun (*Liber de Calchou*, tom. i., p. 136). The document is without date, but it probably belongs to the year 1190.

“Herbert of Maccuswell was also a witness to a charter by Roland of Innerwick and Heloise, his wife, granting in feu farm for ever to the Abbot and monks of Kelso the granter's land, grove, and pasture in the territory of Innerwick, which was opposite the land of the monastery of Kelso, situated as described in the charter. This charter also granted to them various rights and privileges which at that time were commonly enjoyed by the religious houses. They were to have

liberty to erect, and to inhabit, and otherwise to use for their advantage dwellings or huts for themselves, or for their men or animals, wherever they chose, within the boundaries described, nor was it to be allowed to any except these monks, to place huts or to build houses within these boundaries. The monks themselves and their men were to receive from the grove as much firewood or wood for building purposes as they desired, both for the town of Spirdeldun and for the land which they held of the granters; but they were not to be permitted to sell any of the wood, though they might sell the brushwood. The monks were to put in defence a part of the grove for their own convenience, and to place a forester, if they pleased, for keeping it, that none might receive anything therefrom without their permission (*Liber de Calchou*, tom. i., p. 208).

“The name of Herbert of Maccuswell again appears among the witnesses to a charter by King William the Lion, granting to the Abbey

of Kelso three carucates of land in the territory of Edenham, as therein described, and the fishing in the Tweed which belonged to Edenham, extending from the marches of Kelso to those of Brigham. These three carucates of land and the fishing in the Tweed, King William gave to the monks of Kelso in exchange for twenty chalders of corn and meal of the standard measure of the time of his grandfather, King David, which they used to have in the King's mill of Roxburgh, and in exchange for two chalders of malt, which they were wont to have in his mill of Edenham, by the gift of his grandfather, King David. He granted also to them, should their mill of Kelso either by inundations of water or by reason of ice be prevented from grinding or be broken by accident, liberty to grind at his mill of Edenham the corn which grew upon the forementioned land of Edenham for their food, freely, without multure, immediately after that which already was in the hopper, unless it was corn from his dominical land. This charter



is dated at Roxburgh, the year being omitted ; but as 'Hugo, the King's Chancellor,' who was one of the witnesses, was made Chancellor in the year 1189,<sup>1</sup> and as Archibald, Abbot of Dunfermline, another of them, died in 1198,<sup>2</sup> it must have been granted between the years of 1189 and 1198. Others of the witnesses were Henry, Abbot of Aberbrothoc ; Guido, Abbot of Lindores ; Hugh, the King's Chaplain, Clerk ; and William of Lindsay, Justiciar.<sup>3</sup>

“In a confirmation by King William the Lion to Saint Kentigern and to William, Bishop of Glasgow, and his successors, of the whole right which William Cumin said and believed he had in the land of Muncrath, lying between Badlayn and Kirkintulloch, Herbert de Maccuswell again appears as a witness. Among the other witnesses were Osbert, Abbot of Kelso ; Robert de Lundon ; William

<sup>1</sup> Crawford's *Officers of State*, p. 10.

<sup>2</sup> *Chronica de Mailros*, p. 103.

<sup>3</sup> *Liber de Calchou*, tom. ii., p. 304.

de Lindsay; and Thomas de Colleuill.<sup>1</sup> The charter is dated at Roxburgh, 1st March, the year not given; but as William, Bishop of Glasgow, to whom it was granted, was consecrated Bishop of Glasgow in 1200,<sup>2</sup> and as Osbert, Abbot of Kelso, who was one of the witnesses, died in 1203,<sup>3</sup> it must have been granted between these years.

“The last transaction in which the writs of the period that have been preserved present Herbert of Maxwell as having been engaged, was his granting as Sheriff to Robert, son of Maccus, possession of a carucate of land in the territory of Lesedwin, to which King William the Lion granted a charter of confirmation in favour of the said Robert on 28th December 1200. It is probable that he died soon after this date.

“Herbert of Maxwell left three sons:—

“1, John, who succeeded him.

“2. Robert.

<sup>1</sup> *Registrum Episcopatus Glasguensis*, tom. i., p. 79.

<sup>2</sup> Crawford's *Officers of State*, p. 11.

<sup>3</sup> *Chronica de Mailros*, p. 105.

“ 3. Aymer, who succeeded his eldest brother, John, in Maxwell and Caerlaverock.

“ Robert, son of Herbert of Maccuswell, was witness to a charter by Richard of Lincolnia, and Matilda, daughter and heiress of Anselm of Molle, his wife, granting to the monks of Kelso sufficient pasture for 700 sheep and 100 cattle in the pasturage of the granter's feu of Molle, and annually from the grove of the foresaid feu what may be necessary for constructing sheep-cots, and quit-claiming for ever to monks, their multures of Molle, as they had remitted to Anselm and his heirs the tithe of his mill for ever. Among the other witnesses were Hugh, the King's Chaplain, Clerk; Galfrid of Lempedlawe, King's Clerk; Adam, Chaplain of Kelso; Bernard of Hauden; Nigel of Heriz; and Malcolm of Keth.<sup>1</sup> The charter is without date, but from the reference made in it to Osbert, Abbot of Kelso, who held that place from 1182 to 1203, it must have been granted between these years.

<sup>1</sup> *Liber de Calchou*, tom. i., p. 128.

“Robert, brother of John of Maccuswell, son of Herbert, Sheriff, was witness to a charter by Bernard of Hauden granting to the monks of Kelso whatever right they claimed to the mill of Reuedene or to the pond of that mill, or to that piece of meadow, which lay on the north side of the half carucate of these monks, to the ditch made between that half carucate of land and the granter’s land even to the rivulet which anciently was the boundary between Hauden and Reuedene.<sup>1</sup> The charter is without date, but was granted probably about the year 1210. Robert does not appear to have left any children.”

“Charter by Herbert, Bishop of Glasgow, to Help, his clerk, of the Church of Govan and part of Partick, in prebend, *circa* 1147-53:—

“Herbert, by the Grace of God, Bishop of Glasgow, to all the sons of Holy Mother Church, greeting. Know ye that I have given and granted and by my episcopal authority have confirmed to Help, my clerk, in free

<sup>1</sup> *Liber de Calchou*, tom. i., p. 176.

and quiet alms as a prebend to the Church of St. Mungo of Glasgow, the Church of Govan, with the whole ecclesiastical rights pertaining to the said Church, and the isles between Govan and Partick, in that part of which David, King of Scots, gave in endowment to the Church of Glasgow at its dedication, with that other part of Partick which the said King David afterwards gave to the foresaid Church of Glasgow, and to Bishop John and his successors, in pure and perpetual alms, for the welfare of my soul and the souls of my predecessors, which part did not formerly belong to the said prebend, but I for the increase of the honour and dignity of my Church aforesaid do add it in donation to the prebend, and I confirm the same in perpetuity with the adjoining islands and fisheries: to be held as freely and quietly as his predecessor held the same, and the Charters of the succeeding Bishops wholly testify and confirm.”<sup>1</sup>

<sup>1</sup> *Registrum Episcopatus Glasguensis*, No. 7.

It is proper to add that the present representative of the Maxwells is Sir Herbert Maxwell, M.P., of Monreith, Wigtownshire. He is a direct descendant, in the male line, of Sir Aymer Maxwell, who was son of Sir John the Chamberlain in 1231. Sir John Stirling Maxwell of Pollock is descended, in the female line, from the second son of this Sir Aymer Maxwell. Sir John is married to a daughter of Sir Herbert, and their daughter, who was born on 8th September 1906, reunites the two lines, which diverged in 1230.

“Charter by Robert, Bishop of St. Andrews, granting the Church of Lohworuora [Borthwick] to Herbert, Bishop of Glasgow, *circa* 1150:—

“Robert, by the Grace of God, Bishop of St. Andrews, to all the sons of Holy Mother Church, greeting. Know ye both present and to come that I have given to and by book placed in possession of Herbert, Bishop of Glasgow, the Church of Lohworuora as a possession of the Church of Glasgow, there being

present and granting their consent David, the illustrious King of Scots, and Henry, his son, but so that the Church of St. Andrews may have all the episcopal customs in the Church of Lohworuora as in the other Churches of Lothian, from the Prior of Scone whom we received in . . . of the said Church being handed to us by the foresaid Bishop Herbert." The following witnesses were present :—

Gregory, Bishop of Dunkeld.

Andrew, Bishop of Caithness.

Galfrid, Abbot of Dunfermline.

Arnold, Abbot of Kelso.

Alfwin, Abbot of Holyrood.

William, Abbot of Stirling.

Robert, Prior of St. Andrews.

Osbert, Prior of Holyrood.

Thomas, Prior of Scone ; Thor, Archdeacon ;

Asceline, Archdeacon ; Eyolf, Deacon ;

Walter, the King's Chancellor ; Engelram,

the Earl's Chancellor ; Master Laurence ;

Jordan Heyrum ; Walter, Chaplain of

Lilliesleaf ; Nicholas, Clerk ; Thomas, of

Linlithgow ; Earl Duncan ; Hugh de

Morville ; William de Somerville ; Cos-

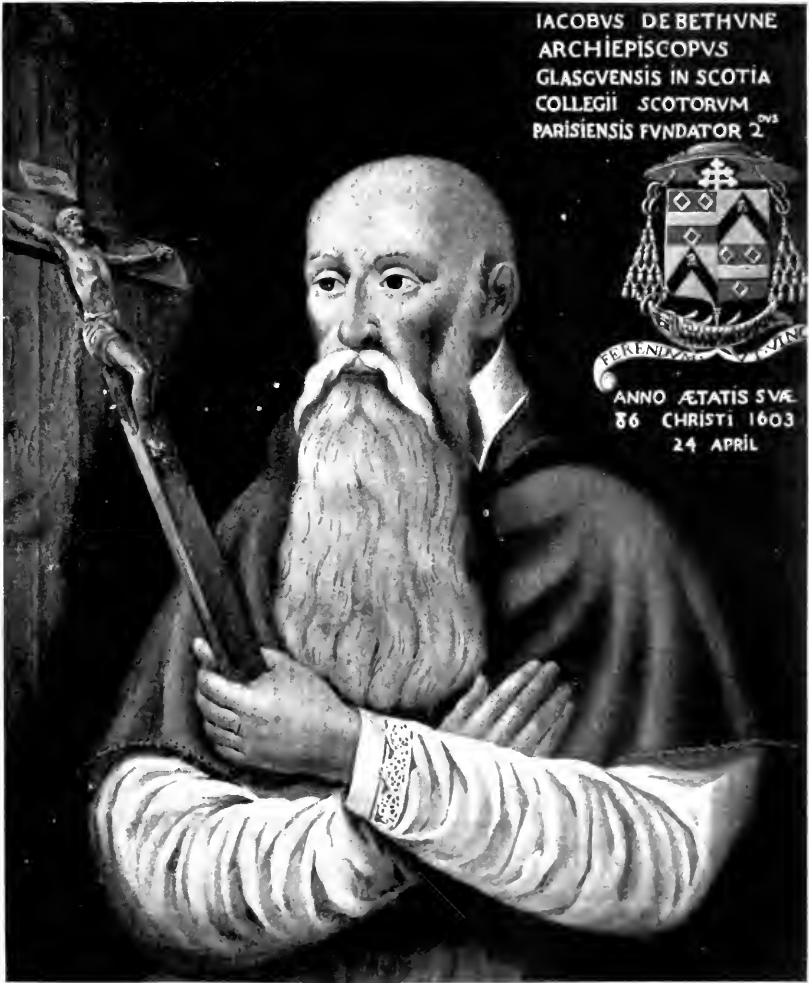
patrick, son of Waldeve; Walter de Lindsay, William, his brother; Bernard de Boilond; William de Vesci; Odeuel de Umfraville; Walter de Bolebeck; Alfwin Rennere; Edward, the Constable; Thor, son of Swaine; William de Graham; Arthur Finboga; Roger, nephew (or grandson) of the Bishop of St. Andrews; Uchtred, son of Fergus; Ralph, son of Dunegal, Donald, his brother; Baldwin, the Fleming; and Hugh, son of Freskin.<sup>1</sup>

“Confirmation by Herbert, Bishop of Glasgow, of the grant by Uchtred, son of Liulf, of the Church of Molle to the Abbey of Kelso, *circa* 1150:—

“Herbert, by the Grace of God, Bishop of Glasgow, to all the sons of Holy Mother Church, greeting. Know ye that I have given, and by episcopal authority have confirmed, the donation of the Church of Molle, which Uchtred, son of Liulf, for the welfare of his soul, gave and granted in perpetual alms to the Church of Kelso and the Friars there serving God, with the lands and parishes and whole

<sup>1</sup> *Registrum Episcopatus Glasguensis.*





IACOBVS DE BETHVNE  
ARCHIEPISCOPVS  
GLASGVENSIS IN SCOTIA  
COLLEGII SCOTORVM  
PARISIENSIS FVNDATOR 2<sup>VS</sup>



ANNO ETATIS SVÆ  
86 CHRISTI 1603  
24 APRIL

JAMES BEATON  
Archbishop of Glasgow



*Confirmation of Grant to Kelso Abbey 65*

rights pertaining to the said Church as the Charter of the said Uchtred sets forth, with reservation of the episcopal rights and customs."

WITNESSES.

Aldred, Deacon.

Salomon, Clerk.

Helia, Clerk.

Nicholas, Clerk.<sup>1</sup>

<sup>1</sup> *Liber de Calchou*, No. 416.

NOTE.—There is confusion in the records of the twelfth century between Herbert, Abbot of Kelso, and Herbert (Maxwell), the Chancellor and Bishop of Glasgow. So far as can be ascertained the former, who never was Bishop of Glasgow, died in 1164, but the date of death of the latter is a controversial point, as is also his official term of office as Chancellor. We have no records of a Chancellor named William who, according to Sir Archibald Lawrie, signed as witness to a charter in 1136, reign of David I.

## CHAPTER III.

Edward, Third Chancellor—William Comyn, Chancellor—Resignation of Comyn—Walter, Chancellor—Thor of Tibbermore—Engelram, Chancellor—Jurisdiction of the Scottish Church—Its Independence declared at Rome—Text of the Pope's Bull—Death of Engelram—Nicholas, Chancellor—Walter, of Dunkeld, Chancellor—Holyrood and the Iona Chapels—Text of the Charter—Roger, of St. Andrews, Chancellor—Treaty of Falaise—English King surrenders Roxburgh and Berwick—Death of the Chancellor—Inscription on the Chancellor's Tomb—Hugo, Chancellor—His Administration and Death—William Malvoicine, Chancellor—Elected Archbishop of St. Andrews—Founds Scotlandwell—Consecrates Dryburgh Cemetery—Ambassador to the Pope—Division of his Diocese—Consecrates Abbots of Melrose, Caithness, and Dunblane—Signs King Alexander's Marriage Contract—Meeting of the Kings at York—King Alexander's Speech—Death of Malvoicine—See of Dunblane founded by the Earl of Strathearn.

### EDWARD.

1143-1145.

HERBERT the Chancellor evidently resigned the Chancellorship between 1131 and 1143.

The next holder of the office was probably

Edward, who took Holy Orders and was also appointed Chancellor by King David about 1143.

He was a witness to the foundation charter of Holyrood by David I. in 1128, before his appointment to the Chancellorship, and a witness to the donation made by the King of the lands of Ruchal to the monastery of Newbattle. This charter is dated at Edinburgh. He was also a witness to a charter by the King to the Abbey of Reading of the lands of Rindelgroff for masses for the soul of King David (*Chartulary of Newbattle*).

There is nothing whatever recorded respecting the administration of the office of Chancellor by Edward. It is supposed he was Bishop of Aberdeen. He lived for a time in comparative peace,—the peace which followed the Norman Conquest, when the King's attention was wholly taken up with the foundation of monasteries and religious houses, and with the disputes on ecclesiastical, rather than with civil and political questions. Edward the

Chancellor, having held office for the brief period of three years, died probably about 1147. After his death the King would appear to have conferred the Chancellorship on William Comyn, a scion of the ancient House of Badenoch, who in all probability held the office for three years under King David I. It would appear that the original See of Aberdeen was at Mortlach. St. Bean ruled over it from 1015 to 1047, after him came Donortius from 1047 to 1098, Cormac to 1106, and Nectan to 1124. King David I. erected the See of Aberdeen soon after or in 1124.

## WILLIAM COMYN.

1147-1150.

Comyn is a surname of great antiquity. The Comyns are believed to be of Norman descent.

William Comyn was the second son of Robert Comyn, who fell with Malcolm Can-

more at the battle of Alnwick in 1093, and his son was appointed to this high office, we are informed, because of his learning and endowments. In 1142 William Comyn (afterwards Chancellor) was, by the grant of the Empress Maud, promoted to the See of Durham. This appointment was not agreeable to the clergy of the diocese, whom he is said to have oppressed. The Prior, the Archdeacon, and others relinquished their functions, and put the diocese under interdict, and there was a cessation of divine service. The quarrel was eventually compromised, and the Bishop proceeded to Scotland, when he was appointed Chancellor of the kingdom, probably in 1147.

Like all members of the ancient House of Badenoch, Chancellor Comyn was a great personality in his day, but the Chancellor's duties were not congenial to him, and he resigned office three years after his appointment. His death occurred immediately afterwards. According to Taylor, William Comyn was Chancellor from 1133 to 1142, but these

dates cannot be verified, and are evidently imaginary.

He was a distinct person from William, Bishop of Orkney, a subsequent Chancellor, who fixed his See at Kirkwall, held it sixty-six years, and died in 1168 (Bellesheim). William Comyn signed as Chancellor the Great Charter of Melrose granted by David I., and he was a witness to a donation by the King to the Bishop of Glasgow of the tithes belonging to the King's household within the county of Ayr, and to the grant by the King of the Church of Gilrymont (St. Andrews) for masses to be said for his soul.

### WALTER.

1150-1153.

On the death of Chancellor Comyn, an event which is not recorded, but which probably occurred about 1150, King David appointed Walter Chancellor of Scotland, but who Walter was or from whom descended we



are not informed. It has been suggested he was Walter the High Steward. He was a witness to many grants and deeds of the King, particularly to a charter by the King to the Canons of St. Andrews. This charter was signed and dated at Berwick. Walter also held office for a very short period, probably 1150 to 1153, under King David I., but it is to be regretted that there is so little to be found about him in the National records. King David died in 1153, and Walter for a short period remained in office under Malcolm IV. As Chancellor he witnessed a charter regarding a forest in Annandale, and in Malcolm's reign he witnessed these charters: "Precept of Malcolm for recovering fugitive Serfs of Coldingham," given at Berwick; "Allowance for Serfs to settle at Coldingham," given at Coldingham. Walter the Chancellor or High Steward also witnessed the Great Charter of Malcolm IV. to Kelso, given at Roxburgh 1159; but he had evidently resigned office before this period, as

Engelram was the Chancellor during the greater part of the reign of Malcolm IV. Walter was an able and faithful Chancellor, but neither his resignation of the office nor his death have been recorded. If he was the High Steward he died in 1177.

Thor of Tibbermore, supposed ancestor of the Ruthvens, flourished during the administration of this Chancellor. His son, Swaine, lived in the reign of William the Lion, and made a donation of part of Tibbermore to the Abbey of Scone. Thor is designated "Archdeacon" in some papers.

### ENGELRAM.

1153-1165.

We next come to a rather noted Chancellor, who held the office after the resignation or death of Walter. This was Engelram, who was elected Bishop of Glasgow, and was a great personality in his day, judging from the number of deeds and charters bearing his

signature. Engelram was of the family of Newbigging, who were lords of Dunsyre, in Lanarkshire, and brother to Elias, lord of that barony, and he was in due course chosen Archdeacon of Glasgow. Shortly after the accession of Malcolm IV. in 1153 he was appointed Chancellor, as he was known to be a man of integrity, and possessed eminent qualifications. In 1159 the Archbishop of York, having revived the question of his jurisdiction over the Scottish Church, called a provincial council at Norham, to which he summoned the Scots clergy. They promptly attended, as did also Engelram the Chancellor. After discussion this question was appealed to Rome, and Engelram the Chancellor was appointed, as the fittest person to prosecute the matter there. Judgment was thereafter given against the Archbishop of York; and by a Bull of the Pope the Scottish Church was declared to be exempt from any jurisdiction whatever but the Apostolic See. The Bull was as follows:—

“Alexander, Pope, to Malcolm, King of Scots.

“During the Archdeacon’s stay at Rome the Episcopal See of Glasgow falling void by the death of Bishop Herbert (1164), the Archdeacon was elected thereto; and the Pope did esteem him so worthy of the function of a bishop that as a special mark of his favour he consecrated him with his own hands at Sens, notwithstanding that the Archbishop of York made some opposition.”

Engelram was, on the death of Herbert in 1164, appointed Bishop of Glasgow, and consecrated by Pope Alexander III. the same year in spite of the opposition of the Archbishop of York. He was succeeded in the See by Joceline, Abbot of Melrose, afterwards founder of Glasgow Cathedral. As Chancellor Engelram witnessed Henry’s (son of the King) Charter confirming Swaine’s Quit Claim to Coldingham. He signed the Charter of Malcolm IV. to Scone. This was the famous Charter respecting the administration of Scone.

It was dated in 1164 at Stirling, and was signed by twenty-eight witnesses. (For text of the Charter see *Ancient Capital of Scotland*.) Engelram warmly defended the rights of the Scottish Church in the Council of Norham in opposition to the claims and jurisdiction put forward by Roger, the Archbishop of York. From the Council he went to Rome, and obtained complete exemption. Engelram the Chancellor died in February 1174, but he resigned office in 1165 on the death, at Jedburgh, of Malcolm IV.

## NICHOLAS OR NICOLAIUS.

1165-1171.

The first Chancellor under William the Lion was Nicholas or Nicolaius, who was appointed to the office in 1165 on the resignation of Engelram, and on the King's accession to the Crown. He had previously held the office of Chamberlain of the Kingdom; and he held the Chancellorship until his death in 1171.

Of this Chancellor very little is known. He is recorded to have witnessed the following charters, granted by William the Lion: "Grant to Scone of the Custom of a Ship"; "Charter to Scone of its Courts of Ordeal"; "Precept for recovering fugitive Serfs of the Abbot of Scone"; "the Great Charter to Jedburgh Abbey" (*Scot. Nat. MSS.*).

On the authority of the Register of the Great Seal Henry was Chancellor of the kingdom about this period, under William the Lion, but we have no information whatever recorded about him. He evidently held office for a temporary period, after which he was succeeded by Walter, afterwards Bishop of Dunkeld. His tenure of office would be from the death of Chancellor Nicholas, 1171, to the election of Walter de Bidun in 1173, probably two years.

Under Nicholas the Chancellor a charter in which his name appears includes only Arnold, Bishop of St. Andrews, where he is a witness along with William, Bishop of Moray, *Sedis*

*apostalite legate*, a function which that prelate only exercised from his return from Rome in 1160 to his death in 1162. Also one by Walter Fitzalan, to which Richard, Bishop of St. Andrews, is a witness. The statement that Richard was Chancellor 1165 to 1170 is unconfirmed, and must be regarded as incorrect.

## WALTER, BISHOP OF DUNKELD.

1173-1178.

Walter (de Bidun) appears to have been a highly capable man. He was a witness to many grants of King William to religious persons and places. Particularly he was a witness to that important deed whereby King William made over to the monastery of Holyrood all the churches and chapels in Galloway belonging to the abbacy of Iona. The charter, which is preserved and is in the following terms, is an interesting document, considering its extreme age. It appears to

have been dated at the castle of Forfar, a favourite residence of the early kings, probably because that district was rich in game of all kinds. Sport in these days would include the wolf, the wild boar, the stag, etc. This locality therefore afforded excellent sport for the King and his nobility. The Chancellor, who was in 1177 elected Bishop of Dunkeld, but was not consecrated, died in 1178 (*Mylne's Lives of the Bishops of Dunkeld*). This prelate was known as Walter de Bidun, Bishop of Dunkeld, but how many years he was Chancellor is uncertain.

“Charter by William, King of Scots, to the Canons of Holyrood, of certain churches in Galloway :—

“William, King of Scots, to the Bishop, Abbots, Earls, Barons, Justices, Sheriffs, Ministers, and all good men of his whole realm, cleric and laic, greeting. Know all men present and to come that I have given and granted, and by this my Charter have confirmed to God and the Church at Holy-



rood of Edinburgh, and to the Canons serving God in that Church, in free and perpetual alms, the churches or chapels in Galloway which belong to the administration of the abbacy of Hii, Columchile, with the whole teinds and other ecclesiastical benefits, namely, the church which is called Kirche Cormach, and the Church of St. Andrew, and that of Balencros, and that of Cheleton. Moreover it is my will that the foresaid Canons shall hold and possess the churches or chapels aforesaid, with the lands and all rectitudes and their liberties in wood and plain, in pasturage, in meadows, in waters and fishings, and in all the just pertinents of the aforesaid churches, as freely and quietly, fully and honourably, as any others of our alms are held.

WITNESSES.

Matthew, Bishop of Aberdeen.

Andrew, Bishop of Caithness.

Walter, Chancellor.

John, Abbot of Kelso.

H., Prior of Coldingham.

Earl Duncan.

Ness, son of William.

Hugh, the King's Clerk.

Hugh, the Chaplain.

Hugh, the Chancellor's Clerk.

John, the Chancellor's Clerk.

“At Forfar.”

## ROGER, BISHOP OF ST. ANDREWS.

1178-1189.

Roger the Chancellor was second son of the third Earl of Leicester, and brother of William, the first who, it is said, took Hamilton for his surname, from Hambleton in Bucks, the place of his birth. Roger came to Scotland in the reign of William the Lion, to whom he was nearly related by his mother, Ada, daughter of the Earl of Surrey; the two were cousins. He enjoyed the favour of King William, by whom he was in 1178 created Chancellor of Scotland, on the death of Walter, Bishop of Dunkeld. He held the office up to 1189, when

he resigned the Chancellorship on his appointment to the Episcopal See of St. Andrews. During his tenure of office, which extended to about eleven years, he discharged his duties with great fidelity and satisfaction to his sovereign.

Roger is a witness to the Foundation Charter of Inchaffray in 1200, and a witness to King William's erection of the monastery of Aberbrothock.<sup>1</sup> His name also appears in a Charter of Confirmation of the monastery of Kelso. It is said, on the authority of Martine, that this Bishop first built the castle of St. Andrews about the year 1200 as a residence for himself.

In 1173 William the Lion took the part of the young Prince Henry against his father, Henry II. of England. In 1174 he repeated the invasion, and entered Northumberland, when he was captured by the English soldiers, his feet tied under the horse's belly, and delivered in that condition to the English King.

The Treaty of Falaise, dated 8th Dec-

<sup>1</sup> *Chartulary of Cambuskenneth.*

ember 1174, and executed on this occasion, included a clause which preserved intact the independence of the Scottish Church. This clause was successfully pleaded by the bishops and clergy before the Papal Legate in a council held at Northampton in 1176. In spite of King Henry's order to the contrary, the bishops and clergy peremptorily announced that they had never yielded obedience to the English Church, "nor ought they to do so," though by this cowardly treaty William had surrendered the Scottish fortresses and became the liegeman of Henry, and gave his brother David and twenty of his principal barons as hostages for the performance of it. William the Lion has been severely condemned for his weak and pusillanimous conduct in connection with this disgraceful negotiation and for surrendering the independence of his country. Had he been a capable soldier he never would have been taken prisoner in such circumstances as are related in history, and his surrender of the principal

fortresses of his kingdom to the English King was a cowardly and unwarrantable act, against which no remonstrance by him appears to be recorded.

These proceedings occurred during Roger's Chancellorship, and Roger would appear to have resigned office rather than raise the enormous sum demanded for the cancelment of the treaty. It is not recorded, but it is a reasonable deduction from the narrative, to suppose that King William and he quarrelled over this matter.

Roger accepted the Bishopric of St. Andrews on his retirement from the Chancellorship in 1189. He ratified an agreement between himself and the monks of Durham as to the churches in Lothian in a synod at Musselburgh in the year 1200. Besides confirming various properties previously granted to the priory, he conferred on it the Church of Haddington and the Church of Forgan in Gowrie. This charter is dated in the third year of the pontificate. There is a document,

to which he is the first witness, giving an account of a dispute between the Canons Regular and the Culdees of St. Andrews. The matter was adjusted by the former conceding to the latter the tithes of eight neighbouring churches, but retaining to themselves the tithes of Strathtyrum, and the altars with the oblations of marriages and baptisms of these eight churches.

The year of his resignation introduces us to an improved state in the relations between England and Scotland. This year Henry II., King of England, died, and his son and successor, Richard Cœur de Lion, was a great contrast to his father. Richard was friendly to Scotland, and he was at the same time determined to achieve his pilgrimage to Jerusalem, a scheme that required money. For 10,000 marks he restored the independence of Scotland, and surrendered the castles of Roxburgh and Berwick. For more than a hundred years after this there was peace between the two kingdoms.

The contest respecting the supremacy of the English over the Scottish Church had now lasted more than a century, and King William was desirous of putting an end to it by the entire withdrawal of the Scottish Church from the influence of England. This movement arose during the Chancellorship of Roger. The only means by which the King's object could be secured was by a formal declaration of the Holy See of the independence of the Scottish Church; and the King accordingly sent a deputation to Rome in 1187 with a view to obtaining from the Pope the declaration in question. Their petition was favourably received, and on 13th March 1188 Clement III. issued his Bull, addressed to King William, declaring the Scottish Church, comprising the Sees of St. Andrews, Glasgow, Dunkeld, Dunblane, Brechin, Aberdeen, Moray, Ross, and Caithness, to be immediately subject to the Apostolic See, forbidding anyone save the Pope himself or his Legate to pronounce sentence of interdict or excommunication in

Scotland, and providing that no one unless belonging to the kingdom or specially sent from the Holy See should exercise the office of Legate in Scotland; and, further, that questions regarding the property of the Church should be decided within the kingdom, except in the case of appeals to Rome. This important document, which secured the ecclesiastical liberties of Scotland at that early period, was confirmed and supplemented by the events of the following year, when by the agreement made at Canterbury, 5th December 1189, the Treaty of Falaise was annulled and the spiritual and temporal independence of Scotland recognised. The Bull of Clement III. was confirmed by Pope Innocent III. in 1208, and again by Honorius III. in 1218.<sup>1</sup>

Roger died at Cambuskenneth in 1202, and was interred in the old Church of St. Rule. A curious inscription was placed over his tomb :—

<sup>1</sup> Bellesheim, *History of the Catholic Church*, Hunter Blair's translation.



Passenger! Stop and behold!  
The first tomb contains Robert, the next  
Arnold, the last Roger.  
On earth they were bishops,  
Now, they are citizens of Heaven.

There was a cross erected to his memory, called "Cross Roger," at the top of the Windmill Brae, immediately to the west of St. Andrews.

### HUGO (MAXWELL).

1189-1199.

On the resignation of Roger the Chancellor a member of the Maxwell family was evidently appointed to succeed him. Herbert Maxwell lived in the reigns of Malcolm IV. and William the Lion. We find, in a charter of King William of a donation to the monastery of Kelso, Herbert Maxwell, Hugo the Chancellor, and William Lindsay are witnesses. Hugo, probably Maxwell, brother of Herbert, was Bishop of Glasgow one year, and was Chancellor of Scotland from 1189 to 1199,

when he died. Herbert is witness to several charters and donations of King William to the monastery of Paisley between 1180 and 1198.

The administration of Chancellor Hugo was in every way satisfactory, and nothing whatever is recorded against him. It will be observed that he was appointed to the Chancellorship immediately the Treaty of Falaise was cancelled, and William the Lion and the realm restored to independence. The Chancellor doubtless raised by special effort the large sum that was required for the abolition of the treaty. The date of Chancellor Hugo's death is uncertain. Bellesheim gives it erroneously as 1198. Whether Hugo was a Maxwell, or whether he was Hugo de Roxburgh, Rector of Tullibody, and Archdeacon of St. Andrews, has not been exactly determined.

## WILLIAM MALVOICINE.

1199-1202.

Hugo the Chancellor was succeeded by William Malvoicine, Bishop of St. Andrews. The first Malvoicine came over with William the Conqueror in 1066. Malvoicine the Chancellor spent much of his youth in France. In September 1199 he was appointed Chancellor of the kingdom on the death of Hugo, and had the Great Seal delivered to him. The same year he was, on account of his distinguished qualities, made Bishop of Glasgow, and consecrated in 1200. In 1202, on the death of Roger, he was translated to the See of St. Andrews on the King's recommendation, when, it is supposed, he resigned the Chancellorship. It is said that he both christened and crowned King Alexander II., son of William the Lion. Also that he founded the hospital of Lochleven, called Scotland Well, and brought many friars from

France. This bishop had a long and prosperous career, and appears to have been Archbishop of St. Andrews for thirty-eight years, after he was no longer Chancellor. He was a bold and courageous man, who took an active part in the ecclesiastical affairs of the period, and was highly respected throughout his diocese. In 1201 he, as Bishop, was a party to an arrangement under a confirmation of one previously existing, in presence of the Papal Legate, John de St. Stephanus, at Perth, by which the monks of Kelso held the property of the churches within that burgh free from dues and charges of any kind. As Bishop of St. Andrews, he is said to have shown much wisdom and energy in rallying the Church. Many rights and privileges that had lapsed through the remissness of his predecessors were adjudicated anew by him and jealously defended. He was in constant communication with the Holy See, asking instructions on points of doctrine, or forms of procedure, or legal opinions. In

1203 Malvoicine of St. Andrews was the leading prelate in Scotland. In 1206 a question between Malvoicine and Duncan of Arbuthnot respecting the church lands of Arbuthnot was decided in favour of the Bishop, witnesses being heard in a synod at Perth, attended by the abbots of Dunfermline, Arbroath, Scone, and the priors of St. Andrews, May, and Restennet. Malvoicine was the first to introduce Dominicans into Scotland. In the early part of his episcopacy there was a controversy between him and the Culdees of Monymusk, over which the bishops of St. Andrews claimed certain rights of jurisdiction and property. Malvoicine was empowered by a Bull, dated November 1207, to fill up any vacant charges caused by the death of vicars of the titulars of such charges. In 1208 he consecrated the cemetery of Dryburgh Abbey. It would further appear that his name is appended to a bond granted by William the Lion in payment of 15,000 marks to John of England (for his ransom), dated Northampton, 7th

August 1209. He appears to have gone to France in 1211, with the King's consent, on a visit to his relations, and on his return presided, along with Bishop Walter of Glasgow, at a Council held at Perth in 1212, both prelates holding the dignity of Papal Legate. The Perth Convention, which lasted three days, was called to consider the proposed arrangements for the Holy Land Crusade. There were present many noble persons to promote the undertaking, yet the writer observes that few only of the richer sort were in love with it, 500 having perished in the previous expedition.<sup>1</sup>

Malvoicine was in 1215 sent to treat with King John of England, and during the same year he went to Rome to attend a General Council, accompanied by the Bishops of Glasgow and Moray. This Council aimed at the recovery of the Holy Land and the administration of ecclesiastical discipline, and was composed of 412 bishops and 800 abbots and priors.

<sup>1</sup> *Scotichronicon.*

He returned in January 1218 and found the country under a Papal interdict, but with the help of the Legate he succeeded in having it removed.

Malvoicine is further noted to have made a mortification for the soul of King William about the ninth year of the reign of Alexander II.,<sup>1</sup> or in 1223.

The diocese of St. Andrews included an extensive territory in which the Gaelic language was exclusively spoken. The Bishop, being unacquainted with Gaelic, applied to the Pope to have the diocese divided in two, to which the Pope agreed, and Harold, a Gaelic scholar, was consecrated to the See as first Bishop of Argyll. The new diocese included Kintyre, Glassary, Lorn, and Morven. There was a regularly constituted chapter, dating from the middle of the thirteenth century, consisting of the Dean, Archdeacon, Chancellor, Precentor, Treasurer, and Canons.<sup>2</sup>

<sup>1</sup> *Chartulary of Cambuskenneth.*

<sup>2</sup> *Bellesheim's History.*

Malvoicine consecrated Adam, Abbot of Melrose, Bishop of Caithness, in 1214, and Clement, Bishop of Dunblane, in 1233. Archbishop Spottiswoode says: "He was a man of singular wisdom and courage. He lived a long time, for he sat Bishop after his translation thirty-five years, and guarded the Church most happily. The rents alienated by his predecessors or lost by their negligence he recovered to the See, advanced the fabric of the Church (then building) more than any who had gone before, and suffered no man of what quality soever to usurp upon the Church or its possessions." He deprived the abbey of Dunfermline of the collation of two vicarages, Kinglassie and Hailes, because its monks had neglected to supply him with wine enough for his supper. Fordun adds that the monks had provided a sufficient quantity of wine, but that the Bishop's attendants had drunk it all.<sup>1</sup>

Malvoicine signed the marriage contract

<sup>1</sup> *Scotichronicon*.



between Alexander II. of Scotland and Joan, sister of Henry III., at York on 15th June 1220; and the following year he witnessed a charter of dowry by Alexander to his bride. In the same year he intimated that the King of Scots was said to be subject to the King of England, and therefore was not to be crowned by the Legate of the Holy See unless by consent of the English King and his bishops. Twelve years afterwards King Alexander preferred the request which Honorius III. had refused. It was successfully opposed by the Archbishop of York, backed by Henry III., as an encroachment on the rights and dignities of the English Crown, and the rights and privileges of the church of York. The Bishop gave to the Vicar of Haddington for the oblation of the whole parish all the tithes of trade and merchandise and of cattle berths within the burgh, and half of the tithes of hay with the vicarage house. The church of Scoonie was taken bound to pay twenty marks annually towards the building of the

cathedral. With a view to augment the archdeaconry of St. Andrews he gave the church of Tarvet to Archdeacon Laurence and his successors for ever. By a Bull of 12th May 1225 the Pontiff commanded the prelates of the Scottish Church to hold a Provincial Council yearly, when all bishops and abbots should meet in grave attire and sit three days if need required; attendance was enforced. Each bishop was to preach in turn at the opening of the yearly council. The bishops were to choose one of their number to be Conservator of the ordinances of the council. He was to hold office from one council to another with power to punish transgressors of the canons. A Provincial Council was held at Perth 1st July 1238. All that is known of it is that it was attended by four bishops, four abbots, an archdeacon, and a dean, and that judgment in a controversy between the Bishop of Dunblane and the Earl of Menteith was sealed in their presence. Malvoicine possessed the See of St. Andrews till his death in 1238.



GEORGE GORDON  
First Earl of Aberdeen



King Alexander II. was inaugurated at Scone, after the custom of the Scottish kings, with more than the usual ceremony. There were present on the occasion the Earls of Strathearn, Atholl, Angus, Menteith, and Buchan, Malvoicine, Bishop of St. Andrews, and others. The King, apparently, was neither anointed, crowned, nor seated on the throne with a bishop or bishops assisting; for seven years after the inauguration he requested to be crowned by the representative of the Apostolic See. The Legate sent the request to the Pope, Honorius III., who at once rejected it by rescript.

The two Kings, Henry III. and Alexander II., met at York in 1237. Otho, the Pope's legate, was also present, and expressed his intention of visiting Scotland, to which Alexander, who resented such a visit, as it might interfere with his authority, replied, "I do not remember ever to have seen in my dominions a legate from the Pope, neither is his presence necessary, as hitherto the condition of

our church has been prosperous. The King, my father, and my other predecessors never admitted a legate into Scotland; neither will I while I retain my authority. You have the reputation of being a holy man, and, therefore, should you visit Scotland I counsel you to beware, for lawless and bloodthirsty savages dwell in my dominions. I myself am not able to keep them in subjection. You may have heard how they lately made an attempt on my person and sought to expel me from my kingdom. Were they to restrain you my authority would not restrain them." After this speech from the young King the Legate decided not to visit Scotland.

Malvoicine died on 15th July 1238 at the Palace of Inchmartine, a country residence, at that period, of the bishops of St. Andrews. Its ruins were removed and the foundations razed a century ago. He was the first bishop who was interred in the Cathedral Church of St. Andrews, which was by this time completed.

During the administration of Malvoicine, Gilbert, Earl of Strathearn, was founder of the See of Dunblane. The Earls of Strathearn held the singular position of being patrons of the See, whose origin was ascribed to their munificence; but their great foundation was the Convent of Inchaffray, founded by this same Earl Gilbert, and endowed plentifully with parish churches and tithes and rents of all kinds. The Foundation Charter is dated 1200.

For the text of this remarkable Charter (recently discovered) see the writer's *Royal House of Stuart*, vol. i., and the Charter in facsimile see the writer's *Celtic Earldoms*.

## CHAPTER IV.

Florence, Chancellor—William of St. Andrews, Chancellor—Coronation of Alexander II. at Scone—Death of the Chancellor—The Bishop of Caithness Roasted—Meeting of Scottish and English Kings and Queens at York—Thomas Stirling, Chancellor—Mathew Scott, Chancellor—William Bondington, Chancellor—Elected Archdeacon of St. Andrews—General Council at Rome—Chancellor Captured and Released on the Journey—Alan, Lord of Galloway, and his Family—Sir William Lindsay, Chancellor—The Newbattle Charter—Founds Elcho Monastery—Murder of Atholl by the Bissets—Robert of Dunfermline, Chancellor—Crowns Alexander III.—Gameline, Chancellor—Appointed Chaplain to Innocent IV.—Text of the Communication between Pope Alexander IV. and Gameline—Gameline prohibits Alexander III. from seizing Church Property—Henry III. orders his Arrest—Refuses to sign Deed at Kelso Abbey—Excommunication of King's Councillors—The Comyns seize the King at Kinross—Llewellyn, Prince of Wales, Treaty—Chancellor baptises the Infant Prince—Introduces the Carmelite Friars—Death of Gameline—Richard of Dunkeld, Chancellor—His Death and Interment.

### FLORENCE.

1202-1211.

IN the reign of William the Lion, Florence of Glasgow appears to have been a special



favourite of the King. He was younger son of Florence, Earl of Holland, and was in 1202 appointed Chancellor on the resignation of Malvoicine. The same year he was appointed Bishop of Glasgow on the translation of Malvoicine to St. Andrews. In 1207 he resigned his clerical functions, but retained the Great Seal, as his duties of Chancellor were more congenial to him. He afterwards went to Rome, where he died. In a Bull of Confirmation to the Abbey of Paisley by Pope Innocent III. of the Church of Turnberry, in Ayrshire, mention is made of Florentius, Elect of Glasgow. Indeed he never was more than Bishop-Elect of Glasgow. His death in all probability occurred about 1211-1212. Florence was by his mother, Ada, Countess of Holland, grand-daughter of David I., a relative of the King of Scots. William the Lion was his uncle. He continued five years without consecration, a circumstance of which we have no explanation recorded.

During his Chancellorship, under date 21st May, he witnessed a charter by William the Lion to the burgh of Ayr.<sup>1</sup>

WILLIAM, ARCHDEACON OF  
ST. ANDREWS.

1211-1226.

William, Bishop of Dunblane, was, after the death of Florence, appointed by William the Lion Chancellor of Scotland, and in 1211 had the Great Seal delivered to him. He remained Chancellor until the death of the King. The day after King William's death, very early in the morning, while Walter, Bishop of Glasgow, Robert, Elect of Ross, the Queen, William the Chancellor, and a good many of the household abode with the deceased King's body, the Earls of Fife, Strathearn, Atholl, Angus, Menteith, Buchan, and Lothian, together with William, Bishop of St. Andrews, took the King's eldest son,

<sup>1</sup> *National MSS. of Scotland.*

a boy of sixteen and a half years, and brought him to Scone. There they raised him to the throne in honour and peace with the approval of God and man, and with more grandeur and glory than any one before him. All those assembled wished him joy, and no one took exception to him. This boy was Alexander II. In 1215 he convened a meeting of the Scottish Parliament in Edinburgh, when he reappointed William, Chancellor of the kingdom (Fordun). He held office for fifteen years in all, and in 1226 resigned. He lived only five years after his resignation of the Chancellorship, and died, it is supposed, in 1231.

The crowning of the young King at Scone the day after his father's death was a very remarkable function, and characteristic of the manners and customs of the times. The details of this coronation, however, are not fully recorded.

At the coronation of Alexander II. the Seven Celtic Earls are noted for the first time as taking part in the nomination and crowning

of the King. It has been supposed by those who consider that such a constitutional body existed in Scotland that the privilege of belonging to it was inherent in each of certain earldoms, and passed with the earldom to its possessor for the time ; but there is nothing to establish this. The Seven Earls were probably rather a Council of the Earls of Scotland, and it does not follow that they were at all times the same (W. F. Skene).

In 1222, when on his way to England after an expedition to Argyle, news was brought to Alexander of an atrocious deed in the diocese of Caithness. Adam, its Bishop, had by his exertions driven his people to desperation. Three hundred of them had on a certain Sunday seized their Bishop, handled him with great violence, and finally roasted him alive in his own kitchen. The King delayed his English journey, led an army northwards, and punished the malefactors.

On St. Maurice Day, 1237, Alexander II. and Henry III., with the Queens—their wives

—and the Lords of either kingdom, met at York, where for fifteen days they talked over the business of their kingdoms in presence of Otho, the Papal Legate. When it was over the Queen of Scots went with the Queen of England to Canterbury, where on 4th March following she died. Alexander on 15th May 1239 married, at Roxburgh Castle, Marie, daughter of Ingram de Couci, an English nobleman.

### THOMAS STIRLING.

1226-1227.

On the resignation of William the Chancellor, Thomas Stirling, Archdeacon of Glasgow and Rector of Morebattle, was appointed Chancellor by King Alexander II., but he only held office for the brief period of one year, when in 1227 he was removed by death. Of this Chancellor practically nothing is known, save that Stirling, before he was Chancellor, was witness to a charter of King William to

the Abbot and Convent of Cambuskenneth, of the Church of Forteviot. This charter would be dated about 1200. The Chancellor was a younger brother of Alexander Stirling, who made a donation to the Abbey of Arbroath for the soul of Queen Ermengarde, wife of William the Lion.

### MATHEW SCOTT.

1227-1231.

The next Chancellor was Mathew Scott, Bishop of Dunkeld. Scott is supposed to have been of the ancient family of the Scotts of Balwearie, in Fife. He was, it is said, a very learned man, and became Archdeacon of St. Andrews. On the death of Thomas Stirling in 1227 he was appointed Chancellor by Alexander II. The same year he was postulated (invited) Bishop of Aberdeen. He afterwards was postulated Bishop of Dunkeld, the See being vacant by the death of Bishop Hugo; but he died before his consecration

to either. Scott's career was short and brilliant. Few, if any, of his predecessors held so many distinguished offices within so short a period, or were cut down so quickly in the midst of their usefulness.

WILLIAM OF GLASGOW  
(BONDINGTON).

1231-1233.

On the death of Chancellor Scott it was thought the most suitable man to succeed him was William, Bishop of Glasgow (surnamed Bondington). He belonged to an ancient family in Berwickshire, and had been one of the clerks of Chancellor Stirling. Afterwards he was chosen Archdeacon of St. Andrews on the death of Scott. He was a member of the Privy Council of Alexander II., and was by that King appointed in 1231 Chancellor of Scotland, which office he held two years. In the following year he was

chosen Bishop of Glasgow, and was consecrated to the Cathedral Church by Andrew, Bishop of Moray. It is said he made vast improvements on the Glasgow Cathedral, taking down the old part of the edifice and rebuilding it in the style in which it now is; and it is recorded that he was the first bishop to introduce the liturgy into his diocese.

It is recorded that the Chapter was involved in debt, and at a Provincial Council of the Scottish clergy, held at Perth in 1242, a Canon was passed ordaining that the Indulgence of the Cathedral of Glasgow be hung up in every church in the realm, and that its terms be plainly expounded, in the vulgar tongue, to the parishioners; that on every Lord's Day and Festival from Ash Wednesday to Low Sunday, after the Gospel was read, the duty of contributing to the work be enjoined on the people; that their alms and legacies, together with the goods of persons dying intestate, be faithfully collected;



and during the season specified, for no other object than this shall offerings be solicited in the parish churches. To the fruits of this ordinance, doubtless, are due the completion of the beautiful choir before 1258.<sup>1</sup>

Bondington signed a charter of Alexander II. to the monks of Pluscardine in the seventeenth year of the King's reign (1231). This charter is countersigned by Osbert, Bishop of Dunblane, who died the same year.

It is believed that he resigned the Chancellorship in 1233. He is witness to a charter of Alexander II. at Aberdeen 9th October 1233. In 1239 he confirmed the transference of several churches to the Abbey of Paisley.

In 1240 Pope Gregory IX. called a General Council, to attend which the Bishop set out on his journey to Italy. The Emperor, Frederick II., who was not on friendly terms with the Pope, and who disapproved of the General Council, arrested Bishop William and

<sup>1</sup> *Quarterly Review, ex Lix.*

other bishops on their way through Germany ; but on their promise to return home, and not proceed farther south, he set them at liberty.

The death of Bondington occurred in 1258, and he was interred in Melrose.

The greatest of the nobles during the Chancellorship of William Bondington was Alan, Lord of Galloway. Alan exercised sovereign power within his own jurisdiction, and during his lifetime his influence in Galloway was paramount. What his relations were with the Chancellor of Scotland we do not know, though it seems very improbable that he respected the power and authority of that high official, nor do we know whether the supreme rule of the Lord of Galloway had anything to do with the Chancellor's resignation. However this may be, the Chancellor's resignation of office in 1233 was followed by Alan of Galloway's death the following year. He left three daughters but no sons. One of these daughters was afterwards known in history as Devorgilla, mother of John Baliol,

King of Scotland. The Galwegians offered the Lordship of Galloway to the King, but the King refused the offer, and a natural son of Alan was afterwards put in his father's place. Earl David, brother of William the Lion, had three daughters—Margaret, Isobel, and Ada. Margaret married Alan, Lord of Galloway, and became the mother of Devorgilla, just referred to; Isobel married Robert Bruce of Annandale, ancestor of King Robert Bruce.

### SIR WILLIAM LINDSAY.

1233-1249.

Sir William Lindsay, second son of Sir David Lindsay of Crawford, succeeded William as Chancellor in 1233. Lindsay was a witness to various charters of Alexander II., particularly one to Patrick, Earl of March, and David Olivard (Oliphant), in 1234. His brother, David, was the first Lord of Crawford, and

in 1255 was appointed Lord Chamberlain of Scotland. David Lindsay was Justiciar of Lothian as well as Chamberlain. Sir William must have held the Chancellorship for some time, as no new appointments to the office appear to have been made until 1249, but his precise term of office is unknown. The Lindsays were amongst the most learned men of their age, and appear to have been singularly endowed with qualifications fitting them for offices under the Crown.

On 30th June 1231, with the Bishops of St. Andrews, Glasgow, and Moray, Sir William Lindsay signed a confirmation of a King's charter to the Hospital and Brethren of St. John of Jerusalem.

It is recorded<sup>1</sup> that King Alexander II. in 1222 paid £300 for the guardianship, ward, and marriage of Sir John Lindsay's heirs, viz., David, William, Gerald, Walter, and Alice. The English property, which devolved on the eldest son, David, extended over Essex,

<sup>1</sup> *Lives of the Lindsays.*

Hertford, Oxford, Warwick, Leicester, Norfolk, and Suffolk. "Dominus David Lindsay" figures as Justiciary of Lothian in 1238; and the influence which, it may be supposed, the pious character of Earl David exerted over the King was evinced by successive grants to Newbattle of territory in Crawford, of Glengonar and Glencaple in 1239, and of a salt work in the Carse of Stirling, given to Sir Gerald's father, William Lindsay, by King William—the first and third of these donations being respectively for the souls of his brothers, Walter and William (probably identical with William who was Chancellor of Scotland in 1233); and lastly, by the Earl's foundation, in association with Sir William, of the Monastery of Elcho, near Perth, for Cistercian nuns, on a piece of ground which King Alexander had given for that purpose.

In 1236 William Lindsay, Henry Baliol, and Mostyn Abel came to King Henry (Henry III.) and prayed that he would re-

store the Earldom of Huntingdon to the King of Scotland as having ward of the heirs of John, the son of David, Earl of Huntingdon, deceased. (Palgrave).

During Lindsay's Chancellorship there took place the murder of the Earl of Atholl at Haddington by the Bissets. At a tournament near Haddington, Patrick, Earl of Atholl, unhorsed a Norman baron named Walter Bisset. The following night the house in which Atholl slept was burned to the ground, himself and two of his followers perishing in the flames. Bisset, the supposed author of the deed, was thereafter banished from the kingdom and his estates forfeited.

Sir Walter Scott's narrative is slightly different from this. He says in the year 1242 David Hastings, Earl of Atholl, was, among other Scottish nobles, engaged in a tournament where he overthrew or unhorsed William Bisset, a favourite of the King, whose interest was great and his family powerful and numerous. A fatal animosity arose, in

consequence of which the Earl of Atholl was assassinated at Haddington, and the house in which he lodged was burnt. Suspicion fell on Bisset, and the nobility rose in arms and demanded his life. Bisset stood on his defence. He declared he was fifty miles distant from Haddington on the night when the crime was perpetrated. He offered to vindicate his innocence by single combat against every accuser, and to prove by the oaths of veteran soldiers that he was incapable of such an act of treachery. The Queen took Bisset's part; but the nobles rejected his defence, and he was obliged to fly from Scotland. (Sir Walter, however, is slightly incorrect. It was Patrick, the sixth Celtic Earl, who was burned; Sir David Hastings was the seventh Earl.)

William Lindsay, Chancellor of Scotland in 1233, is further presumed to be identical with William Lindsay, Dean of Glasgow in 1246.

## ROBERT OF DUNFERMLINE.

1249-1250.

The next recorded appointment to the Chancellorship is the election of Robert, Abbot of Dunfermline, to that office in 1249, on the accession of Alexander III. He only remained Chancellor a year, as, on account of an act of treason of which he was guilty, public feeling was aroused against him. He was then deprived of his offices, and displaced from Dunfermline Abbey. He retired to Newbattle, of which some time after he was made Abbot, and died there in 1272.

In 1249, on the death of Alexander II., Walter Comyn, Earl of Menteith, and the clergy, with Malcolm, Earl of Fife, Malise, Earl of Strathearn, and other nobles, led Alexander III. up to the cross which stands in the graveyard at the east end of the



Church of Scone. There they set him on the throne, which was decked with silken cloths inwoven with gold, and the Bishop of St. Andrews consecrated him King. So the King sat down on the throne—the Stone of Destiny—while the Earls and other nobles on their bended knees spread their garments under his feet (Fordun). This ceremony was the leading event that occurred during Robert's brief term of office.

In 1250, having made a motion in Council to legitimise under the Great Seal the King's natural daughter, the wife of Alan the Justiciar, thereby to qualify his and her heirs to succeed to the Crown failing issue of the King, the Abbot was dismissed from the Church.

## GAMELINE.

1250-1253.

On the removal of Robert, Abbot of Dunfermline, in 1250, Gameline, Archdeacon of

St. Andrews, was appointed Chancellor. He held office till 1253, when he resigned, on his election to the bishopric of St. Andrews. He was appointed a chaplain to Pope Innocent IV., and was consecrated in 1255 on a warrant from the Pope to Bishop Bondington of Glasgow.

During the minority of Alexander III. a regency was appointed. Henry III. of England assumed to himself the title of principal counsellor to the King of Scotland. The Comyns and Bishop Gameline, the Earls of Mar, Buchan, and Ross, and their chief accomplices, were removed from all share in the government of the kingdom. Gameline, however, then Bishop-Elect of St. Andrews, and a steady enemy of English influence, managed to secure his consecration by William, Bishop of Glasgow, as already stated. He made an appeal to Rome, and induced the Pope to excommunicate his accusers and declare him worthy of his bishopric.

His election to St. Andrews was confirmed,

A.D. 1255, by Pope Alexander IV. in the following terms:—

“Alexander, Bishop, etc., to our beloved son Gameline, elect of St. Andrews, greeting. Rightly is the welfare of churches forseen and their safety guaranteed when the care of them is committed to discreet and prudent men and suitable pastors provided to take charge of such as are desolate; and the Bishop of Rome, to whom by Apostolic office it belongs carefully to consider the interests of all the churches, attends most of all to this thing with regard to them, watching with most profound care that they may be ruled by good and worthy rectors, directed in their flocks by clear sighted shepherds, shine in spiritual things by holy and erudite ministers, and by prudent managers profit by the increase of their temporal goods. For, just as a ship which is guided by a skilful pilot will make a successful voyage, just as a house which is ruled over by a careful father will increase in prosperity, just as a vineyard which is cared

for by a diligent husbandman will abound in choicest clusters, and the field will be fruitful in corn which a good farmer cultivates, so also does the Apostolic See prudently and benignly provide in the case of the churches. And if it should happen that any, assisted by their own merits, are called to places of eminence in the Church who may perchance through some fault or mark not be worthy to be promoted, the Apostolic See tempering therein the rigour of canonical censure with the lenity of mercy, and soothing with the kindness of piety the hardness of the law, for future wellbeing opportunely grants its dispensation, adapting the unable and unfit, restoring mercifully to honour, lovingly opening the door to honours which the statutes of the Church had austerey closed, and graciously admitting to the office of presidency those who were with shame repelled by those dire statutes. Now Abel, Bishop of St. Andrews, of good memory, having gone the way of all flesh, our beloved sons . . .

the prior and chapter, all those of the Church having interest being called and being present, and the day for the election being appointed, did with one consent remit the providing by election or postulation of a pastor to the said church to nine of their own number, promising to receive him whom all or the greater part of these should decide to elect or even to postulate ; who, having taken into consideration the condition and necessity of the said church, canonically and cordially made choice of you, then our chaplain and Chancellor of our very dear son in Christ, Alexander, illustrious King of Scots, to be bishop of the said church. And the prior and chapter, accepting what had been done by their appointment, sent to our presence our beloved son Robert de Prebenda, Dean of Dunblane, Symon de Kynros, Clerk, and friars Helyam and Alan, canons of the said church, to entreat us humbly to give effect to this postulation, graciously dispensing with the defects of birth, being illegitimate, as they confidently believed

that under your care the foresaid church would prosper greatly. We therefore with much diligence were considering this process, when friar Laurence, a canon of the foresaid church, proposed before us certain objections against the said postulation and also against the person of the postulate himself; but these, after hearing, being altogether and justly repelled, and because it appeared to us that the postulation was canonically and cordially gone about, and we heard from very many good and trustworthy persons laudable commendations of you; and besides this considering that the goodness of your life makes up for the foresaid defect, that by your virtues you redeem the fault of your birth, and that the lustre of your life, the goodness of your morals, and your excellency in learning are more in your favour than the stain of your birth makes against you, and that promotion will worthily bring out your merits and counteract the blemish of your birth, we graciously, by advice of our brethren, confirm the said postulation,

and by our Apostolic authority mercifully dispense with the aforesaid defect, and with special grace appoint you pastor and bishop of the said church. To your discretion therefore we enjoin by Apostolic letters that, reverently and devoutly undertaking the burden imposed on you by the Lord, without further loss of time you betake yourself to the said church, and so prudently and carefully carry yourself therein that, by your efforts and zeal, with the divine aid, it may abundantly prosper both in spiritual and temporal affairs. Dated at Anagnia 1st July in the 2nd year of our pontificate.”

“Alexander, Bishop, etc., to a venerable brother . . . Bishop of Glasgow, greeting. Abel, Archbishop of good memory . . . our beloved sons . . . the prior and chapter of that church having called . . . therefore we ordain that whenever you shall be required by him in this matter you take to your assistance other two bishops whomsoever you will and confer upon him the

gift of consecration which he is about to receive."

A protest was confirmed against admission of the Culdees to elect Gameline (20th July 1255).

"Alexander, Bishop, etc. To our beloved sons the prior and chapter of the cathedral church of St. Andrews of the order of St. Augustine, greeting. To your desires in these things we ought to consent with loving affection that you and your church should be preserved from loss. Therefore we by the authority of these presents grant the prayer of your supplications, so that although in the election of David, Bishop of St. Andrews, of good memory, you admitted, under protestation then made with consent of the Culdees themselves, two of the Culdees of the church of St. Mary of Kilrymont in the city of St. Andrews at the instance of Alexander, King of Scots, of famous memory, and as many at the election of our beloved son Gameline, elect of St. Andrews, at the instance of our most



dear son in Christ, Alexander, King of Scots, such action should engender no prejudice to your right or the right of your church herein. Let no one therefore dispute our grant. Dated at Anagnia 20th July in the 2nd year of our pontificate (1255).”

Gameline being elected and confirmed was allowed to retain for two years the benefices which he obtained at the time of his postulation:—

“Alexander, Bishop, etc., to our beloved son Gameline, elect of St. Andrews. Although we have graciously agreed to admit the postulation made and only announced lately of you to the church of St. Andrews, your merits demanding the same, yet because the said church as we understand is heavily burdened with debt and stands so much in need of repair in its buildings and otherwise, we, compassionating with paternal affection this condition of the church, by the authority of these presents reserve to you for the next two years counting from the day of your con-

secration all the ecclesiastical benefices which you obtained in the time of your postulation, for discharging these debts and relieving the other necessities of that church, discerning void and ineffectual any attempt to deprive you thereof during the time foresaid. Let no one therefore dispute our reservation and appointment. Dated at Anagnia 31st July in the 2nd year of our pontificate (1255)."

From these documents, most interesting in themselves considering their vast age, it is evident that Gameline was high in favour with the authorities at Rome.

In December 1257 Pope Alexander IV. commanded Gameline to prohibit Alexander III. from seizing the property of the Church. Gameline was a man of high character, but became disagreeable to the Court, partly because he would not absolve a knight whom he had excommunicated for some offence against the prior and canons. The difference was finally settled by the knight acknowledging his crime and repairing the wrong he

had done. Gameline, it is further recorded,<sup>1</sup> was afterwards banished from Scotland by the King's Councillors because he would not give his consent to their advice, and more especially because of his arrogant attitude to the King in regard to Church property. He went to Rome to plead his cause before the Pope, and in the meanwhile his enemies seized his goods. The Pope gave sentence in his favour, excommunicated his enemies, and ordered the sentence to be proclaimed in Scotland. This incident was the cause of a characteristic proclamation by the English King. Henry III. ordered the Bailies of his Cinque Ports to arrest Gameline, Bishop of St. Andrews, should he enter his dominions:—

“Whereas Master Gameline, Bishop of St. Andrews, has obtained, not without great scandal, certain requests at the Court of Rome, to the prejudice of our beloved and faithful son Alexander, King of Scotland, who is married to our daughter, on which account

<sup>1</sup> *Chronicle of Melrose.*

we are unwilling to allow him to enter our dominions, therefore we send you, our attendant, William Daiset, to watch the approach of the said Bishop and his followers coming near us from foreign parts or from Scotland, commanding that you cause him and them to be arrested, as the said William shall treat in our name till you receive orders to the contrary. Given at Windsor 22nd January 1258.”<sup>1</sup>

In the minority of Alexander III. great disorders prevailed in the kingdom, including rebellious factions to overthrow the constituted authority. An Agreement was made at Kelso between England and Scotland which was to last for seven years, but the great family of the Comyns were outside of it, and plotted for the overthrow of the new Councillors. Comyn, Earl of Menteith, and Gameline, Bishop-Elect of St. Andrews, were, it is said, specially dangerous enemies. These two men refused to sign the Kelso Agreement, and

<sup>1</sup> Rymer's *Fœdera*, vol. i.



COLIN CAMPBELL,  
Sixth Earl of Argyll



the new Councillors therefore did their best to prevent Gameline getting the See of St. Andrews. Gameline, however, as already noted, came off victorious. In 1257, in Cambuskenneth Abbey, the Counsellors of the King were excommunicated by the Bishop of Dunblane and the Abbots of Jedburgh and Melrose. Menteith lost no time in profiting by this advantage. On the plea that excommunicated persons could not be fit advisers of a King, a party of Comyn's supporters made their way through the King's guards at Kinross, seized him in his sleep, and carried him to Stirling Castle. The collapse of the Regency was now complete. The Comyns acted with prudence and decision, and collected their forces at Jedburgh, so as to be able to face any emergency. In March 1259 they concluded a treaty with Llewellyn, Prince of Wales, an enemy of England, in which they bound themselves to mutual defence and exchanged certain privileges of trade.

The Pope by his judgment in favour of

Gameline espoused the cause of the Comyns, and they soon received powerful support from Marie de Couci, the widow of Alexander II., and John of Acre, her second husband, who at the time passed through England to Scotland.

In 1263 Gameline baptised the only son of Alexander III. In his time, too, the Carmelite Friars came into Scotland. Gameline received a Papal Bull from Alexander IV. authorising him to fill up vacancies in parish churches in all cases within four months after the vacancy occurred.<sup>1</sup>

Gameline died of palsy at the bishops' Palace of Inchmartine in 1271, immediately after his return from the dedication of a church at Peebles, and during the Chancellorship of William Wishart. In the year of his death there were no less than five bishoprics vacant, the revenues of which Alexander III. applied to his own use till the vacancies were filled up.

<sup>1</sup> *Scotichronicon.*



## RICHARD, BISHOP OF DUNKELD.

1256-1257.

Alexander III. had succeeded to the Crown in 1249 when a youth of eight years of age; six years afterwards he was married to the Princess Margaret, daughter of Henry III. of England. The subjugation of Scotland to the authority of England after the death of the Maid of Norway occupied the attention of the English King.

The next Chancellor in succession to Game-line was Richard, Bishop of Dunkeld (surnamed Inverkeithing). He was at the time Chamberlain of Scotland and Chaplain to the King, and in 1249 was elected Bishop of Dunkeld. The Chancellorship had evidently been vacant for three years before Richard's appointment in 1256. During his first year of office the rebellion broke out which was championed by Walter Comyn, Earl of Menteith. It was soon suppressed, but the Chan-

cellor, because of it, resigned his office. This decision of the Chancellor was very generally condemned.

Bishop Richard took part in the Council of Regency formed, as already noted, by the convention presided over by Henry III. at Kelso. He was a great benefactor to the church at Dunkeld, and to the Abbacy of Inchcolm, the great choir of which he built at his own expense. He was a man of unqualified integrity, and remarkable for his fidelity and loyalty to his sovereign.

The Bishop was removed by death in 1272. His body was buried in Dunkeld, but his heart at Inchcolm in the choir of the church he had built.

## CHAPTER V.

William Wishart, Chancellor—Succeeds Gameline at St. Andrews—Consecrated at Scone—Arranges visit of King and Queen to English Court—Attends General Council at Lyons 1274: Union of Greek and Roman Churches—Resigns Chancellorship—Ambassador to France—Founds Dominican Monastery at St. Andrews—Consecrates Church at Dunnottar—Robert Wishart his Nephew or Cousin—William Fraser, Chancellor—Signs Maid of Norway's Marriage Contract—Elected Bishop of St. Andrews—Is one of Six Guardians of the Kingdom—Supports John Baliol—Text of Letter to Edward I—Norham Conference—Resigns Chancellorship—Fraser and the Churches—Baliol's Ambassador to France—Death and Interment in Paris—Alan of Caithness, Chancellor—Alan of Dumfries, Chancellor—Baliol's Administration—Effects of Edward's Rule—Battle of Dunbar—King Edward and Baliol at Stracathro—Nicholas de Balmyle, Chancellor—Supports Robert Bruce—Witnesses Bruce's Charter to Walter the High Steward—Bernard of Arbroath, Chancellor—His Letter to the Pope—Death of Bernard—Treaty of Northampton—Walter Twynham, Chancellor—Adam of Brechin, Chancellor—Battle of Dupplin—Battle of Halidon Hill—Siege of Dunbar Castle—Resignation of the Chancellor—William Bullock, Chancellor—William de Bosco, Chancellor.

## WILLIAM WISHART

1257-1274

THE duties and responsibilities of the Chancellor were evidently not congenial to Richard, Bishop of Dunkeld, as he threw up the office on the first outbreak of trouble. He was succeeded by a very capable man, whose career we much regret is not more fully recorded. This was William Wishart, the accomplished Bishop of St. Andrews, of the family of Pitarro, in the Mearns (Kincardineshire). On the resignation of Richard, probably in 1257, Wishart was appointed Chancellor. In 1270 he was elected Bishop of Glasgow, but before his consecration he was postulated (invited) to the See of St. Andrews on the death of Gameline. By reason of a schism in the Papacy he was not consecrated till 1273, when the ceremony took place at Scone in presence of the King and the nobility.

During the reign of Alexander III. the Earl of Buchan, Wishart the Chancellor, and Durward the Justiciar, were in turn despatched on a secret mission to England to negotiate a friendly visit of the young King and Queen of Scots. The result of the negotiation was an arrangement that the King and Queen were to visit the English Court on two conditions, viz., that during their stay at Court neither the King nor any of his retinue were to be required to discuss political or State affairs; and, secondly, that in the event of the Queen's accouchement neither she nor the infant were to be detained in England. Chancellor Wishart has the credit of having carried out this negotiation to a successful issue.

Chancellor Wishart went to a General Council in 1274 held at Lyons by Pope Gregory X., and attended by two patriarchs, fifteen cardinals, 500 bishops, and 1000 of other mitred dignitaries. There were also present the Emperor of Germany, the King of France, and many inferior princes. The

main object of this Council was to promote the union of the Greek and Roman Churches, a subject much debated at that period.

It would appear that in 1274 Wishart resigned the Chancellorship shortly after his consecration, not being willing to administer both offices.

In estimating Wishart's character Fordun says it seems strange to many that a man of such high education, who was Elect of Glasgow, Archdeacon of St. Andrews, Chancellor of Scotland, and Prebendary of twenty-two churches, should be so ambitious that all this did not suffice him, but that, swayed more by hypocrisy than religion, he should aspire to the bishopric of St. Andrews also. Martine, on the other hand, says that Wishart was in such esteem for his virtues, piety, learning, and eloquence, that nothing was done in the Church and Commonwealth without him.

He was Ambassador to France along with the Bishop of Dunkeld for renewing the

Treaty of Peace, and to negotiate a marriage between the French King's daughter and Alexander III., then a widower. It was in his time Bagemont, the Pope's legate, came into Scotland and made a list of all the benefices. This valuation still exists, and is known as Bagemont's Roll. The nuncio afterwards held a council at Perth to fix the value of all the benefices, and carried with him to Rome a tenth of their yearly value. At that period the tenth of the revenue of the bishopric of St. Andrews was £945 Scots yearly.

Wishart founded and endowed the Monastery of the Dominican Friars, in South Street, St. Andrews, the north transept of which chapel is still preserved, and stands in front of Dr Bell's foundation, the Madras College. Wyntoun states that Wishart was Bishop seven and a half years, and during that period built at his own cost the body or nave of the Cathedral, commencing at the third pillar from the door of the chancel, and then proceeding to

the north and south transepts, and to the west gable of the nave, part of which still remains. He also rebuilt in a stately manner the east end of the Cathedral, which had been blown down.

Wishart consecrated the Church of Dunnottar in 1276, and also the chapel of Cullen the same year. He did not live long after his return from Lyons, for, having been employed as a commissioner to the Borders to treat with the English, he died at Morebattle in 1279, leaving behind him the reputation of having been a truly good and virtuous man. He was interred near the high altar of St. Andrews Cathedral.

It is a curious fact, and one apt to confuse the reader, that there was another Wishart, Archdeacon of St. Andrews and Bishop of Glasgow in 1273. This was Robert Wishart, nephew or cousin to William Wishart, who had rather an unfortunate career. He was one of the Lords of the Regency on the death of Alexander in 1286, and discharged the duties of that office with integrity and capability. In 1294 he was a witness to a charter by the



High Steward of Scotland in the reign of John Baliol. He swore fealty to Edward I. in 1296. Soon after the battle of Methven and the defeat of Bruce in 1306, Wishart, Bishop of Glasgow, escaped to the castle of Cupar-Fife. He was afterwards arrested and imprisoned by Edward, and the King wrote requesting the Pope to deprive him of his bishopric. He was sent prisoner in chains to the castle of Nottingham; Lamberton, Bishop of St. Andrews, and the Abbot of Scone, were also sent in chains to England. These men, it is said, were saved from execution simply through their sacred functions. After Bannockburn they were released. The Earl of Hertford was exchanged for five prisoners in English hands—the wife of Robert Bruce; Christian, his sister; Marjory, his only daughter; Wishart, Bishop of Glasgow, who had become blind during his imprisonment; and the young Earl of Mar. These illustrious prisoners were exchanged on the Borders, and were received from England by Walter, the

High Steward of Scotland. Robert Wishart died in 1316.

## WILLIAM FRASER

1274-1291

William Fraser, Dean of Glasgow, was the second son of Bernard Fraser of Oliver Castle, Tweeddale, of the Lovat family. His elder brother was Sir Simon Fraser, who succeeded to the estates and carried on the succession. He was one of the nobles who entered into a solemn engagement to stand by the Maid of Norway as their lawful Queen, if Alexander III. should die without male issue. He also signed the marriage contract between the Maid of Norway and Prince Edward of England, and he took an active part in the competition between Bruce and Baliol. He was a man of eminent qualifications, and was by King Alexander III. appointed Chancellor of Scotland on the resignation of Wishart. He was thereafter (1279) elected Bishop of St. Andrews, vacant by Wishart's death, and consecrated by

Nicholas III. in 1280 at Rome. When he came to St. Andrews he purchased the priory of the Isle of May from the Abbey of Reading, and annexed it to his bishopric.

He was Ambassador to England in 1286, and to France, for the purpose of negotiating a marriage between Prince Edmund, the son of Alexander III., and a French Princess.

At a Parliament held at Scone on 11th April 1286 a regency of six guardians, of which Fraser was one, was appointed, during the minority of the Maid of Norway. The administration of the northern division beyond the Forth was entrusted to Fraser, Wishart, and one other. Shortly before the death of the Maid of Norway, Fraser took the side of John Baliol, and in a letter to Edward I. of England wrote: "Should John Baliol present himself before you, my counsel is that you confer with him so that at all events your honour and interest may be preserved. Should the Queen (Maid of Norway) be dead, which heaven forbid, I entreat that your Highness

may approach our borders to give consolation to the people of Scotland to prevent the effusion of blood, and enable the faithful men of the realm to preserve their oath inviolable by choosing him for their King who by right ought to be so.”<sup>1</sup> This letter was a powerful incentive to Edward to interfere in the affairs of Scotland, and one of the effects of it was the famous Norham Conference, which met by Edward’s authority on 3rd June 1291. When Edward claimed the title of Lord Paramount of Scotland Fraser supported him. On the 11th June Fraser resigned the Chancellorship, and thereafter he and the other guardians delivered the kingdom of Scotland into Edward’s hands, while the captains and governors of its castles, finding that the guardians of the realm and the most powerful of its nobility had abandoned it to its fate, gave up the fortresses to English disposal. Edward immediately re-delivered the kingdom to the guardians, and instructed them to

<sup>1</sup> Rymer, *Fœdera*.

appoint Alan, Bishop of Caithness, an Englishman and one of his dependents, to the important office of Chancellor.

After these transactions Fraser appears to have written another letter to Edward, advising him of the rumour of the infant Queen's death. He then relates to the English King a significant incident, viz., that Bruce had not intended to be present at the Norham Conference, but, on hearing of the death, came, accompanied by a large escort. Fraser then points out that he is ignorant of Bruce's intentions. He begs Edward to approach the Border, so that he may give assurance to the people of the country, obviate bloodshed, and help the faithful to raise to the throne the man who has the proper title. On Baliol's accession Fraser resigned office as guardian.

Fraser confirmed to the Prior and Canons of St. Andrews the vicarage churches of Forgan in Gowrie and Forgan in Fife, on condition of their supplying them with fit

vicars (1292). Bishop Lamberton quotes a confirmation by Fraser of the grant of the Church of Leuchars to the Priory (1294), in which occur the following words: "Seeing the Canons are afflicted in their times by various disasters, and get no relief from their insupportable burdens, and especially, by the recent ruin of their affairs, they are compelled to support themselves out of the bounty which the King and the nobles granted for the support of their clerk, whereby they have contracted debt, and now are fallen into the hands of the men of London" [during the invasion of Edward I.]. On this account Bishop Fraser had appropriated to their use the church and pertinents of Leuchars, and allowed them to appoint to it one of their own body, who should employ two chaplains to perform its duties. In 1296 Fraser pronounced sentence of deprivation against twenty-six English clergy beneficed in his diocese, conform to the statutes of the Church. John Baliol sent Fraser, with three other ambas-

sadors, to France, either to negotiate a marriage for his son, Edward Baliol (1295), or, more probably, to negotiate an alliance, offensive and defensive.

The troubles of the period induced Fraser to retire permanently to France, where he spent the remainder of his days. He did not want to be an eye-witness of the calamities of his country, caused by the rival claims to the Crown. He was, it is said, advised daily of what was going on in Scotland, but the troubles there affected him so deeply that it is believed they hastened his death, which occurred in 1297. His body was interred in the Church of the Predicant Friars or Dominicans at Paris, and his heart, which was enclosed in a rich shrine, was brought over to Scotland by his successor, Bishop Lamberton, and entombed in the wall of the Cathedral Church of St. Andrews.

That Fraser was a man of great worth, capability, and influence is undoubted, and, as Spottiswoode says, he would have per-

formed many good works had he fallen on peaceable times. A well-informed writer (Gordon) says no man of that period has been more unjustly treated by historians.

Whether, as Hailes says, Fraser was a creature of Edward and a traitor to his country must, for want of authentic information, remain a debatable question. He was a supporter of Baliol, but cannot be condemned for that.

NOTE.—In 1285 Alexander III., being at St. Andrews, conferred on Bishop Fraser and his successors authority to strike coin money, as had been done formerly in the reign of his predecessor. In the reign of John Baliol there was a small silver coin struck at St. Andrews, having on the obverse side a crowned head with a cross before it, and the words “*Johanna dei gratia*”; and on the reverse a cross bar containing four or five razed stars, with the inscription “*Civitas S. Andre*” (Lyon’s *History of St. Andrews*, vol. i.).

## ALAN OF CAITHNESS.

1291-1292.

The nominee of Edward, Alan of Caithness, was in due course appointed Chancellor of the



kingdom. His surname was St. Edmunds, and he had been appointed Bishop of Caithness in 1290. Alan was one of the Scots bishops who concurred with the Lords of the Regency in the proposal of marriage between Prince Edward and the Maid of Norway, and this secured him the friendship of the English King. Alan, Bishop Wishart, and Sir John Comyn were appointed to negotiate the marriage, and an agreement was concluded, but fell through on the death of the infant Queen. In 1291 the Lords of the Regency appointed Alan as Chancellor, and the choice was confirmed by Edward. It would appear that Edward had not entire confidence in the new Chancellor, as he associated with him a clerk of his own, named Walter Agmundsham.

In 1297 a new Seal, in place of the ancient Great Seal of Scotland surrendered by Baliol and broken into pieces at Brechin, was placed in the hands of Walter de Agmundsham, the Joint Chancellor (Tytler). Edward directed

a warrant to Sir Alexander Baliol, Chamberlain of Scotland, to pay the Chancellor twenty marks, and his colleague, Agmundsham, ten.

At Finchale Priory, near Durham, Alan, on 1st October 1288, granted forty days' Indulgence to all who contributed to the lamp before the Lady Altar there, or who went there out of devotion to pray.<sup>1</sup>

Alan, who had only a short term of office, remained Chancellor till his death in 1292.

## ALAN OF DUMFRIES.

1292-1300.

Alan was succeeded in the Chancellorship by Alan, Bishop of Dumfries, who also was appointed to the office by King Edward, but of whom we know practically nothing. Alan of Dumfries was succeeded by Nicholas, who, on his appointment as Bishop of Dunblane in 1301, was also elected Chancellor of the kingdom on the recommendation of Edward.

<sup>1</sup> *Durham Register.*

This Chancellor died in 1319. There is a donation in 1307 by Nicholas, dictus Moyses de Bondington cotagii cum orto quod Tyock Uxor Andree quondam tenerit de me in villa de Bondington.<sup>1</sup>

The English King was thus responsible for three Chancellors—Alan of Caithness, who died in 1292; Alan of Dumfries, and Nicholas of Dunblane, who held office in succession from 1292 to 1306, when Robert Bruce became King.

John Baliol, King of Scotland, was a ruler in advance of his time, and his character has been greatly misrepresented. He was a man of sterling integrity, resolved to rule his kingdom on an enlightened policy, which reminds us of the administration of one of his distinguished successors, James I. But Edward I. of England, to whom he had sworn allegiance, exercised over him a control that soon became tyrannical and intolerable. Baliol's judgments in the administration

<sup>1</sup> *Chartulary of Kelso.*

of his kingdom were sometimes reversed, and the King held personally responsible by Edward, and sometimes even punished.

In 1293 Baliol imprisoned MacDuff, Earl of Fife, for violating or breaking the laws of the kingdom, and deprived him of his estates. MacDuff appealed to Edward, who revoked the sentence, recalled Baliol's judgment, and summoned Baliol to appear before him in person to give an explanation. Baliol declined the summons, and a second time was summoned by Edward, and ordered to pay damages to MacDuff for imprisonment, and to remit the whole case for Edward's judgment. Under these circumstances Baliol proceeded to make the treaty, offensive and defensive, with France against England, which was duly concluded (1295).

Baliol, as a pledge of his honest intentions, delivered up the castles of Berwick, Roxburgh, and Jedburgh to the Bishop of Carlisle. This was followed in 1296 by the Scots invading England. Edward, on receipt

of this intelligence, despatched an army to Scotland, and laid siege to Berwick, which was in due course taken, and its unfortunate inhabitants put to the sword. Baliol held a conference at Scone, when it was resolved that all Englishmen be expelled from Court and their estates in Scotland confiscated. A battle at Dunbar thereafter took place, when Baliol's troops were defeated by the English. Thereupon Baliol sent his submission to Edward and requested a reconciliation. Edward proposed to go to him in person and settle matters. The place of meeting was evidently the Churchyard of Stracathro, near Brechin, where, in July 1296, the two Kings held their interview. Baliol appeared with a white rod in his hand, and stripped of all kingly ornaments. Surrendering his baton and staff of office, he formally renounced all claim to the kingdom of Scotland.

## NICHOLAS DE BALMYLE.

1301-1306.

Nicholas, Bishop of Dunblane, was brought up as a clerk in the Monastery of Arbroath. He was, as already stated, appointed Chancellor of the kingdom in 1301. In 1297 William Lamberton had been elected Archbishop of St. Andrews by the Canons Regular. The Culdees claimed the right of electing to this See, and, as they now opposed the appointment of Lamberton, both parties appealed to Pope Boniface VIII. at Rome, who gave decision in favour of Lamberton and the Canons. While the bishopric was vacant its jurisdiction remained entirely in the hands of the Chapter, and this body appointed Nicholas de Balmyle, one of its officers, to execute all its functions, a duty which was discharged by him with vigour throughout the diocese. Balmyle is said to have been removed from the Chancellorship in 1306, and about that time he was appointed Bishop

of Dunblane. In 1309 we find his name, with many other prelates, affixed to a document declaring Robert Bruce to be rightful King of Scotland. In 1312 he witnessed a charter by King Robert Bruce to Walter, High Steward of Scotland, of the lands and Barony of Bathgate.

His successor in the Chancellorship was Bernard, Bishop of Arbroath, for seventeen years the faithful counsellor of Robert Bruce. In the seventh year of Bruce's reign the names of both the late and present Chancellor are found attached to one of the deeds of the *Chartulary of Scone*, and this seems to be the last document in which Nicholas name occurs before his death in 1319. His successor in the bishopric of Dunblane was Maurice.

#### B E R N A R D.

1306-1327.

The next appointment of a Chancellor was by King Robert Bruce on his accession to

the Crown, when Bernard Linton, Abbot of Arbroath, was chosen, on account of his great abilities, his loyalty and learning, to succeed Nicholas of Dunblane. During his term of office he had a considerable share in the direction of affairs both in Church and State. Bernard was mainly responsible for an important despatch to the Pope, written and sealed by most of the nobility and barons of Scotland, in which they informed his Holiness of the origin of the nation, their early conversion to Christianity, the constitution of their Government, the great respect they had for the Roman See, and their sentiments regarding King Robert their great deliverer, who had so signally redeemed them from tyranny and the yoke of a foreign power. Bernard administered the office of Chancellor till 1327, when he resigned.

He signed the charter, as Chancellor, by King Robert Bruce to Walter, the High Steward of Scotland, granting him the Barony of Bathgate, in 1312; he also



signed the Charter of Cromarty to Hugh of Ross by the King in 1315; the King's Charter, in 1318, to James de Douglas, of the lands of Polbutthy; a royal Charter in 1323; the confirmation of a charter made by Edward Bruce, King of Ireland; and the King's Charter, in 1325, of the forest of Drum to William of Irvine.

It was in Bernard's time—1326—that the famous meeting of the Scottish Parliament took place at Cambuskenneth, when Bruce demanded the imposition of a tax to pay his expenses in carrying on the war. In the same year Bernard was summoned by the Abbot of Dunfermline to be present at the next general meeting of the Benedictine Order for the province of Scotland.

In 1328 William Lamberton granted him a seven years' pension, secured on the Church of Abernethy, in recompense for his seventeen years' Abbacy and his labour and expenses and repairing of the monastery. The Chamberlain, Robert Peebles, by the King's order,

paid £100 towards the expense of Bernard's election. In the same year he was Bishop of the Isles, and he was witness to a charter by Robert Bruce to the City of Glasgow in 1329.

Bernard died in 1333, some years after he had resigned the Chancellorship. It is recorded that he wrote a poem in Latin celebrating the victory of Bannockburn.<sup>1</sup>

During Bernard's term of office an event of great national importance took place,—the Treaty of Northampton, executed in April 1328. By it the Scots gained every point for which they had striven since the death of Edward I. They were recognised as an independent people, and their King as an independent sovereign; while Joan, the daughter of Edward II., was to marry the son and heir of Robert Bruce.

<sup>1</sup> *Dictionary of National Biography.*

WALTER TWYNHAM.

1328-1329.

On the accession of David II. to the Crown Walter Twynham was appointed Chancellor, after the election of Bernard to the See of Man. A Bull is recorded to have been sent to Scotland by Pope John XXII. in the fourteenth year of his Pontificate directed to John, Earl of Moray, James, Archdeacon of St. Andrews, and Walter Twynham, Chancellor of Scotland, relative to the ceremonial of the coronation of the young King.

At the breaking out of civil war, Twynham, the Chancellor, resigned office, went abroad, and there died.

ADAM, BISHOP OF BRECHIN.

1330-1338.

This Chancellor was appointed in the second year of David II. (1330), the office having

been vacant since the resignation of Walter Twynham.

On 6th February 1330 the King gave a charter of confirmation of the Lordship of Wreys to William of Irvine, and this bears the counter signature of Adam, Bishop of Brechin, "our Chancellor"; a facsimile is reproduced in the *National MSS. of Scotland*. We have no authentic record as to how long this Chancellor held office; most probably it was till the appointment of Bullock in 1338.

During the term of office of this Chancellor some important events took place, such as the battle of Dupplin, when Edward Baliol rose to pre-eminence, and was crowned king at Scone. In 1334 he formally recognised Edward III. of England as his liege lord. In the previous year took place the battle of Halidon Hill, which proved so disastrous to the Scots that the young King David and his Queen were sent to France for safety. In 1338 there was the memorable siege of Dunbar Castle, which lasted nineteen weeks, during which the castle

was defended by the Countess of March, sometimes called Black Agnes from her dark complexion. In the midst of these troubles the Chancellor resigned office.

## WILLIAM BULLOCK.

1338-1341.

On the resignation of Adam, the Chancellor, William Bullock, cleric, was in 1338 appointed to the office under Edward Baliol, but we have very little recorded regarding him. He held office for fully three years. While holding Cupar Castle he betrayed his master, and joined King David's army before Perth. On his resignation of the Chancellorship he was appointed Lord Chamberlain of Scotland.<sup>1</sup> Finally, it is recorded that he was starved to death in the ancient island castle of Lochendorb (Morayshire), but very brief details of this extraordinary incident are recorded.

<sup>1</sup> See the Author's *Lord Chamberlains*.

## WILLIAM DE BOSCO.

1342.

William de Bosco, Chancellor, whose official appointment is not given, signed on 25th February 1342 (thirteenth year of King David's reign) the King's confirmation charter to the Abbey of Arbroath.<sup>1</sup> The original charter was dated 17th June; the confirmation was signed at Selkirk 25th February 1342, or 1341 old style. It does not appear that this Chancellor held office for more than one year, when he resigned after King David's return from France in 1342.

<sup>1</sup> *National MSS.*



GEORGE HAY  
1st Earl of Kintyre





## CHAPTER VI.

Sir Thomas Charteris, Chancellor—Slain at Neville's Cross—William Caldwell, Chancellor—Dundee Parliament : King's Ransom—Surrender of Edward Baliol—Patrick Leuchars, Chancellor—Is a Ransom Commissioner—Resigns Chancellorship—Death of Leuchars—Dr John Carrick, Chancellor—Elected Keeper of Privy Seal—His Death in 1376—John Peebles of Dunkeld, Chancellor—Drew up Deed of Succession, 1373—Plenipotentiary, France and England, to Congress, 1384—His Cathedral Burned—Duncan Petit, Chancellor—Is Archdeacon of Glasgow—Peace Commissioner, England and Scotland—Battle of Otterburn—Perth Clan Fight—Petit, Keeper of the Great Seal—Gilbert Greenlaw, Bishop of Aberdeen, Chancellor—St. Andrew's Cross—Starvation of the Duke of Rothesay—Battle of Harlaw—William Lauder, Chancellor—Archdeacon of Lothian and Bishop of Glasgow—John Cameron, Chancellor—Provost of Lincluden and Keeper of the Great Seal—Summoned to Rome by the Pope—Built Tower of Glasgow Episcopal Palace—At Council of Basle—Is Ambassador to England—His Resignation and Death—Sir William Crichton, Chancellor—Commissioner to Denmark, and made Privy Councillor—Appointed Chancellor 1438, and Governor of Edinburgh Castle—Earl of Douglas and Crichton—Crichton Seizes and Carries off the Young King—St. Giles' Conference—The Douglas Tragedy in Edinburgh Castle—Crichton Compelled to Resign, and Declared a Traitor—Founds Collegiate Church of Crichton—Fall of the Livingstones—M'Clellan's Assassination at Threave—The King Assassinate Douglas.

## SIR THOMAS CHARTERIS.

1342-1346.

ON the return of David II. from France in 1342 Sir Thomas Charteris was by the Scottish Parliament elected Chancellor of the kingdom, and had the honour of knighthood conferred upon him. Sir Thomas appears in the first public act of the King, by which he created Sir Malcolm Fleming, Earl of Wigtown, as a reward for his great services and loyalty. Some time after this the Chancellor was joined in a commission with the Earl of March, the Bishop of Brechin, and Sir William Douglas to treat with England for a truce between the two nations. After this he held the Chancellorship till his death at the battle of Neville's Cross in 1346. From this Chancellor the family of Charteris of Kinfauns are said to be descended.

## WILLIAM CALDWELL.

1349-1354.

The death of Sir Thomas Charteris in 1346 was followed by the appointment of William Caldwell of Glasgow to the Chancellorship. He was descended from the Caldwells of Renfrewshire, and probably was connected with the ancient family of Mure of Caldwell. William became a prebendary of Glasgow, and in 1349, three years after Charteris' death, he was elected Chancellor. The office was three years vacant. In the attempt to bring King David home from England, where he had been eleven years a prisoner after the battle of Neville's Cross, no one was so actively engaged as the Chancellor. A Parliament was held at Dundee, over which it is supposed the Chancellor presided, where the Estates discussed the ransom of the King. The Chancellor expressed the opinion that nothing was too dear for the kingdom to

give to secure the release of the King in whom all their happiness and security depended. This, so far as can be ascertained, was the Chancellor's last public appearance, and it is supposed he died shortly after, probably in 1354.

In this year an arrangement was made with England by which the Scottish King, David II., was to regain his liberty, but the arrangement was displeasing to the French, who, to prevent its conclusion, despatched to Scotland a considerable body of soldiers and a large sum of money. The Scots accepted the overture of France, and made war on England, in course of which they took the town of Berwick, but the following year Edward, the English King, advanced north with a powerful army, and Berwick opened its gates. Edward Baliol, the English pretender to the Scottish Crown, thereupon surrendered to Edward the Scottish Crown and all his estates north of the Tweed. This took place at Roxburgh Castle 20th January 1356.

## PATRICK LEUCHARS.

1354-1370.

Chancellor Caldwell was succeeded by Patrick Leuchars, Bishop of Brechin. Leuchars belonged to a family in the county of Fife, where he was born. He was elected Bishop of Brechin and Chancellor of Scotland in 1354. The same year he was appointed one of the Commissioners to treat with England at Newcastle about the King's ransom. In 1354 Leuchars built Brechin Cathedral. In 1357 he was again chosen, by the clergy, to go to Berwick as Commissioner to negotiate King David's ransom. In October of that year a treaty was concluded at Berwick, by which King David II. was released from his captivity for 100,000 marks, to be paid in ten annual payments. Five years thereafter Queen Joan, wife of David II., died. She was a daughter of Edward II. of England.

In 1362 Leuchars went on a secret mission to England to secure peace.

From the various engagements we have just enumerated it is clear the time of the Chancellor was fully occupied in his official duties, and he cannot be blamed for resigning office in 1370, when the conduct of the King and the Queen (Margaret Logie, or Drummond, second wife of David II.) was characterised by great foolishness, and was such as the Privy Council could not but be ashamed of. Eventually the King and Queen were divorced. The Chancellor died in 1373.

### DR JOHN CARRICK.

1370-1376.

John Carrick was descended from Roland of Carrick, and Niel, Earl of Carrick, and in his youth applied himself to the study of botany and divinity. Entering Holy Orders in 1363, he was elected Canon of Glasgow. He was soon after sent to the Court of Eng-

land to negotiate the King's ransom. On his return he was appointed Secretary and Keeper of the Privy Seal, on the promotion of Dr Wardlaw, Archdeacon of Lothian, to the Episcopal See of Glasgow. On the resignation of Chancellor Leuchars in 1370 Dr John Carrick was elected Chancellor.

Carrick was Chancellor up to King David's death, and on the accession of Robert II. in 1371 was reappointed to the office. He discharged its duties faithfully up to his own death in 1376.

That Carrick was Chancellor before the death of David II. is evident from a letter of safe-conduct from the King of England to John Carrick, Chancellor, and twenty other persons. The mother of King Robert Bruce was the Countess of Carrick, and consequently would be an ancestor of John the Chancellor.

## JOHN PEEBLES.

1377-1384.

The next holder of the office was John Peebles, Bishop of Dunkeld. He drew up the famous Act of Parliament in 1373 recognising King Robert's lawful title to the Crown, settling the succession on the Earl of Carrick and the King's other lawful sons. He was a doctor of civil and criminal law and Canon of Glasgow. Peebles was elected Archdeacon of St. Andrews, and in 1377, shortly after the death of Carrick, was appointed Chancellor of Scotland and Bishop of Dunkeld. The latter office he continued to hold until his death. He was employed by Robert II. in several negotiations of importance, in all of which he manifested great discretion and ability. He was one of the plenipotentiaries appointed by Robert II. to the Congress between France and England, by commission under the Great Seal, 6th June 1384. It is



uncertain whether he held the Chancellorship after this date. His cathedral was burned in 1380, but completely restored before his death in 1396.

Sir Adam Forrester of Corstorphine and Sir Alexander Cockburn of Langton were Keepers of the Great Seal<sup>1</sup> during Peebles' term of office, and Sir Alexander held office till the Chancellor's death.

With the year 1384 began what may be considered the second period of King Robert's reign. The fourteen years' truce with England expired at the beginning of February; and it seemed that the Scots had been holding themselves in readiness for the event. Two days after the expiry of the truce the Lord of Galloway and the Earl of March got possession of Lochmaben Castle, and with it the district of Annandale. Other events of the year 1384 make it the most notable of the reign of Robert II.

On 26th January a truce was concluded

<sup>1</sup> *Custodes Magni Sigilli.*

between England and France, in which Scotland was to have the option of sharing. The late doings of the Scots had incensed the English King and his advisers, and they determined to have their revenge before the Scots could have the benefits of the new truce. Accordingly, before the French ambassadors arrived, a strong force was led into Scotland with the object of effecting all the mischief it could.

### DUNCAN PETIT.

1384-1396.

Chancellor Peebles was succeeded in office by Duncan Petit, Archdeacon of Glasgow, a man whose lineage is unknown. In 1384 he was a Commissioner for a treaty of peace between England and Scotland, and the same year was elected Archdeacon of Glasgow and Chancellor of Scotland. He was a witness to the election charter of the regality of Paisley by Robert III. in 1396, and the

same year it is recorded that he resigned office.

During Petit's Chancellorship the famous battle of Otterburn took place twenty miles north of Newcastle, in 1388, when Percy was captured and Douglas slain. The English were defeated, and the Scottish troops returned home in triumph after depositing the body of Douglas in Melrose Abbey.

In 1396 the battle of the Clans Chattan and Kay took place on the North Inch, Perth, in presence of Robert III. and his Court and a numerous body of spectators. Thirty men chosen from each clan were to fight to the death with bow, sword, knife, and axe. The battle was permitted by the Crown authorities, and was a brutal affair.

In 1398 the King's son, Prince David, a youth of sixteen years, was appointed Lieutenant of the North of Scotland. This young man's character is not favourably recorded by some writers.

Petit was Keeper of the Great Seal before

he became Chancellor, and according to the Exchequer Rolls he was paid £80 and £100 Scots for two missives to the French and Roman Courts in 1390 and 1391.

### GILBERT GREENLAW.

1396-1421.

On the resignation of Petit in 1396 the King resolved to appoint Gilbert of Greenlaw, Bishop of Aberdeen, as his new Chancellor. The Bishop was descended from an ancient family in Berwickshire. He was appointed to the bishopric of Aberdeen in 1390.

This Chancellor, on the death of Robert III. in 1406, was reappointed to office, and was sent, on one occasion, by the Duke of Albany, the Regent, to Charles VII. of France to renew the old league between the two countries, and to enter into such new alliances as might be of benefit to both kingdoms. He held office till 1421, when he resigned on his

return from France, finding the kingdom in great disorder. His death took place the same year.

King James I. presented him with a silver cross, in which was contained a piece of the wooden cross on which the Apostle St. Andrew had been crucified [“Crucem argenteam in qua continetur quondam Pars Ligni crucis Beati Andreae apostoli.”] The gift bears the date at Elliot’s Town, 4th May, fourteenth year of the King (1420).<sup>1</sup>

Bishop Gilbert was postulated (or invited) to the See of St. Andrews. Wyntoun says he was both famous and pleasant, and the Prior and Canons sent Dean William Norrie a second time to Avignon to obtain the Pope’s consent to his election, but Benedict XIII. did not confirm the postulation.

The feebleness of the Crown and the consequent lawlessness of the feudal aristocracy of Scotland are the most striking features of this period, and they had reached a height

<sup>1</sup> *Chartulary of Aberdeen.*

which it is difficult for us to realise. The deplorable state of the land and the misery of its inhabitants cried aloud on every side. A Parliament at Perth, in January 1398, asserted that the misgovernment of the kingdom and the maladministration of the laws must be imputed to the King and his officers. The Scottish Parliament declared that the infirmities of the King disqualified him for the government of the kingdom and for repressing trespassers and rebels.

In 1402 occurred the death from starvation of David, Duke of Rothesay, son of Robert III., in Falkland Castle dungeon. It is said, but on insufficient authority, that his starvation cannot be proved. According to Hume Brown, starvation was first suggested by Bower, but other historians as eminent as Bower endorse the statement. The same year the Scots were defeated by the English at Homildon Hill.

Other disorders of the time which brought about the Chancellor's resignation were the

death of Robert, Duke of Albany, the Regent, and the appointment of his incapable son, Mordac, to be his father's successor; and the battle of Harlaw some years previously. In the midst of these disorders the Chancellor saw no course open to him but to resign office, for so long as Albany ruled, so long was the King's captivity continued. On his return James showed no forgiving disposition; his confiscation of various Earldoms created a strong feeling against him.

Sir John Forrester of Corstorphine was Keeper of the Great Seal in the later years of Bishop Greenlaw's term of office.

## WILLIAM LAUDER.

1421-1425.

The next Chancellor was a great personality in his time—William Lauder, Bishop of Glasgow. He was son of Sir Alan Lauder of Hatton, Midlothian, while his mother's name

was Campbell. His first appointment was that of Archdeacon of Lothian. In 1405 he went to England to complete, as has been supposed, a treaty that had been discussed by the two nations. For this mission he obtained a safe-conduct from the English King. In 1408 he was elected Bishop of Glasgow by Pope Benedict XIII., who was set up as Pope at Avignon (one of the seven Popes of the Avignon captivity) in opposition to Gregory XII. at Rome. On the accession of Mordac, Duke of Albany, to the Regency, by the death of his father, Lauder, after the resignation of Chancellor Greenlaw in 1421, was appointed Chancellor of the kingdom. In 1421 he witnessed a charter by Mordac, Duke of Albany, to William de Graham at Stirling. He was employed in 1423 in the release of James I., who had long been a prisoner in England. He did much to beautify and enlarge the Cathedral of Glasgow, laying the foundation of the vestry; he also built the crypt below the chapter house



and carried on the building of the steeple, a lofty, magnificent piece of masonry, as also the battlements of the tower. Lauder was Chancellor till his death in 1425. On his death the office was bestowed on John Cameron, Bishop of Glasgow.

## JOHN CAMERON.

1425-1437.

John Cameron, who was the next Chancellor, is supposed to belong to a family of Edinburgh burgesses, probably the Camerons of Craigmillar.<sup>1</sup> He was Confessor and Secretary to the Earl of Douglas, and was about 1422 appointed Rector of Cambuslang and Archdeacon of Lothian by that Earl. In 1424 he was chosen Provost of Lincluden, and by James I., on his release, was made Secretary of State and Lord Privy Seal. In 1425 he was appointed Keeper of the Great Seal and Chancellor of the kingdom.

<sup>1</sup> Robertson, *Concilia Scotiæ*.

In 1426 he was chosen Bishop of Glasgow, and in that year he signed papers as Chancellor; while in 1428, on the expiry of peace between England and Scotland, he was elected one of the Commissioners for Scotland for redressing any breaches that had been made in the peace by sea or land. All matters being satisfactorily arranged, the Chancellor retired to his clerical duties. He erected six churches within his diocese, viz., Cambuslang, Tarbolton, Eaglesham, Kirkmahoe, Luss, and Killearn, and these were made prebendaries of the Episcopal See, and therefore all united to stalls in the Choir and entitled to a place and vote in the Chapter. He appointed the Rector of Cambuslang to be perpetual Chancellor of the Church at Glasgow, the Rector of Carnwath to be Treasurer, the Rector of Kilbride to be Cantor. Archbishop Spottiswoode, however, characterises Cameron as a very worldly man and a great oppressor, especially of his vassals within the bishopric.

The Scottish clergy and prelates, and not-

ably Cameron, having passed certain ordinances which were deemed prejudicial to the rights of the Scottish Church and the dignities of the Apostolic See, Cameron the Chancellor was summoned to Rome to answer for certain transactions with reference to the relations existing between the Papal and Scottish Courts. The King, viewing this as an infraction of the rights of himself and his realm, sent two prelates to Rome—the Bishops of Brechin and Dunkeld—to excuse the non-appearance of Cameron on the ground of his duties as Chancellor. Croyser, the Archdeacon of Tweeddale, one of the Pope's household, was despatched from Rome with a special mission to cite Cameron before the Papal Court. Croyser served the citation, but the King was displeased, and he hurried back to Rome. He was summoned to attend the next Scottish Parliament to answer for treason, and, not appearing, was deprived of his benefice and property. He appealed to the Pope, who annulled the proceedings against him, and re-

quested the King to recall his condemnation and to restore him to his former position. The reply of the King is not recorded.<sup>1</sup>

In 1429-30 Cameron was member of a Commission for concluding a permanent peace with England. In 1430 he built the great tower of the Episcopal Palace, Glasgow. In 1433 he was one of two bishops to represent Scotland at the Council of Basle.

In 1437, the last year of James's reign, there was a safe-conduct to England for ambassadors from Scotland to treat about the prorogation of peace between the two nations. Among these was John Cameron, Bishop of Glasgow, Chancellor. He is named in charters of donations, and confirmation of the Collegiate Church of Corstorphine, founded 1429-44.<sup>2</sup>

The great aim of the policy of James I. was to render the higher nobles more dependent on the Crown, to restrain them from

<sup>1</sup> R. M. Stuart, *Church of Scotland*.

<sup>2</sup> *Midlothian Charters*, Bannatyne Club.

tyrannising over the people, and to rule the kingdom through the collective wisdom of the Three Estates in conjunction with the executive power of the Crown. During his short reign of thirteen years the Estates were assembled fifteen times, and they passed about 160 distinct laws, which, with few exceptions, were all written in the language of the people. These Acts are brief, incisive, and clearly expressed. The equal administration of justice to all his subjects had a prominent place in the James policy.

The *King's Quhair* was composed by James when in captivity in England. Its subject is the praise of the lady who afterwards became his wife. It shows much feeling, simplicity, keen imagination, a warm heart, and contains much ideal poetry (Mackintosh).

The Chancellor held office till the King's murder. On the accession of James II. Cameron retired from office.

John Cameron sat in June 1445 on the Clerical Commission charged with the settle-

ment of the long disputed point as to the testamentary powers of the Episcopacy. Within the limits of his diocese he was a vigorous administrator. He died in 1446.

It is said by Spottiswoode that he made a fearful exit at his country house of Lochwood, five miles from Glasgow, on Christmas Eve 1446. "Indeed it is very hard for me, though I have no particular attachment to Bishop Cameron, to form such a bad opinion of the man from what good things I have seen done by him; without considering how much he was favoured and employed by James II., and for so long a time too in the first offices of the State; and in the second place in the Church, especially since Buchanan brings no vouchers to prove his assertions."<sup>1</sup> The same authority adds: "It is evident from the clearest vouchers that Cameron remained Chancellor the first three years of the reign of James II., contrary to what all our historians have written, which

<sup>1</sup> Keith's *Catalogue of the Bishops*.

affords a strong presumption that the story concerning his tragical end is a mere fiction." This is quite incorrect. Sir William Crichton was appointed Chancellor on the accession of James II. to the Crown of Scotland.

### SIR WILLIAM CRICHTON.

1438-1444. 1447-1455.

On the resignation of Cameron a new Chancellor was appointed in the minority of James II. This was Sir William Crichton. He was son and heir of Sir John Crichton of Crichton, a very ancient family in Midlothian. In 1423 he was among the young nobles who went to England to congratulate King James on his marriage, and to have the honour of accompanying him on his return home when he was released from his captivity. He quickly got into the Queen's favour, and was knighted. In 1426 he was joined in a commission with William Foulis, Provost of the Collegiate Church of Bothwell, and others,

to treat with the King of Denmark about a lasting peace between the two kingdoms. Sir William, having discharged this duty satisfactorily, was on his return made a Privy Councillor and Master of the King's Household. After the assassination of James I. a meeting of the Estates was held at Edinburgh, 25th March 1438, when Sir William Crichton was appointed Chancellor of Scotland and Governor of Edinburgh Castle, and was charged with the general administration of affairs, while Sir Alexander Livingstone was appointed to take charge of the young King's education. Crichton was considered one of the ablest men in the kingdom, and these appointments practically made him Prime Minister.

The first thing he did was to provide measures for the peace of the country, and a truce was concluded between England and Scotland from May 1438 to May 1447. Livingstone, though tutor to the young King, was displeased that he had not full control



over him, or even free access to him when he required. Crichton and Livingstone quarrelled, and the Queen-Mother escaped from Edinburgh Castle by a clever stratagem, taking with her the infant King, and fled to Stirling by boat from Leith. At this crisis Crichton called in the help of the Earl of Douglas. Douglas replied: "Both you and Livingstone are knaves, who, regardless of the public interest, contend for your private interests. For my part, I will concern myself with neither of you, but should rejoice if the kingdom were rid of you both." The effect of this was that Crichton and Livingstone became friends, believing that the safety of both consisted in their mutual agreement. The keys of the Castle were delivered to the King, and next day Crichton's appointment as Chancellor was confirmed, also Livingstone's as keeper of the King's person. Crichton resolved to await his opportunity to avenge the Douglas' insult.

In 1439 it was resolved to put the young

King under Livingstone's protection until he attained his majority—the Queen to have the use of Stirling Castle and an allowance, with permission to see her son in presence of others at occasional times. The Queen-Mother at this date had been married to John Stuart, the Black Knight of Lorn. It does not appear that Crichton the Chancellor approved of this arrangement.

Some time afterwards, when Livingstone was at Perth holding a Justice Ayre, the Queen-Mother advised Crichton of the opportunity he had of regaining the person and authority of the young King. Next morning, as James was taking recreation in the King's Park, Stirling, his retinue was on a sudden surrounded by a body of horse commanded by the Chancellor in person, and the young King carried off to Edinburgh without opposition. Livingstone was displeased at being hoodwinked in this manner, and applied to the Bishops of Aberdeen and Moray, who were then in Edinburgh. They held a

conference in St. Giles, where after a fiery discussion a reconciliation was come to, on condition that both should continue in power, and that the King should stay in Edinburgh with the Chancellor. The two turbulent Ministers were thus for the second time reconciled.

On 4th September 1441 the Chancellor invited the young Earl of Douglas and his brother, as well as their relative, Sir Malcolm Fleming of Cumbernauld, to visit the King in Edinburgh Castle, when all three were brutally murdered by Crichton's orders, — a deliberate act of treachery on the part of Crichton which admits of no defence. This was his revenge for the insulting letter of the previous Earl of Douglas.

After this cruel and cowardly murder the Douglas influence was promptly aroused against him, and Crichton realised his danger. Shorn of his great power, though still Chancellor, he made a narrow escape from seizure by a party of the Douglasses while on his

way from Edinburgh to go on board ship in the Firth of Forth.

In a Parliament held at Edinburgh in 1444 he was compelled by the Douglasses to resign the Chancellorship, and was accused of having alienated the Crown lands, wasting the public revenues, seizing the King's jewels, the furniture of his houses, and whatever he could divert to his own private use.

Parliament declared him a traitor, deprived him of all his offices, and confiscated his estates. He took refuge from his enemies in Edinburgh Castle. Douglas, by the King's order, promptly laid siege to the Castle, which held out for nine months, when both parties agreed to come to an arrangement,—the Castle to be surrendered to the King, and Crichton to be pardoned for what he had done, and received into favour. This was done. A short time after this the King and the Douglasses quarrelled.

Meantime Kennedy, Bishop of St. Andrews, was elected Chancellor on Crichton's attainder.

Bishop Kennedy disliked the Chancellorship, and after a few months gave it up.

Crichton's attainder having been reversed, he was, in spite of all he had done, re-appointed Chancellor in 1447. The following year he and others were sent to France to renew the old alliance with that country. On his return he founded the Collegiate Church of Crichton, near his own castle in Crichton parish, and nobly endowed it. He continued to be Chancellor till his death in 1455, and left issue—one son and two daughters.

The Livingstones eventually fell into disfavour with the King. In 1449, within three months of his marriage, the King ordered the seizure of Sir Alexander Livingstone, his sons, James and Alexander, and other adherents of their house, and put them in Blackness Castle. At the next meeting of the Scottish Parliament, on 19th January 1450, Livingstone was forfeited and his sons found guilty of high treason. They were executed a few days thereafter. In this year began

the great struggle between Douglas and the King for the place of supreme authority. Douglas was aiming at the Crown. In the month of November he set out for Rome with a train so numerous and magnificent that it ensured him a princely reception both at Rome and afterwards in England. Douglas returned the following April, and although a reconciliation between him and the King took place it was only temporary.

In 1451 took place the assassination of M'Clellan of Bombie by Douglas, under extraordinary circumstances, at Threave Castle, in defiance of the King's order to release him. For this Douglas was invited by the King to dinner at Stirling Castle on 21st February 1452, when the King in conversation with him stabbed him mortally with his dagger, and the King's attendants completed the act of butchery by throwing his body into the courtyard. There was no defence for M'Clellan's assassination, and Douglas paid the penalty with his life.

## CHAPTER VII.

James Kennedy of St. Andrews, Chancellor—Visits Florence—Kennedy and Scone—Succeeds Wardlaw at St. Andrews—Kennedy visits Rome—Crawford attacks His Lands—Crawford fails to arrest Kennedy—Crawford Excommunicated—Kennedy and the King overthrow Douglas—Kennedy, Chief of the Regency under James III.—Prosperity of the Realm under Kennedy—Founds St. Salvator's College, St. Andrews, also Greyfriars' Monastery—His Death and Interment—James Bruce, Chancellor—Consecrated in Dunfermline Abbey—William, Earl of Orkney, Chancellor—Ambassador, King's Ransom—Is one of the Jury who condemned Albany—Is High Admiral of Scotland—Founds Roslyn Collegiate Church—Sends Battering Ram to Threave Castle—Made Earl of Caithness and Peace Ambassador—Regent under James III.—Ambassador-Extraordinary to England—Opposes the Boyds—Resigns His Rights to the Crown in Exchange for Ravensheugh—History of the Earldom—George Shereswood, Chancellor—Elected Bishop of Brechin and Chancellor—Andrew Stuart, Lord Avondale, Chancellor—Regent under James III.—Peace Commissioner, England and Scotland—Ambassador to Denmark, King's Marriage—Created Earl of Lennox—Reconciles the King and Albany—Text of the Treaty then made—Lauder Bridge Affair—Avondale retires to His Estates—Is deprived of the Chancellorship—Supports the King—John Laing, Bishop of Glasgow, Chancellor—Was Lord Treasurer of Scotland—Laing's Death—James Livingstone, Chancellor—Holds Office for One Year only.

## JAMES KENNEDY.

1444.

ON the attainder of Crichton in 1444 the office of Chancellor, as already stated, was bestowed on a man of a very different character—James Kennedy, the learned Bishop of St. Andrews. He was the younger of two sons of James Kennedy of Dunure by his wife, Mary, Countess of Angus, who was a daughter of Robert III. and his Queen, Anabella Drummond, and a sister of James I.

James Kennedy, who was born in 1406, was a man of unimpeachable character, while his great talents, his strict honesty and integrity, and his distinguished position as leader of the Scottish Church, fitted him in an eminent degree for the Chancellor's office. He completed his education at the University of Paris, and in 1438 was elected Bishop of Dunkeld.

As Bishop he made a journey to Florence,





JAMES DOUGLAS  
Fourth Earl of Morton



where Pope Eugenius IV. then resided, that he might be strengthened with greater authority to put a stop to the growing evils of his country; but owing to the then weakness of the Papacy he effected nothing, though it is said the Pope bestowed on him the Comendatorship of the Abbey of Scone. When he was at Florence the See of St. Andrews fell vacant by the death of Wardlaw, and in 1440 Kennedy was, by the Prior and Canons, elected as Wardlaw's successor.

No man then living remembered the Church in such a state, for, partly by his own example, partly by the strict maintenance of discipline, he induced the clergy to live as became men who had devoted themselves to God's service. It was his habit to visit all the parishes in his diocese four times a year, preaching in each as he went. On these occasions he never failed to inquire of the people if they were duly instructed by their pastors and had no complaints.

In 1446 the Bishop undertook a journey

to Rome, accompanied by a splendid retinue of thirty persons, to endeavour to settle the troubles of the Papacy, but the visit accomplished nothing.

The laird of Strathbogie was in 1449 created Earl of Huntly and Lieutenant of the kingdom by James II. Huntly and the Earl of Crawford were foes. Douglas made a bond with David, third Earl of Crawford. This bond was discovered by Bishop Kennedy, and regarded as a national danger. Crawford, offended at the Bishop's conduct, gathered his followers, including Livingstone, the Ogilvys, and others, and with savage cruelty laid waste the Bishop's lands in Fife and Angus, leading captive his vassals, destroying his granges and villages with fire, and giving up to indiscriminate havoc the only estates, perhaps, in the kingdom which, under the rule of the Bishop, had benefited by agricultural improvement. Crawford gave his followers orders to arrest the Bishop and hold him in prison in irons, but this they were unable to do, as

he remained in his stronghold. The Bishop, in great indignation at these proceedings, commanded the Earl of Crawford to repair the damage he had committed, but Crawford disdained to obey. The Bishop then proceeded to excommunicate him and his adherents, and denounced against all who harboured or supported them the extreme curses of the Church.<sup>1</sup> Solemnly, with mitre and staff, with book and candle, the Bishop cursed and interdicted for a year all the places where these persons were.

Although James II. was abandoned by those who ought to have defended his rights, there were still a few honest and upright men to be found who foresaw danger and interposed their authority to prevent it; and of those the one man best entitled by his talents, his integrity, and his high birth, and by his near connection with the King, to stand forward as his defender against those who had possession of his person, was Kennedy. His position in the Scottish Church invested him

<sup>1</sup> *Auchinleck Chronicle.*

with authority, and amid the general corruption and licentiousness of the other officers in the State, the people looked to him with reverence and affection.

During a residence of four years in Rome he had risen into esteem with the leaders of the Roman clergy. With a resolution which nothing could intimidate he devoted his attention to the reformation of the manners of the clergy, the dissemination of knowledge, and the detection of all abuses connected with Church government. His dislike of turbulence and anarchy made him obnoxious to the House of Douglas, which during the minority of James II. was all-powerful.

The King, almost driven from his throne by the increasing influence and insolence of the chief of that house, on one occasion went in despair to St. Andrews to seek the counsel and advice of Kennedy. On their meeting, James put before the Bishop the desperate situation to which the growing power of the Earl of Douglas had reduced him. Douglas

was mustering a large force either to dethrone him or drive him from the country. He knew no means of resisting him, and was at a loss what steps to take in the emergency. The Bishop in response desired him to take some refreshment, and "while you do so I will go into my chamber and pray to God for you and the Commonwealth of this Realm." The King, when he had finished his repast, was led into the Bishop's chamber, where the Bishop had been praying, and there they both knelt down and besought the guidance of the Almighty. When they had concluded their devotions the Bishop proceeded to point out to the King such a mode of procedure as he deemed most suitable in the circumstances. He advised the King to issue a proclamation calling on his subjects in the north to muster round his standard, and to offer pardon to all who having attached themselves to the Earl of Douglas would now abandon his cause and aid the King. The consequence was that the King, erecting his

standard at St. Andrews, soon found himself at the head of 40,000 men.

The final muster took place at Stirling. At first Douglas encamped on the south side of the Carron, but soon detecting the effects of the King's proclamation marched his army back to their encampment, hoping to restore confidence by the following day. Unfortunately for him the desire for peace gained ground, and in the morning there were not a hundred men left of all his host. Douglas fled, and for the moment his power was totally overthrown by the wisdom of the Bishop.

On the death of James II. in 1460 Bishop Kennedy was Chief of the Council of Regency, and was entrusted with the charge and education of his son, James III., then seven years of age. The Bishop's known wisdom and integrity pointed him out as the fittest person for that duty. He had acquired great authority in the kingdom by the influence of his character, such as no Churchman had at any former



period enjoyed, and he was thus enabled to accomplish more among a rude and barbarous people than would have been possible to the mere force of power or rank. During his administration quietness and prosperity prevailed throughout the kingdom. It is certain that the choice of a Minister could not have fallen on one more fitted to guide the State among the difficulties with which it was surrounded. His appointment was a pledge by the Queen that, however thwarted by the nobles, it was her wish that the government should be administered with justice and impartiality. It was evident to the good sense and mature experience of Kennedy, who had the chief place in the Queen's counsels, that upon the accession of a minor the first object of his Ministers ought to be to secure the integrity of his dominions and the popularity of his government (Tytler).

In his later years the Bishop founded (in 1450) St. Salvator's College, St. Andrews, in honour of our Saviour, and liberally endowed

it for the maintenance of a provost, four regents, and eight bursars. He also founded the Collegiate Church within the precincts of the College, and provided it with all necessaries for divine service; these will remain a noble memorial of his piety and love to his country. Kennedy endowed this foundation with the teinds of Cults, Kimback, Dunino, and Kilmany, and some chapelries, all of which till then belonged to the bishopric. The College was magnificently equipped. He also founded the Grey Friars Monastery in St. Andrews, and built a magnificent barge, called *St. Salvator*, which continued after his death to be the property of the See till 1472, when it was wrecked near Bamborough on a voyage to Flanders. It is said that the cost of all this was £300,000 Scots. The College Chapel is now all that remains of this foundation. Within the chapel is Kennedy's tomb, a piece of beautiful architecture. In 1683 it was opened, and in it were found six splendidly decorated

maces, which must have been hidden there at the Reformation. One of them was presented to each of the other three Scottish Universities of Glasgow, Edinburgh, and Aberdeen. Two were kept by St. Mary's College, and the remaining, the most splendid one, being of solid silver, was retained by St. Salvator's College.

Having lived, a great blessing to his country, and honoured by all men, the Bishop died on 10th May 1466, and was interred in the College Church of St. Andrews, his own foundation, under a magnificent marble monument, now unfortunately defaced.

Nobody had a greater regard for the Bishop than the King himself. His great worth appeared soon after his death, when a general confusion soon prevailed both in Church and in State.

“Kennedy's death was a national calamity. In him the country lost the only statesman who possessed sufficient firmness, ability, and integrity to direct the counsels of government.

He was in every respect a remarkable man, a pious and conscientious Churchman, munificent, active, and discriminating in his charity, whose religion, untinged with bigotry or superstition, was pure and practical. His zeal for the interests of literature and science was another feature of his character. Although in his public work, in the endowment of churches, and in everything concerned with the Catholic faith he was unusually magnificent, yet in his own person and in the expenditure of his own household he showed purity, decorum, and frugality. Nor could the sternest judges say anything against his integrity as a minister of state or as a minister of religion."<sup>1</sup>

He was the first Churchman to hold high political influence in Scotland, and his appearance upon the stage affords a slight glimpse of a more civilised and orderly future for the kingdom, not so much because he was a Churchman, as because he was a man of

<sup>1</sup> Keith's *Catalogue of the Scottish Bishops*.

peaceful and moderate counsels. His is one of the few political reputations against which no stone has been cast.<sup>1</sup>

NOTE.—Henry Wardlaw, Kennedy's predecessor at St. Andrews, was nephew to the Cardinal-Bishop of Glasgow: being at Avignon at the time of his election, he was consecrated by (Anti-Pope) Benedict XIII. He came of ancient Saxon lineage, had been educated at Oxford and Paris, and took his Doctorate of Laws at Orleans; he was successively Rector of Kilbride, Prebendary of Aberdeen, and Precentor and Canon of Glasgow. For some years he had been acting as Scottish Agent in the Papal Court, down to his nomination as Bishop in 1403. He restored the Cathedral, built the noble Gare Bridge, and founded St. Andrews University by his Charter of 27th February 1411; the Papal Charter of erection was given by Pope Benedict XIII. in 1414. He crowned James I. at Scone in 1424; also James II. at Edinburgh in 1437. In character he was a strict disciplinarian, yet extremely hospitable, and a patron of poor scholars. His death occurred on 6th April 1440.

## JAMES BRUCE.

1444-1447.

James Bruce, Bishop of Dunkeld, who replaced Bishop Kennedy in the Chancellorship, was the younger son of Sir Robert Bruce of

<sup>1</sup> J. Hill Burton, *History of Scotland*.

Clackmannan, a branch of the Bruces, Lords of Annandale. The Bishop was born in the reign of Robert II. His first appointment was as Rector of Kilmany, in Fife, in 1438. Here he laboured for four years. On the death of Bishop Lauder of Dunkeld he was promoted to that See, and was consecrated in Dunfermline Abbey in 1441.

Bruce was a man of great learning, judgment, and integrity, and was in 1444 elected to the office of Chancellor of the kingdom. It is said that neither his character nor his authority saved him from the insults and oppression of some dissolute neighbours. Some of these ravaged his lands of Little Dunkeld, on which followed a deadly feud. The matter was at last compromised by the intervention of Lord Glamis. On the death of Bishop Cameron of Glasgow in 1446 Chancellor Bruce was considered the most suitable person to succeed him in the See, but in the midst of the negotiations the Chancellor died, anno 1447.

## WILLIAM OF ORKNEY.

1455-1458.

On the death of Chancellor Crichton, who succeeded Bruce, the King appointed as his successor William Sinclair, Earl of Orkney and Caithness. He was son and heir of Henry, second Earl of Orkney, and the Lady Egidia Douglas, daughter and heiress of William Douglas, Lord of Liddesdale, and the Lady Egidia, daughter of Robert II., and was born 1404.

In 1421 he was one of the ambassadors appointed to negotiate King James's liberty, and he was afterwards one of the hostages for his ransom in 1424. The Earl was a popular and talented nobleman, and was much favoured by King James II., who frequently employed him in important affairs of State, which tasks he executed with honour and fidelity.

In 1425 he was one of the minority of the

Assize who condemned to death Mordac, Duke of Albany, for high treason. In 1420 Eric, King of Norway, had committed the Earldom of Orkney, on the death of Earl William's father, during the young Earl's minority to Thomas Randolph, Bishop of Orkney, on trust, to be delivered up to the King when required. The Earl visited Eric's Court, but did not receive investiture of the Earldom of Orkney till 1434. He acknowledged the jurisdiction of the Norwegian King, promising to hold for him the Castle of Kirkwall. In 1436 the Earl was High Admiral of Scotland, and commanded the fleet which bore the Princess Margaret of Scotland to France to be married to the Dauphin. According to Father Hay, the Earl was magnificently apparelled and attended, and received from the French King the Order of St. Michael.

It is recorded that the Earl was by far the greatest subject of the Crown in wealth, power, and influence during his time. In



1441 he founded the Collegiate Church near Roslyn Castle, for a provost and seven prebendaries.

When the King in 1445 resolved to put down the power of the Douglasses the Earl of Orkney took an active part, and gave the King his advice and support. He superintended the transportation of a battering-ram from Edinburgh Castle to Threave Castle, in Galloway, the residence of the Earl of Douglas, and remained a short time at Threave.

The Earl was in 1446 summoned to Bergen to take the oath of allegiance for the Orkneys to Christiern, King of Norway. In 1455 he was appointed Chancellor, at which time he was also created Earl of Caithness, the Earldom being then in the hands of the Crown by the death of his kinsman, Sir George Crichton, who left no male issue. The same year the Chancellor was, along with the Bishop of Brechin, sent as Ambassador to England to treat for peace between the two nations.

By the Chancellor's diplomatic ability all differences were then adjusted.<sup>1</sup>

The Chancellor held office only for three years, and resigned in 1458

In 1459 he was again appointed a Commissioner to negotiate a treaty with England. In 1460 he was summoned to render his allegiance to the King of Norway, but his presence was required in Orkney, where John, Earl of Ross, Lord of the Isles, was committing violent depredations. The following year he was one of the Regents appointed on the unexpected death of James II., and Ambassador Extraordinary for James III. to the Court of England. The Earl was opposed to the Boyds and the Boyd faction; he chiefly figures in connection with the Earldom when, in 1467, one of his sons had seized and imprisoned Tulloch, Bishop of Orkney, for whom the King of Norway made a special appeal to the King of Scots.

In 1468-69 the Earl appeared in Parlia-

<sup>1</sup> Rymer's *Fœdera*.

ment, and in 1471, after the Orkneys were ceded to Scotland, he resigned his rights to them in favour of the Crown, in exchange for the castle and lands of Ravensheugh and Dysart, in Fife. This was a transaction of a very unusual nature, and doubtless was brought about by family considerations.

The Earl married Lady Margaret Douglas, daughter of Archibald, fourth Earl of Douglas, by whom he had one son (William, who held the lands of Newburgh) and one daughter. He married, secondly, Marjory, daughter of Alexander Sutherland of Dunbeath, by whom he had four sons and four daughters. Curiously enough, his eldest son by the second marriage was also named William, and his second son Oliver. The resignation of Orkney to the Crown in 1471, it is said (Crawford), was with the object of procuring the King's consent to a settlement of his estate in favour of his children by his second marriage, to the prejudice of his eldest son and heir-apparent.

However this may be, the Earldom of Caithness was given in 1476 to William Sinclair, his son by his second wife, and to his other son by the same lady, Sir Oliver Sinclair, he gave his estates south of the Tay, in Fife, and the Barony of Roslyn. After the death of the ex-Chancellor in 1480 his son, William, by the first marriage, entered into litigation for declaration of his rights by the law of primogeniture. An agreement, dated 9th February 1481, was eventually subscribed by all parties, whereby Sir Oliver resigned to William the lands in Fife, also those in the sheriffdom of Edinburgh, William renouncing all title he could claim to Roslyn, the lands of Pentland and Mortonhall, and the Barony of Herbertshire, in Stirlingshire. Henry, Lord Sinclair, son to this William, obtained an Act, 4th January 1488, from James III. declaring him heir to the Earl of Orkney, his grandfather, and chief of the Family of Sinclair:—

“Our Sovereign Lord, with advice and

deliverance of the Estates of this Parliament, declares that Sir Henry's grandfather, and father Lord Sinclair, for the time, are deceased, and the said Sir Henry is chief of that blood; we will therefore that he be called Lord Sinclair in time to come, with all dignities and privileges belonging thereto, after the form of charters and evidence thereupon."

The Chancellor's eldest son, William, fell at Flodden in 1513.

## GEORGE SHERESWOOD.

1458-1460.

After the retirement of the Earl of Orkney from the Chancellorship the King made choice of George Shereswood, Bishop of Brechin, to be his successor. The Bishop was one of the learned men of the period, and doubtless was qualified for the office of Chancellor when he was appointed by so shrewd a man as James II.

He was a native of Bedshiel, Berwickshire, and was Rector of Cullen in 1449 and Chancellor of Dunkeld in 1453. In 1454 he was appointed by King James II. to the bishopric of Brechin. The same year he was confessor to the King, and went on an embassy to England. In 1458 he had the honour of being appointed Chancellor of the kingdom on the resignation of William of Orkney, and he discharged the duties of that important office with great efficiency. At the King's death in 1460 he resigned office, and little more is known of him. He died in 1462.

ANDREW STUART, FIRST LORD  
AVONDALE.

1460-1482.

Shereswood's successor in the Chancellorship was Andrew Stuart, afterwards Lord Avondale. He was a natural son of Sir James Stuart, and grandson of Mordac, Duke of Albany. Being participant with his father

in the treason for which Mordac lost his life, Sir James fled to Ireland, where he spent his days in exile. He left issue Andrew the Chancellor and three other sons, who all became distinguished men. King James II. commiserated these innocent men, all related to himself, recalled them from exile, took Sir Andrew into his immediate care, and sent him for education to England. On his return he was knighted by the King, and created Lord Avondale, and Warden of the East Marches.

On the accession of James III. Avondale was elected Chancellor of Scotland on the resignation of Shereswood, and the same year was chosen Ambassador to England. He was one of the Lords of the Regency in the minority of the young King. In 1465 he was, with other nobles, sent as Ambassador to York to negotiate a truce with England. In 1469 he was an Ambassador to Denmark, with power to treat for a marriage between the King and the Princess Margaret, daughter

of Christian I. The marriage afterwards took place. On his return the Chancellor received a grant for life of the Earldom of Lennox, then in the gift of the Crown by the attainder of Mordac, Duke of Albany. In 1473, having no children of his own, he procured an ordinance, under the Great Seal, disposing of his estates to Arthur and Walter Stuart, his brothers.

After the death of the Earl of Mar, the Duke of Albany the King's other brother, invaded the kingdom with the assistance of Edward IV. of England, but the Chancellor managed things so well that, though the enemy were in the country, he negotiated a treaty of reconciliation between the King and his brother, and preserved the Crown to the King and his succession.

This treaty was a peculiar document: "Be it kend by all men by thir present letters, us William Archbishop of St. Andrews, James Bishop of Dunkeld, Andrew Lord Avondale, Chancellor of Scotland, Colin, Erle of Ergyle,



Lord Campbell and Lorn ; and by thir present letters and the faiths in our bodys lealy and truly bundin and obliges us to a noble and michti prince Alexander, Duke of Albany. That he kepend his treu faith and allegiance to our sovereign Lord James king of Scotland and his succession, and to the gud reule and puttin forth of his autoriti to justice and kepend his faith, lawta and bond to us, and to the remnant of the Lords of the Realm ; and likeas we and they shall do to his michti Lordship that he shall be soever and sicker [siccar] fra all bodily harm in his person to lauber and travel at liberty and freedom within the Realm, when and where it please him at all times. And we shall cause our sovereign Lord frely to give and grant to him all his landis, heritages, and strenth houses and offices which he possedit the day of his last parting furth of the Realm of Scotland. And also that our soverane Lord shall frely gif to him and both persons being with him that he will hereafter name and desire, full and plane remission of

all offensis and crimes committed be him or thaim, also all of his and thame in Ingland aspiring and tending to the trone of Scotland, or others offensis committet or done be him or thame or assisting in the premissis, or any of thaim in ony time begane, he and thame remanand and abidand at the faith and obesance of oure soverane Lord foresaid or his treu leige. And shall mak all the premises to be ratiffit, approvit and conformmit to our soverane Lord and his hole thre estates in the nixt parliament, but fraud or gile. Dated 2nd August, 1482.”

In 1482, after the affair at Lauder Bridge, King James III. was under restraint, though in the midst of his troubles he had some devoted friends left, such as the Chancellor and the Archbishop of St. Andrews. For the time, however, it was impossible for them to make any effectual stand against Albany, and they fled to their estates. Avondale was thereupon deprived of the Chancellorship.

Some time after this Avondale was appointed

one of the plenipotentiaries to the Nottingham Congress of 1484 to arrange a treaty of peace ; and he was present at all the meetings of the Scottish Parliament during the remainder of the King's reign.

In the violent quarrels of that period he supported the King, and it seems a strange coincidence that Lord Avondale died on 11th June 1488, and the King on the 18th of the same month, at Sauchieburn. Lord Avondale having left no sons, the titles and estates went to his nephew, Alexander, who became the second Lord, but the precise date when Alexander had these conferred upon him is rather uncertain. Notwithstanding the death of his uncle in 1488, some writers are of opinion that it was not till 1503. The third Lord Avondale became, by exchange of title, first Lord Ochiltree in 1543 by Royal prerogative, and an exchange of lands with James Hamilton of Finart.

## JOHN LAING.

1482-1483.

John Laing, Bishop of Glasgow, succeeded Lord Avondale as Chancellor. Laing was a native of Edinburgh, and belonged to the family of Laing of Reidholm, Midlothian, and was a learned man of his time. His first office was Rector of Tannadice (Forfar), and after that he was Vicar of Linlithgow. In 1463 he was Secretary to Mary of Gueldres, Queen of James II. He was Treasurer to King James III. in 1465, holding that office three years, and subsequently in 1471 was appointed Lord Treasurer of Scotland. His faithful and satisfactory discharge of all his duties secured him in 1473-74 the Episcopal See of Glasgow, vacant by the death of Bishop Muirhead. He resigned the Treasurership in 1474. Laing was active in promoting the reconciliation between the King and his brother, the Duke of Albany, and was one of the

guarantors for the King's performing his part of the agreement. For his services to the King he was in 1482 appointed Chancellor of the kingdom on the resignation of Lord Avondale. He unfortunately was not destined to hold office long, for he died on 11th January 1483, six months after his appointment.

## JAMES LIVINGSTONE.

1483.

James Livingstone, Bishop of Dunkeld, belonged to a family in Haddingtonshire, and was on one occasion witness to a charter of Walter, Lord Haliburton of Dirleton, in 1470. He was educated at St. Andrews University, and was afterwards Rector of Forteviot and of Wemyss, and Dean of Dunkeld. Bishop Lauder of Dunkeld, having a high opinion of Livingstone, resigned in his favour. The King's consent was obtained, and he was consecrated to the Cathedral Church of Dunkeld in 1476. Livingstone

was appointed Chancellor of Scotland 18th February 1483, on Bishop Laing's death, but he also did not live long to enjoy the honour, for he died the same year, and was interred in the Abbey Church of Inchcolm, in the diocese of Dunkeld.

## CHAPTER VIII.

Colin, Earl of Argyll, Chancellor—Negotiates Truce with Edward IV.—Appointed Lord Justiciar South of the Forth—Renews Peace, France and Scotland—Elected Lord Chancellor—Attends Nottingham Conference—Proposed Marriage, Prince of Scotland—Argyll supports James III.—Is Ambassador to England—Argyll Reappointed Chancellor—First Parliament of James IV.—Lord Lindsay's Trial—Argyll and the King's Treasures—Bishop Elphinstone, Chancellor—Ambassador to France—Elected Bishop of Aberdeen—Supports the King—Attends Coronation of James IV.—Treaty, Holland and Scotland—Is Lord Privy Seal and Founds Aberdeen University—Text of the Pope's Bull—Introduction of Printing—His Death and Character—Earl of Angus, Chancellor—Supports Albany, the King's Brother—Lauder Bridge Affair—Lochmaben Engagement—Impeachment of Albany—Battle of Sauchie Burn—Angus resigns Chancellorship—Loses two Sons at Flodden—Death of Angus—Argyll, Chancellor in 1494, and Resigns in 1495—Commands Vanguard at Flodden—Earl of Huntly, Chancellor—Privy Councillor and Lieutenant of the North—Perkin Warbeck's Imposture—Resignation and Death of Huntly.

### COLIN CAMPBELL, FIRST EARL OF ARGYLL.

1484-1493.

LIVINGSTONE was succeeded in the Chancellorship by Colin, first Earl of Argyll. Colin was

descended from Sir Neil Campbell of Lochow, who got a charter of that property from King Robert I. under the Great Seal. Sir Duncan, grandfather of Sir Colin Campbell, was the first of the family who took the name of Argyll. He was sent to England as one of the hostages for the ransom of James I. in 1423. Sir Duncan was created Lord Campbell by James II., and was succeeded by his grandson, Colin, who in 1457 was created first Earl of Argyll.

After the accession of James III. the Earl, in 1463, took part in a commission to England to negotiate a truce with Edward IV., which was in due course concluded. On his return the Earl was appointed Master of the King's Household, vacant by the resignation of Livingstone; and in 1465, along with Lord Boyd, was Joint Lord of Justiciary south of the Forth. In 1471 and 1474 the Earl was an Ambassador at the Court of England.

In 1484 he was a Special Commissioner to France, along with Lord Avondale and others,



to renew the ancient league between the two countries. On his return from France he was elected Chancellor of Scotland in succession to Livingstone. As Chancellor he was a plenipotentiary at the Nottingham Conference, and also one of the Commissioners who were to meet on certain days on the Borders to redress grievances. When a marriage was proposed between the Prince of Scotland and Lady Anne, daughter of John, Duke of Suffolk, and niece to King Richard, James granted a commission to the Chancellor. The match was agreed to, the lady's title to be Duchess of Rothesay, but the marriage never took place, on account of the death of King Richard and the revolution in England.

Amid the troubles of 1488 Argyll adhered to the interest of James III. till his fall at Sauchie Burn in 1488, and was one of the ambassadors sent to Henry VII. desiring him to mediate between the contending parties. Henry, however, was on the side of the rebels, and declined the request. It will thus

be seen that Argyll was in London when the defeat and death of James III. occurred at Sauchie. He was, however, apparently deprived of the Chancellorship in February of that year, and Bishop Elphinstone would appear to have discharged its duties till 18th June, the date of the King's death. Elphinstone's appointment then ceased, and James IV., at his coronation on 26th June, reappointed the Earl of Argyll, Chancellor, and shortly after conferred on him the lands of Roseneath, on the Clyde.

At the first Parliament of James IV., which was opened with great solemnity at Edinburgh, Argyll was among the nobles present, but whether as Chancellor he presided is not recorded. This was a Parliament of unusual interest, being convened soon after the murder of the King. Its principal business was to discover the murderers of the King and convict them of treason, and Argyll must have taken a prominent part at this assembly. This Parliament, further, resolved to make a



ALEXANDER SELON  
First Earl of Dintemlin



determined effort to put down theft, robbery, and murder, and nobles were appointed for that purpose to superintend the various districts of the kingdom.

In 1489 there also took place in the Tolbooth of Edinburgh the trial of Lord Lindsay of the Byres and his brother Patrick in connection with the conspiracy against the late King, when Argyll the Chancellor presided. The King was present, and Lindsay objected to his presence as a violation of the coronation oath: "His Grace was both a part to, and was at the committing of, the crime itself; therefore he ought not, by the laws of God and man, to sit in judgment at this time, and we desire him, in the name of God, to depart from Court till the matter be further debated, conform to justice." The Chancellor and the Lords concluded that this was reasonable, and they desired the King to retire to the inner Tolbooth. The Lindsays were then tried, absolved and released.

It was known that James III. possessed a

valuable and extensive repertoire of gold and jewellery, and after his death these treasures were secured and delivered into the keeping of the Earl of Argyll, Sir William Knollys, Lord St. John (the Treasurer), the Bishop of Glasgow, and Angus. Hailes and Home also proceeded to Edinburgh Castle to secure everything which belonged to the late King. The inventory taken on this occasion is still preserved,<sup>1</sup> and gives us some idea of the extraordinary quantity and variety of treasures that King James had accumulated.

It would appear that it was about this period the Chancellor's residence of Castle Gloom, near Dollar, had its name changed to Castle Campbell. This place continued to be a frequent residence of the Argyll family until 1644, when it was burned by the MacLeans under the Earl of Montrose.

The Chancellor continued to be in the highest favour with the King and nation till his death in 1493. He married Isobel

<sup>1</sup> See *Tytler*, vol. ii., Notes and Illustrations.

Stewart, eldest daughter and co-heiress of John Stewart, Lord of Lorn, and the designation "Lord of Lorn" was added to his other titles on the death of Walter, the male heir. The Earl acquired most of the shares of the other two sisters' estates, and eventually took out a new right from the Crown of the whole Lordship of Lorn. He entailed his estates to various Campbells by deed of 17th April 1490. He left two sons and seven daughters.

### WILLIAM ELPHINSTONE.

1488.

William Elphinstone, Bishop of Aberdeen, who was a short time Chancellor, was born in Glasgow in 1437—some writers say 1431—and educated at Glasgow University. After graduating as M.A. in 1452 he was appointed Rector of St. Michael's, Glasgow, where he remained four years. He was, later, in 1465, a Regent of that University. In his twenty-

ninth year he went over to France to complete his studies. He became known in Paris as a scholar, and was appointed a Professor of Law in the university, and afterwards at Orleans, in both of which places he conducted classes in law. After nine years' Continental experience he returned to Scotland, and was made successively Official-General of the Diocese of Glasgow (1471-72) and Lord Rector of the University (1474). On the death of Bishop Muirhead he was nominated by Schevez, Bishop of St. Andrews, as Archdeacon of Lothian, the duties of which office he discharged so satisfactorily that James III. sent for him to Parliament and made him one of the Lords of the Privy Council.

On a quarrel arising between James III. and Louis XI. of France respecting terms of peace between the two nations, Elphinstone with the Chamberlain and others were sent over as ambassadors to adjust it, and the old league was renewed, principally by the influence of Elphinstone. As a reward for this



service he was in 1479 made Archdeacon of Argyll, and in 1481-82 Bishop of Ross; in 1482 he took his seat in Parliament. In 1483-84 he was elected Bishop of Aberdeen, the See being vacant by Blackadder's transference to Glasgow. Shortly after this he was nominated, with eight others, to meet with Commissioners from Richard III. of England at Nottingham on 29th September 1484. On account of the death of Richard III. shortly afterwards this peace was not strictly observed, and on the accession of Henry VII. Elphinstone, with Sir John Ramsay, went again to England, where they met the English Commissioners, and on 3rd July 1486 concluded a fresh treaty of peace for three years. It was also agreed that a meeting of the two Kings should take place the following summer, when they would talk over all matters concerning their realms, but this meeting never took place.

Elphinstone in the debates between the King and his nobles adhered to the King,

and exerted himself to the utmost to reconcile them to him, but without effect. James III. was surrounded with danger, and his own son was amongst the rebels. Elphinstone in 1487 made another visit to England to solicit the help of the English King. In this he was unsuccessful, but King James was well pleased with his endeavours to reconcile the parties, and on his return from England Argyll was deprived of the Chancellorship and Elphinstone appointed in his place (24th February 1488), which office he held till the King's death in June following. Elphinstone then retired to his diocese and applied himself to his episcopal duties. He was, however, called to Edinburgh in October following, where he was present at the coronation of the young King, James IV., then in his sixteenth year. This Parliament was attended by the conspirators against the late King. Aware that the Bishop would not support them, they induced him to go on a mission to Germany to the Emperor Maximilian to demand in

marriage for the King his daughter, the Princess Margaret. Before he could reach Vienna the lady had been promised to the heir-apparent of the Spanish throne. On his way home he concluded a treaty of peace between Holland and Scotland, which was considered a more important service than if he had effected the marriage treaty. On his return from this embassy (1492) Elphinstone was made Lord Privy Seal. He then turned his attention to learning, and applied to Pope Alexander VI. to grant him a Bull for erecting a university in Aberdeen (King's College). Elphinstone received this Bull in 1494.<sup>1</sup> It was followed by a charter from James IV. establishing the University—

“cum omnibus privilegiis Universitatibus Parisiensi et Bononiensi ac quibusvis aliis Studiis generalibus concessis; ut inibi favente Deo viros producat, alti consilii et scientiarum mergaritis ornatos, tam in Theologia, Jure canonico et civili quam Medicinis et artibus

<sup>1</sup> Printed in the *Fasti Aberdonenses*.

liberalibus, et qualibet alia licita facultate, perpetuis futuris temporibus" ("With all privileges granted to the Universities of Paris and Bologna and other academic institutions whatsoever, that therein by the favour of God may be produced men adorned with the jewels of deep judgment and knowledge as well in Theology, Canon and Civil Law, as in Medicine and the Liberal Arts, and any other lawful faculty for ever in all time coming").

It is said the College was liberally endowed with privileges as ample as any in Europe. The Bishop of Aberdeen for the time was constituted Chancellor of the University, but on the abolition of that office at the Reformation the patronage became vested in the Crown. The first Principal was Hector Boece, the historian. Elphinstone was at considerable expense to adorn the Cathedral of Aberdeen, and he furnished the steeple with bells and erected the great central tower. He also substantially contributed to the building of a splendid bridge over the

Dee. He wrote several books, such as the *Lives of the Saints* and the *History of Scotland*, and made liberal donations of books to the library of King's College. The Bishop also framed statutes for the better guidance of the Chapter, and gave special attention to the restoration of ancient ecclesiastical music. To him was largely due the introduction of the art of printing into Scotland, which had been established in England thirty years before. The *Aberdeen Breviary* was printed by Chapman in Edinburgh in 1510 by his orders.

Queen Margaret, Regent after the death of James IV. at Flodden, had arranged to appoint him Archbishop of St. Andrews and Primate of Scotland. He travelled from Aberdeen to Edinburgh to attend the meeting of the Scottish Parliament, but died shortly after his arrival there (25th October 1514), aged seventy-seven years, and was interred in the Collegiate Church of Aberdeen, before the high altar, beneath a canopy of stone which

has long since disappeared. A slab of black marble now marks his resting-place. In the following year Queen Margaret appointed Gavin Douglas to the See of Dunkeld.

By the death of Elphinstone was removed the only man who seemed to possess authority in the State. He was a great statesman, a learned and pious man, and esteemed by the nation. No man deserved better of posterity or has left a more lasting and perpetual monument of his love to his country and to learning than he; nor has any man at any time, except Buchanan, attacked his memory or attempted to detract from his great merit.

ARCHIBALD, FIFTH EARL  
OF ANGUS.

1493-1498.

The practice of appointing the Primate of Scotland or a very prominent bishop to the Chancellorship, which had hitherto been the almost invariable custom, began now to be

discontinued. The Earl of Argyll had been so efficient a Chancellor that it was resolved to draw on the nobility for his successor, and Archibald, fifth Earl of Angus, was selected to succeed Argyll. He was one of the most notable and daring of the Douglas family, and, since the tragedy of Lauder Bridge in 1482, known as Archibald "Bell the Cat."

The new Chancellor was son and heir of George Douglas, fourth Earl of Angus, and was a man of outstanding ability. He was in his time the most powerful nobleman in the kingdom. In 1455 he overthrew the Earl of Douglas and the Earl of Northumberland at Ardkinlas. Afterwards, when the English besieged Alnwick, he marched there with 10,000 troops, relieved the castle, brought off 300 Frenchmen who were there confined, and conveyed them to Scotland. Angus was Warden of the East and Middle Marches, and had a grant from James III. of the Barony and Castle of Tantallon.

On account of the unwarlike habits of James III. and his devotion to mean favourites, the Scottish nobles preferred his brother, the Duke of Albany, whose stirring spirit and martial disposition were more to their taste. The King's associates were astrologers, quacks, and low mechanics, whose society he preferred to that of the nobles. It was not wonderful, therefore, that the nobles resented this and joined the Duke of Albany.

When Albany quarrelled with his brother, James III., and fled into England, the Earl of Angus became a party to the treasonable conduct of the Duke, and was a signatory to a treaty with the English King, ceding to him Eskdale, Annandale, and Liddesdale, on condition of Albany's being made King of Scotland. This treasonable proceeding was followed by the affair of Lauder Bridge. Great dissatisfaction prevailed among the nobles because the King had appointed Cochrane, one of his servants, to the Earldom of Mar, and gave others of his favourites



distinguished honours. This led to the trial of strength between the King and the nobility, and both sides immediately prepared for action. The King was recognised as a weak and rather incapable ruler. Angus with the other nobles and their retainers, a considerable force, set out from the Boroughmuir of Edinburgh, and halted the first night at Lauder. Next morning they held a secret council in the church to arrange their programme for giving battle to the King. Cochrane, the new Earl of Mar, who commanded the King's troops, had, along with the King and the royalists, also arrived at Lauder. Foolishly, but with the most pacific intentions, he resolved to call at the church and discuss the situation. Then a scene of an extraordinary nature followed. Cochrane, by the unusual splendour of his camp furniture, had provoked still further the envy of the nobles. His tent or pavilion was of silk; the fastening chains were richly gilt; he was accompanied by a bodyguard of 300 retainers in sumptuous liveries, and armed with

light battle-axes ; a helmet of polished steel, richly inlaid with gold, was borne before him ; and when not armed for the field he wore a riding suit of black velvet with a massive gold chain round his neck, and a hunting horn tipped with gold and adorned with precious stones slung across his shoulder. Arrived at Lauder Church, Cochrane knocked loudly at the door, kept by Douglas of Lochleven, who demanded to know what he wanted. To this Cochrane replied, "It is I, the Earl of Mar." Angus stepped forward and requested Douglas to unbar the gate, when Cochrane entered carelessly with a riding whip in his hand. "It becomes not thee to wear this collar," said Angus, tearing from his neck the gold chain which he wore ; "a rope would suit thee better." "And the horn too," added Douglas, pulling it from his side ; "he has been so long a hunter of mischief that he needs must bear this splendid bauble at his breast." Cochrane, alarmed, cried out, "My Lords, is this jest or earnest?" He had

scarcely spoken the words when he was seized, his hands tied, and he was placed under a guard, which rendered his escape impossible. A party was at once despatched to the Royal tent. They broke in upon the King, and seized Rogers, his master of music, and others of his favourites before a sword could be drawn in their defence, and the King found himself in a few moments a prisoner in the hands of his subjects, and beheld his friends hurried from his presence with brutality and violence. The King being secured, the conspirators dragged Cochrane to the Bridge of Lauder, the Earl beseeching them not to put him to death like a dog with a common rope, but to use one of the silk cords of his tent, and he and his five companions—Rogers (the musician), Hommil (the tailor), Torphichen (the dancing master), Lennard, and Preston—were hanged by a halter over the parapet of Lauder Bridge. The rebels then disbanded their forces, and returning to Edinburgh with their Sovereign shut him up in the Castle.

Some of the nobles, however, took offence at this action, and on 2nd December 1482 a Parliament was held in Edinburgh to secure the independence of the country. The record of this Parliament is said to be unreliable. The King had been liberated, and Parliament ordained that Angus, because of his treasonable conduct, was in future not to come within six miles of the King's person, while Albany was compelled to acknowledge his treason and to resign the office of Lieutenant-General of the kingdom. Albany's conspiracy was thus defeated, and the King immediately laid siege to the Castle of Dunbar, Albany's stronghold, which surrendered. Meantime Albany and James, the forfeited Earl of Douglas, raised a body of English troops to invade Scotland and assert their position or recover their influence. They met the royalist troops at Lochmaben, but were defeated, Albany escaping only by the fleetness of his horse. Douglas was taken prisoner and afterwards pardoned, but went to Lindores Abbey, where he died.

Angus was obliged to unite with the nobles, not only in opposing the English invasion but in effecting a reconciliation between the King and Albany.

After this arrangement Angus, it would appear, returned to his disloyal and rebellious tactics as the principal agent of Albany in negotiations with the English government. At last Albany was impeached by the Estates as a traitor and obliged to escape to England and afterwards to France, where he died. After his departure we hear little more of Angus until the battle of Sauchie Burn in 1488. These troubles led up to that engagement, where James III. lost his life.

We are informed<sup>1</sup> that in 1493 Angus was appointed Chancellor of the kingdom by James IV. in succession to Colin Campbell, first Earl of Argyll. Angus, who was at this period also a Privy Councillor, was regarded by the King as an authority in military affairs, and was frequently consulted by His Majesty.

<sup>1</sup> *Douglas Peerage.*

He remained in office as Chancellor five years, with one year's interval, when he resigned the Great Seal, and it was given to the Earl of Huntly.

Angus in vain strove to dissuade the young King, James IV., from going to Flodden. He followed the King into England, but warned him "if he lost his army, which consisted of the best and most valiant of his subjects, his people would become an easy prey to the enemy: so long as his body was able to endure labour he [Angus] had employed it in the defence of the country and the honour of the King; but now seeing his counsel, by which only he was capable of doing good, could have no place, he would leave his two sons with the rest of his kinsmen and friends in the army, but begged leave to return home himself." He then bade farewell to the King and departed.

After Flodden he resolved to spend the remainder of his days in solitude in the Priory of Whithorn, in Galloway, where he died in

the beginning of the following year. His body was interred in the Priory there, and his heart in the Parish Church of Douglas.

Angus, by his first wife, Elizabeth, daughter of Robert, Lord Boyd, married in 1468, left issue—George, Master of Angus, and Sir William Douglas of Glenbervie, both of whom fell at Flodden. His third son, Gavin, was first Provost of St. Giles, Edinburgh, then Bishop of Dunkeld in 1522. He had also three daughters. By his second wife, Catherine, daughter of Sir William Stirling of Keir, he had a son, Sir Archibald Douglas of Kilspindie, who was Lord Treasurer of Scotland under James V. By his third wife, Jean, daughter of John, Lord Kennedy of Cassillis, he left no issue.

ARCHIBALD, SECOND EARL  
OF ARGYLL.

1494.

Archibald, second Earl of Argyll, was the elder son of Colin, first Earl, and is recorded

to have been a man of great ability and prudence. He succeeded as Chancellor of Scotland in 1494, but does not appear to have held office more than a year, and resigned on his appointment as Master of the Household in 1495. He became Chamberlain in 1498.<sup>1</sup> In addition to holding the offices already named, Argyll was Lord-Lieutenant of the Borders and Warden of the Marches. He commanded the vanguard of the Scottish army at Flodden, where he behaved with great valour and distinction, but was unfortunately slain. His wife was Elizabeth, daughter of John, Earl of Lennox, by whom he left four sons and six daughters. Sir John Campbell, his third son, married Muriel, daughter and heiress of Sir John Calder of Cawdor, near Nairn, and was the founder of that branch now represented by the Earl of Cawdor.

<sup>1</sup> *Douglas Peerage.*



GEORGE GORDON, SECOND EARL  
OF HUNTLY.

1498-1501.

The next Chancellor of Scotland after Angus was George Gordon, second Earl of Huntly. He was eldest son of the first Earl by Elizabeth, daughter of William, Lord Crichton the Chancellor, and succeeded to his estates in 1470. He was for a long time a steady friend and Privy Councillor of James III., but when the rebellion broke out, went over to the rebels.

At the meeting of the Scottish Parliament after the death of James III. Huntly was empowered to execute justice and to suppress disorders in the northern part of the kingdom until the King attained his majority. In next session of Parliament he was made a Privy Councillor and Lieutenant of the North.

In 1495 the King bestowed on his ally, Perkin Warbeck, the impostor, the hand of

Lady Catherine Gordon, daughter of the Earl of Huntly, a lady of great beauty and accomplishments.

In 1498 Huntly was appointed Chancellor of Scotland on the resignation of Angus. He held the office for three years, when he resigned in favour of the King's brother, the Duke of Ross.

Huntly, who died in 1501, was interred in the chancel of Cambuskenneth. His first wife was Elizabeth Dunbar, Countess of Moray, by whom he had apparently no issue; his second wife was Lady Annabella Stewart, daughter of James I., by whom he had daughters only; thirdly, he married, in 1471, Elizabeth, sister of Nicholas, Earl of Erroll, by whom he had four sons and several daughters. One of his daughters was married to Alexander, Lord Lindsay, son and heir of David, Earl of Crawford, another to Perkin Warbeck, the pretender, as already noticed. His son, Sir William Gordon, fell at Flodden.

In 1505 a rebellion broke out in the

Western Isles. The King, as soon as the season permitted, despatched the Earl of Huntly, son of the second Earl, to invade the Isles on the north, while he himself led against them an army from the south. MacLeod's Castle of Stornoway was stormed by Huntly, while Donald Dhu, the leader of the revolt, fled to Ireland.

## CHAPTER IX.

James, Duke of Ross, Chancellor—Conspiracy against James IV.—In 1497 Commendator of Holyrood—Elected Administrator of St. Andrews—Visits Rome and appointed Chancellor on his Return—His Death when three years Chancellor, and his great Funeral—Alexander Stewart, Chancellor—Elected Papal Legate—In 1509 Ambassador to France—Appointed Chancellor, and in 1513 goes to Flodden—Battle of Flodden and Death of the Chancellor and James IV.—James Beton, Archbishop of Glasgow, Chancellor—One of the Lords of the Regency, 1517—The Beton Conferences—Wolsey's proposed Convention to seize Beton—Duke of Norfolk's connection with the Matter—Wolsey's Letters to Norfolk—Wolsey fails to capture Beton—Beton Captured and Released—Henry Stuart, Chancellor *pro tem.*—Angus removes Beton from Office—His Death—His princely Establishment.

### JAMES, DUKE OF ROSS.

1501-1504.

As already stated, James, Duke of Ross, was appointed Chancellor on the resignation of Huntly. The Duke was the second son of James III. and brother of James IV.; his

mother was Margaret, daughter of the King of Denmark. He was born in 1478. At his birth he was made Marquis of Ormond; in 1488 he was created Duke of Ross. He received an efficient education under Panter, the Royal Secretary, a man of high repute for learning and scholarship. The youth was afterwards entrusted to the care of Sir Thomas Halkerton, Provost of the Collegiate Church of Crichton, who accompanied him on his travels abroad. On the death of the King, his father, Lord Hailes, Governor of Edinburgh Castle, was appointed his tutor. A marriage was at one time proposed between young Ross and the Lady Catherine, daughter of Edward IV.

In 1490-91 a conspiracy against James IV. was fostered at the English Court, promoted, it is generally admitted, by the English King. The Earl of Buchan and other traitors had entered into an agreement with Henry VII. to deliver into his hands the Scottish King and his brother, the Duke of Ross. To assist

them in this undertaking the English King had advanced the sum of £260, which, however, he stipulated was to be repaid. James and his Ministers could have had no suspicion of Henry's treachery, for at the moment when the plot was concocted the Archbishop of St. Andrews had been despatched on an embassy to England to make arrangements for the continuation of peace. The plot, however, fortunately was ineffectual.

On 1st December 1497 Henry VII. of England granted the young Duke a safe-conduct for two years as a traveller to Italy in consideration of his high rank, sincerity of life, honesty of morals, and other virtues (Rymer). Towards the close of the same year Ross was made Commendator of the Abbey of Holyrood, and 171 gold florins paid on his behalf.<sup>1</sup> His Seal attached to the Confirmation of an Altarage in St. Leonard's Church, St. Andrews, on 1st June 1500, had "Commendator of Holyrood" in the legend.

<sup>1</sup> *Reg. Mag. Sig.*

A few days afterwards the young Duke was made Commendator of Dunfermline. In 1502 there was made a payment, entered in the Treasurer's Accounts, to Lord Bothwell as guardian of the Duke of Ross and Keeper of Edinburgh Castle, and also for the expenses of the Duke.

In 1497, at the age of nineteen, Ross was made Administrator of St. Andrews in succession to Schevez, till he reached the legal age for that high office. He went to Rome for investiture in the reign of Pope Julius II. On his return the King conferred on him the Chancellorship of the kingdom (1501). In 1504, however, the Chancellor died, at twenty-six years of age, before his installation as Archbishop was ever carried out.

From a well-known authority we learn that his funeral was conducted on a magnificent scale, the cost being £3000. The body was trussed in wax, and a great number of torches were consumed—evidence that the funeral must have been at night. A procession of

cross-bearers, acolytes, and thurifers led the way. The Prior and other dignified clergy followed in the train, and the whole procession was closed by 436 persons carrying banners and armorial bearings, which were deposited round the coffin in the Cathedral Church while the obsequies were being celebrated at the high altar. The Chancellor was interred in the chancel of the Cathedral Church of St. Andrews amongst the bishops, his predecessors in that See. The King went into mourning. We find in the Treasurer's Accounts purchases of black to be a mourning gown with a hood to the King, black hose, a black riding gown, a black horse, and a black covering for the horse. The Chancellorship was vacant for some time after the death of the young Duke of Ross.

### ALEXANDER STEWART.

1511-1513.

Alexander Stewart, the young Archbishop of St. Andrews, was a natural son of James IV.



by Margaret, daughter of Archibald Boyd of Bonshaw, and was born in 1495,—some writers say in 1491 or 1493. He was provided with a tutor, Patrick Panter, by the King, and went abroad to complete his course of learning, Erasmus being among his teachers. Having made the tour of France in 1503, he went to Italy and settled at Padua in 1507, where he pursued his studies with close application under the direction of the most famous masters of the time.

In the year after his arrival at Padua he was joined by the Earl of Moray, a boy of eight years, another natural son of James IV. Little is known of Moray's visit, save that John Francis was paid to conduct him to, and leave him with, the Archbishop of Padua.<sup>1</sup> This young Earl afterwards married Lady Margaret Campbell, daughter of Colin, third Earl of Argyll, by whom he had one daughter. On his death, without male issue, the estate again reverted to the Crown, in

<sup>1</sup> Treasurer's Accounts.

whose hands it remained to the time of Queen Mary.

The King designed Alexander for the highest dignity in the Church. Pope Julius II. granted a dispensation from the disqualification of illegitimacy, and appointed him to the See of St. Andrews in 1505, in succession to his uncle, when Stewart was only ten to fourteen years of age. He was, however, never consecrated, though he administered the See.

Whatever his merits, however, nothing could excuse his being placed at so early an age in so responsible a situation as the Primacy of Scotland. The whole history of this period shows that Church benefices had become a mere matter of traffic among the leading men of the day. Every noble family had one or two of its members in the Church, and every ecclesiastic with the sanction of the Pope, but in violation of the ecclesiastical canons, got for himself as many benefices as he could, without the least regard to his fitness for the performance of the duties annexed to them.

The King in 1508 proposed to exempt the Dean of the Chapel Royal from Archiepiscopal jurisdiction, and this drew from the young Archbishop the following protest, addressed to the Cardinal of St. Mark's:—

“Your many great kindnesses to me certainly claim a special deference on my part if I am not to be convicted of ingratitude. You took infinite pains, and, despite canonical difficulties, you graciously obtained for me the administration of the Archiepiscopate. In a case where I must necessarily fail to requite your goodness, I feel I must try to give promise of being a good Archbishop and to justify all this indulgence. I hope you will never have cause to be ashamed of my promotion, and that St. Andrews will suffer nothing calculated to make it bemoan the immaturity of its Pastor, or the Archiepiscopal See regret my youthfulness. The first issue is in my own hands. I can school myself in knowledge and uprightness; I can dispose myself for your service. The second,

the maintenance of the liberty of my Church, I am too young to achieve, and I do beseech you, Most Reverend Father, not to suffer that the Chapel Royal, as malevolent persons propose, should ruin St. Andrews when it is in the cure of a boy, or diminish its ordinary rights. Using the Chapel as a pretext, and pretending a new privilege, they really seek their own exemption; plotting against my ordinary rights and casting about for impunity to do evil, they are scheming to reduce my jurisdiction to impotence. I hope you will accede to my request and defend me from wrong."

He was Ambassador to France in 1509.

Then, after he had by his study and travelling equipped himself for the service of the Church and his country, he returned home in 1510, and was received in Scotland with great enthusiasm by the King and Queen, the Court, and the nobility. He had become a great scholar, and was endowed with a natural sweetness of temper and disposition.

He was a favourite of the King, who, desirous that he should appear with as great a lustre in the State as he was to do in the Church, appointed him in 1511 Chancellor of the kingdom. There had evidently been no Chancellor since the death of the Duke of Ross in 1504, so that the office had been seven years vacant. The Pope made him Legate (*a latere*) in Scotland, and to enable him to keep up the dignity of the office gave him two great sources of revenue, the Abbey of Dunfermline and the Priory of Coldingham.

In 1512 Archbishop Stewart, concurring with the King, and Prior John Hepburn founded St. Leonard's College, St. Andrews, the original charters of which exist.<sup>1</sup>

After his return to Scotland the young Archbishop signed deeds and official papers as Archbishop, Archbishop and Chancellor, Commendator of Dunfermline and Coldingham, and Chancellor.<sup>2</sup> On 22nd August 1513 he

<sup>1</sup> Lyon's *History of St. Andrews*.

<sup>2</sup> *Reg. Mag. Sig.*

witnessed at Edinburgh a deed granted under the Great Seal, signing as Archbishop and Chancellor. That document is the last with his name that has come down to us.

He had held the Chancellorship rather less than two years when in 1513 he accompanied the Scottish army to the battle of Flodden. In that unfortunate engagement father and son were slain, as were also the whole of the leading nobility of the realm. It was many years before the kingdom recovered from this melancholy defeat. Young Stewart was then probably only eighteen, possibly twenty-two, years of age. His death was greatly lamented, as he was a young man of great worth, and beloved, it is said, in a remarkable degree by the entire nation.

In 1826, when, by order of the Exchequer, the debris occasioned by the demolition of St. Andrews Cathedral was removed, three stone coffins were discovered. These coffins still remain as they were found, projecting from under the floor of the high altar. They

are supposed to be the coffins of Archbishops Schevez, James Stewart, and James Beton. Close beside these coffins was found a skeleton with a deep cut on the skull ; probably this was the body of Alexander Stewart, the young Archbishop.

Erasmus, commenting on the character of the young Archbishop, says: "I was at one time domesticated with him in the town of Sienna, where I instructed him in Greek and rhetoric. How quick, how attentive, how persevering in his studies ; how many things he accomplished. At one and the same time he learned law, not a very agreeable study on account of the barbarous admixtures and the irksome verbosity of the interpreters. He heard lectures on rhetoric and declaimed on a prescribed thesis, exercising alike his pen and his tongue. He learned Greek, and every day pursued the part that had been assigned to him within a given time. In the afternoon he applied himself to music, to the virginals, the flute and the lute,

accompanying them sometimes with his voice. Even at meals he did not intermit his studies. The chaplain always read some useful book, such as the Decretals of the Pope or St. Jerome or St. Ambrose; nor was the voice of the reader ever interrupted except when some of the doctors in the midst of whom he sat made an observation, or when he himself asked the meaning of anything he did not clearly understand. At other times he would listen to tales, but short ones connected with literature. In this manner no part of his life was exempt from study except what he devoted to piety and sleep.

“And if he had any spare time he employed it in reading history, in which he took great delight. Then it happened, though a very young man, scarcely out of his eighteenth year, he excelled not only in every kind of learning but in many qualities which we admire in a man. Nor did that happen to him which sometimes happens to others—‘the more apt at letters the less apt at



morals,' for his morals were pure, yet mixed with prudence. His mind was richer and far above sordid affections, yet so constituted that there was nothing forward or fastidious about him. Though he felt acutely, he was accustomed to repress his feelings, and never allowed his passions to be inflamed, so great was the moderation of his nature. He greatly enjoyed wit and humour, but it was of a literary kind, and not the caustic. If any discord arose among the servants of the household, it was noticeable with what dexterity and candour he would allay it. In a word, he was religious without being superstitious. No King was ever blessed with so accomplished a son."<sup>1</sup>

## JAMES BETON.

1515-1525.

After the death of the Chancellor at Flodden in 1513, there is no record of any appointment

<sup>1</sup> *Scotichronicon*.

to the Chancellorship until 1515, when James Beton, Archbishop of Glasgow, was elected. The office was, therefore, evidently vacant for about two years. Robert Bethune, who was of the household of Robert II., married the daughter and heiress of Sir John Balfour, chief of that family, and obtained with her the lands of Balfour, in Fife, from whom sprang the family of Bethune, or, as it is commonly called, Beton of Balfour. James Beton, Archbishop, was sixth and youngest son of James Beton of Balfour by Marjory, daughter of Sir David Boswell of Balmuto.

The reader will observe that James Beton, the famous Archbishop of Glasgow and friend and Ambassador of Queen Mary, was a nephew of Cardinal Beton, and was a distinct person from this James Beton who became Chancellor. James Beton, the Archbishop and Chancellor, died in 1539; James Beton, the Archbishop and friend of Queen Mary, died in 1603. It is with the former we have to do.

Beton was Provost of the Collegiate Church of Bothwell in 1503, and in the following year was created Abbot of Dunfermline. He was in 1505 appointed by James IV. Lord Treasurer of Scotland, that office being vacant by the death of his brother, Sir David Beton of Creich. In 1508 he was chosen Bishop of Galloway, and in 1509 he became Archbishop of Glasgow, the See being vacant by the death of Blackadder; at this date he gave up the office of Treasurer. It is recorded that he enclosed his Episcopal Palace at Glasgow with a handsome stone wall, with a tower. He laid out money in building and repairing bridges that had gone to decay in different parts of the regality of Glasgow.

In 1515, in the minority of James V., he was by the Regent Albany appointed to the Chancellorship of Scotland, and had the Abbacies of Kilwinning and Arbroath conferred upon him. It is recorded that some time in 1515, after his appointment, he became a zealous supporter of Albany, was

arrested at Perth by order of the Queen (Margaret), and the Great Seal taken from him. Evidently it was afterwards returned to him. In the same year, when it became his duty to consecrate Gavin Douglas, Bishop of Dunkeld, he testified his respect for the family by entertaining the poet and all his friends in a magnificent manner at Glasgow, and defraying the whole expenses of the consecration.<sup>1</sup>

He was in 1517 chosen one of the Lords of the Regency who were to administer the kingdom in Albany's absence. During the troubles of that period the Earl of Arran was chosen Regent in Albany's place. Arran summoned a Convention of the Estates to meet at Edinburgh 29th April 1520, on which day he and some of the nobility assembled in Beton's house in Blackfriars Wynd, Edinburgh, when, before the sitting down of the Convention, they resolved to arrest the Earl of Angus (husband of Queen Margaret), alleging

<sup>1</sup> *Chambers' Lives.*

that his power was so great that so long as he was there they could not have a free Parliament.

Angus, anticipating trouble, sent his uncle, Bishop Douglas of Dunkeld, to the Chancellor, saying that if he had failed in his duty he would submit himself to the censure of the Convention. Douglas begged the Chancellor to mediate with the Convention. The Chancellor, who was deep in the plot, apologised for himself, and laid the blame on Arran, who, he pretended, was displeased with Angus on many accounts, adding, "There is no remedy; upon my conscience I cannot help it." And in the heat of the moment he struck his breast, which made the coat of mail under his cassock give a rattling sound, at which Douglas said, "My Lord, methinks your conscience clatters; we are priests, and to put on armour or to bear arms is not consistent with our character." A skirmish followed, in which the followers of Angus were victorious. Beton fled to Blackfriars

Church, and was there taken from behind the altar, and his surplice torn from him. He would have been slain had Bishop Douglas not interceded and saved his life.

After this Beton aimed at securing the Archbishopric of St. Andrews on the death of Forman. He was afraid of no competitor so much as Douglas, and, therefore, to get rid of him wrote a letter to the King of Denmark, making false charges against Douglas, and desiring the King to write his minister at Rome to inform the Pope that Douglas was under sentence of banishment because of his demerits. The result was that Beton, after misleading the Pope, was appointed in 1522 to the See of St. Andrews, resigning his connection with Arbroath in favour of his nephew, David Beton, but reserving to himself the half of the revenues for life.

[Gordon<sup>1</sup> informs us that Gavin Douglas, Bishop of Dunkeld, and James Beton, Archbishop of Glasgow, were both rivals at the

<sup>1</sup> *Scotichronicon*.

same time for the Archbishopric of St. Andrews and Primacy of Scotland. The former solicited the appointment from the Pope through the interest of Henry VIII., at whose Court he was at the time residing. The latter was supported by the Regent and the Three Estates of Scotland, who wrote his Holiness that the Bishop of Dunkeld was at that time a fugitive in England, banished from Scotland, and was endeavouring to be preferred to the Primacy through the interests of the enemies of Scotland. The King of Denmark was desired to interpose at the Court of France on behalf of the King of Scots, his nephew, to prevent the Pope making Douglas Primate. Death removed Douglas in 1522, and Beton was thereupon appointed to the office.]

In May 1524, when the Regent Albany went to France never to return, the country was left without a head. The Queen-Mother by her marriage with Angus had forfeited public confidence, and Albany's absence was

taken advantage of by Henry VIII. and his Minister, Cardinal Wolsey, for the purpose of putting Scotland, if possible, under English administration until the young King had arrived at his majority ; but there was an insurmountable obstacle. James Beton, Chancellor of Scotland and Archbishop of St. Andrews, was opposed to any such scheme, and was determined that his authority should not be interrupted.

Beton was an able man, but Wolsey was his superior in craftiness and cunning. Elaborate negotiations went on in 1524 between Wolsey, the Duke of Norfolk, and others as to how Beton was to be encompassed or put out of the way. Beton had entrenched himself in his Castle of St. Andrews, and became unapproachable save only to those whom he chose to receive. Mysterious conferences took place there between Beton and his friends. At last Wolsey suggested that a Convention should be held on the Border between commissioners of both kingdoms, and Beton was



specially invited. To this invitation Beton gave a prompt refusal. Wolsey's object was to get Beton on to English ground and kidnap him.

In the *State Papers* (Henry VIII.) will be found Wolsey's letter at this date: "My Lord, ye know right well that the practice set forth for the said Convention was never meant nor intended on this side for any communication of peace which the King would or thought should have been had in the same, considering it were not meet nor honourable that his Grace should condescend to any such Convention with the Scots; but it was done only with the intent under that colour to have intercepted the Chancellor by means of the Earl of Angus, whereby he with all his adherents should the more easily have been induced to the erection of the King and the extinguishing of Albany's Government; being the principal things which the King goeth about as regards Scotland. Considering that the Chancellor,

either by suspecting the danger of such interception or otherwise, is not as it seemeth minded to come himself to the Convention, it is not the King's mind that either you or any other person should observe the same" (the invitation). [Wolsey to Norfolk, December 1524.]

Wolsey characterised Beton as "very subtle and dissembling."

Norfolk was then told how to get gracefully out of the affair. He was to pretend to be offended at Beton's reserve, and to declare that there was no other person sufficiently eminent to meet him, so that the Convention must fall through.

Wolsey's next plan for securing Beton was to have him sent as an Ambassador from Scotland to the English Court, and when he was there to keep possession of him. Regarding this proposal, Wolsey wrote Norfolk: "Right expedient shall it be that ye ponder the cause of my tender writing to the Chancellor, which, to be plain with you,

is not to advance his authority or for any love, trust, or credit which the King or I bear towards him, but fearing lest the Queen and those who have taken part with her in the erection of the young King be not of sufficient power to utterly subdue the Chancellor, nor, also, whether the Earl of Angus would, might, or were able to do the same, is certainly known. Therefore I have written such kind letters to him to induce and train him to come hither as Ambassador for conclusion of peace between both Realms; which doing, experience may be made to get and win him to the King's devotion, or, that not attained, at least he may be kept here whereby he shall do no hurt there. And this is the cause only of my pleasant writing to him; where if the means might be found to set him up in some strict custody, moving and expelling him from all authority and doing there, it should be more acceptable to the King to have it done to-day than to-morrow. And in that case no such sending of him

hither as Ambassador is to be experimented or requisite." [Wolsey, to Norfolk, State Paper Office, Henry VIII.]

The historian, Hill Burton, adds: "It has been inferred apparently from this letter that Beton was offered the interest of Henry and Wolsey to get him made Cardinal if he would help the English policy." If he could be caught, imprisoned, and stripped of his power there would be no occasion, the historian says, to send him on an embassy to London; and it is clear, he adds, that the Chancellor was right in letting neither threats nor flattering offers draw him beyond the walls of his stronghold in St. Andrews.

Another crafty effort was made to get Beton out of his castle. In 1524 a Parliament was convened in Edinburgh, and, strange to say, Beton was tempted to leave his castle and attend. A revolution was now accomplished, and Beton was arrested and imprisoned along with Dunbar, Bishop of Aberdeen, and some



JOHN SPOTTISWOODE  
Archbishop of St. Andrews



others. They were only detained a short time, but Wolsey, on hearing of their capture, was in high exultation, and proposed that they should be sent to Berwick to be dealt with by the English Government. This proposal was unconstitutional, and could not be entertained. Wolsey threatened that if the Queen did not send Beton to Berwick, her husband, Angus, should be let loose upon her. (Angus and she had quarrelled and separated.)

During Beton's imprisonment Henry Stuart, of the Avondale family, was appointed Chancellor *pro tempore* by Queen Margaret, the Regent. Beton after a short term of imprisonment was released.

When Angus came to have the chief hand in the administration in 1525 he selected Beton as the object of his hatred (for his conduct to Douglas), turned him out of the Chancellorship and from the Court, and obliged him to conceal himself among his friends for fear of his life. The supremacy of Angus, however, was temporary, and when he lost

the King's favour Beton was reinstated in his episcopal functions, but not in the Chancellorship.

After the death of Lennox at Linlithgow Bridge in 1527, Angus and the Douglasses made a rapid march to Stirling with the intention of seizing the Queen (Margaret) and James Beton, but both had fled. Beton found the pursuit so hot that he was compelled for some time to assume the disguise of a shepherd, and conceal himself in the mountains till the danger was over.

It is said that the great wealth of this crafty prelate, and the liberality with which it was afterwards distributed to the Douglasses, obtained for him a ready oblivion of his former opposition. Beton was reconciled to the Douglasses, and was admitted to a share in the Government.

The escape of the young King from the Douglasses was brought about largely by Beton's ingenuity. He gave a magnificent entertainment to the King and the Douglasses



in St. Andrews Castle, and completely succeeded in blinding the eyes of Angus; and the conspiracy for his destruction was matured when he deemed himself most secure.<sup>1</sup>

On 8th July 1524 Pope Clement VII. confirmed a Bull of Leo X. exempting the province of Glasgow from the authority of St. Andrews.

According to Spottiswoode, "Beton for seventeen years lived to be Bishop of this See, and was herein most unfortunate that under the shadow of his authority many good men were put to death for the cause of religion, though he himself was neither violently set nor very solicitous, as it was thought, how matters were in the Church." In 1527 Beton was induced by the persuasion of other Churchmen to consent to the persecution and death of Patrick Hamilton, the proto-martyr of the Reformation. George Buchanan was obliged to fly for safety after Patrick Hamilton was burned.

<sup>1</sup> *Caligula* 6, iii., 136.

Beton retired after 1527 to his diocese, and set about founding the new divinity College of St. Andrews, which he did not live to complete. He married James V. to Mary of Guise in the Cathedral of St. Andrews in June 1538. After he had been seventeen years Archbishop and ten years Chancellor he died in St. Andrews Castle in 1539, and was interred in the Cathedral Church there before the high altar.

Beton kept a great establishment. Magnus, writing to Wolsey, 25th January 1525, says: "Of late have been at St. Andrews with the Archbishop there, the Earls of Angus, Lennox, and Argyll, with many others, Spiritual and Temporal; and it is said the Archbishop, the Bishop of Aberdeen, and the Prior of St. Andrews, the said three Earls, and many others with them, were combined to take one great part together for the weal they say of the young King, their master, and of this his realm, and for a Treaty of Peace between England and Scotland. I understand there

hath not been such a house kept in Scotland as of late the said Archbishop hath kept, and yet keepeth, insomuch as there being with him of these Lords, both horse and man, he gave living nightly to twenty-one score horses."<sup>1</sup>

<sup>1</sup> *State Papers*, vol. iv.

## CHAPTER X.

Archibald, Earl of Angus, Chancellor—Marries Queen Margaret—Queen removes to Stirling—Regent secures the King at Stirling—Angus and Lennox demand King's removal from Regent—The Angus Bond with Home and Arran—The Queen and Angus at Lamberton Kirk—The Queen and Angus Quarrel and Separate—Angus and Arran skirmish in Edinburgh—Angus seizes the King and appoints Himself Chancellor—The Angus and Buccleuch Scuffle at Melrose—Linlithgow Engagement and Death of Lennox—The King's escape from Angus—Angus dismissed from the Chancellorship—Angus and the Douglasses Attainted—Attainder reversed at King's Death—Conspiracy against Cardinal Beton—Battle of Ancrum Moor—Convention Parliament at Stirling—Angus commands at Pinkie—Mary of Guise Regent—Death of Angus at Tantallon—His Character—Dunbar appointed Archbishop of Glasgow—His Connection with the College of Justice—His Hospital for Tradesmen—One of the Lords of the Regency—Approves the Burning of the Vicar of Dollar—The Bible and the English Language—Glasgow exempted from Jurisdiction of St. Andrews—Dunbar and George Wishart—Death of Wishart—Death and Interment of Dunbar.

### ARCHIBALD, SIXTH EARL OF ANGUS.

1526 - 1528.

ARCHIBALD DOUGLAS, sixth Earl of Angus, was the grandson of Archibald "Bell the

Cat." His father was George, Master of Angus, who fell at Flodden, and his mother was Lady Elizabeth Drummond, daughter of John, Lord Drummond. He was born in 1490, and was a man who certainly maintained the traditions of the great House of Douglas. He succeeded to his estates in 1514, after Flodden. His remarkable career shows him to have been not only a man of daring intrepidity but a traveller and a scholar, rare accomplishments in that age. One of the boldest acts of his life was to fall in love with the young Queen-Mother (Margaret), but after-events showed that this was less a sincere attachment than a cunning stroke of policy to enable him to acquire power. Angus was then only twenty-four years of age and the Queen-Mother rather younger. By this marriage he had a daughter, who afterwards was known in history as Lady Margaret Lennox, a lady of unimpeachable honour; she became the mother of Henry Stuart, Lord Darnley, the husband of Queen

Mary, and consequently ancestress of the Stuart sovereigns.

One of the immediate effects of the marriage was the division of the country and the nobility into factions—Angus and the Queen-Mother at the head of the one, and Albany, the Regent, at the head of the other. Parliament was displeased at the conduct of Angus and his Royal consort, and resolved that the infant King should be removed from their custody. Following on this resolution occurred the famous scene before Edinburgh Castle in 1515. Certain of the nobles were appointed by Parliament to deal with the matter. When they arrived at the Castle the gates were thrown open, and, amidst the acclamation of the people, the Queen stood at the entrance with the young King at her side and a nurse behind, who held in her arms his infant brother, the little Duke of Ross. The Queen ordered the nobles to stand and declare their errand. The scene was imposing. They replied that they came, in the name of Par-

liament, to receive from her, their Sovereign and his brother. The Queen then commanded the warder to drop the portcullis, and with this barrier between her and the astounded nobles, she then addressed them: "I hold this castle by the gift of my late husband, your Sovereign, who also entrusted to me the keeping and government of my children, nor shall I yield them to any person whatsoever; but I respect Parliament, and require a respite of six days to consider its mandate." Angus, who stood beside the Queen, becoming alarmed lest this should be treason, desired her to obey the order of Parliament, and took a notarial instrument on the spot that he had consented to the surrender of the children, but the Queen remained firm and maintained her position.

After this scene she felt unsafe in Edinburgh Castle, and went with her children to Stirling. She there sent her answer to the Regent Albany: "That the children should be entrusted to the custody of Angus, Home,

the Earl Marischal, and Lauder of the Bass." This was not accepted, and the Regent assembled an army and appeared before Stirling Castle to take it by storm. The Queen, seeing resistance hopeless, sent for the Regent, and surrendered on condition that her children, herself, and Angus should be honourably treated. The Regent accepted the conditions for herself and children, but he considered Angus guilty of treason in opposing the will of Parliament and corresponding with England, and would promise nothing for him.

Thereupon Angus and Lennox, with the Master of Kilmaurs (Glencairn) and Scott of Buccleuch, with a retinue of 500 followers, forcibly opened the gates of the capital and penetrated to the Mercat Cross. They demanded the removal of the King's person from the custody of the Regent. Edinburgh Castle opened fire upon them, and 500 men had been collected to defend the capital against Angus and his faction. Eventually



the Bishop of Aberdeen and the Abbot of Cambuskenneth prevailed on the Queen to issue a proclamation in the King's name commanding the immediate departure of Angus from the capital. This had the desired effect, and Angus and his followers retired to Dalkeith. The Queen then removed from Holyrood to Edinburgh Castle for safety. Shortly after this the Queen and Angus would appear to have removed to England in view of the troubled state of the country.

On 14th October 1515 Angus entered into a private bond with Home and Arran to resist the Regent and release the young King from his guardianship. At this date the little Duke of Ross died at Stirling. Home and Angus, looking to the desperate state of their affairs, withdrew from the Queen, who lay ill at Morpeth, and returned to Scotland, where, restored once more to their hereditary possessions, they abstained for a time from all opposition to the Government. The Queen was highly incensed at the conduct of Angus

in leaving her, and never forgave him. Some months after she was permitted to visit Scotland, and was met at Lamberton Kirk officially by Angus, Morton, and others.

In 1519 the fickleness of Angus' attachment to the Queen was disclosed by his having a lady secluded in Douglasdale, with whom he lived. The Queen, on becoming aware of this, violently upbraided Angus for his inconstancy, and expressed her determination to sue for divorce, but to this her brother, Henry VIII., was opposed. The lady referred to was the daughter of Stewart of Traquair; she bore Angus a daughter, who afterwards became Lady Ruthven.

In 1520 Angus retired to France, and was made an Honorary Knight of St. Michael by Henry II. of France.

The Regent Albany (John, Duke of Albany, grandson of James II., whose regency lasted nine years), who had been absent in France, returned to Scotland on 19th November 1520, when the Queen and he became

so intimate that their relations aroused suspicion.

In 1524 Angus returned to Scotland in support of the English faction, and opposed the party led by Albany, Arran, and the Queen. On 23rd November 1524 the forces of Angus and those of Arran (James Hamilton, first Earl) had a fierce skirmish in Edinburgh to get possession of the King, when Arran was defeated, and Angus remained master of the capital, which he held for some time by force. The Queen and the young King escaped to the Castle for safety. The Queen continued to retain possession of the King's person; but Angus and the Chancellor, James Beton, already wielded great power, and had succeeded in attaching to themselves not only the majority of the nobility but the sympathy of the citizens.

Shortly after this influence was brought to bear on the Queen to consent to a reconciliation with Angus, so as to secure the peace of the nation. The Queen, with

great reluctance, consented on the following conditions: Angus was not to assume any matrimonial rights either over her person or estate; the King to be removed to Holyrood, and to be in the custody of a council of peers nominated by Parliament, over which the Queen was to preside; patronage of churches to be in the hands of a committee, of which the chief member was the Queen. Thus Angus for the moment became the leading nobleman in the kingdom. The agreement, however, turned out to be quite insincere. The Queen had lost all affection for Angus, and had evidently encouraged the attentions of Henry Stuart, second son of Lord Avondale. She soon renounced the agreement and all reconciliation with Angus, believing that he and Archbishop Beton were plotting against her.

The keeping of the King's person was at this date (1525) entrusted to certain peers—Angus, Argyll, and Erroll—each to have charge of the King three months in suc-

cession. Angus violated this agreement, and at the end of his three months refused to stand aside and make way for his successor. He thereupon proceeded to appoint his friends to public offices, nominating himself Chancellor and dismissing Beton. The young King and Angus could not get on together. The King complained to Lennox and Scott of Buccleuch of his absolute captivity in the hands of the Douglasses, and on one occasion, as the Royal cavalcade was returning by Melrose to Edinburgh, Buccleuch appeared on a neighbouring height with 1000 men, and threw himself between Angus and the road to the capital. Angus sent a message commanding Buccleuch to dismiss his followers, but it was received with scorn. Angus then ordered his followers to dismount, while his brother George, with Maxwell and Lennox, formed a guard round the King and retired to an adjoining eminence. The conflict which ensued was short but severe. Buccleuch was defeated and eighty of his men slain.

Soon after this another and more determined effort was made to release the King from Angus. The attack was led by Lennox, and the engagement took place at Linlithgow Bridge. The bridge being seized by Angus' troops, Lennox found himself compelled to attempt a passage at a ford opposite the old nunnery of Manuel, an act which threw his men into disorder and exposed them to the fire of the enemy. However, they succeeded in crossing, and boldly attacked the enemy, but gave way when the shout of "Douglas!" rose from the advanced ranks of Angus, and the rout soon became complete. Lennox was slain, and Arran was found kneeling beside the bleeding body of his uncle, which he had covered with his cloak, exclaiming that the victory had been dearly purchased by the death of the wisest and bravest knight in Scotland. This victory increased the power of Angus, who followed it up by his rapid march to Stirling, with the intention of seiz-

ing the Queen and the ex-Chancellor Beton. Both, however, had fled.

Angus and the Douglasses were now masters of the King's person. They compelled him to affix his signature to any deeds which they chose to offer him (Tytler). Angus was Chancellor, and the Great Seal at his command. His uncle was Treasurer, and the revenues, as well as the law of the country, were completely under his control. But the King's release and the fall of Angus were at hand.

In May 1528 the King, who was now sixteen years of age, escaped from Falkland Palace in the temporary absence of the Douglasses, and during the night rode to Stirling with a small escort. There he issued a proclamation announcing the event, and ordaining that no Douglas come within six miles of the Court under pain of treason. Angus was thereupon turned out of all his offices, expelled the kingdom, and attainted.

Though now stripped of his authority, his daring courage and extensive resources rendered him still an object of apprehension to the Court; and so great were the fears entertained of some sudden attempt on the King's person that the nobles and their armed retainers mounted guard over Holyrood by day and by night, and even the King himself, clad in complete armour, took duty for one night as captain of the watch (Taylor). After a few days the King returned to Stirling and the nobles to their estates pending the meeting of Parliament, when measures for the public safety could be arranged.

Angus was now no longer Chancellor; his term of office terminated on 28th May 1528, and in the September following Gavin Dunbar, Archbishop of Glasgow, was by the King appointed Chancellor of the kingdom, and the Bishop of Dunkeld Lord Privy Seal. Angus shut himself up in his castle of Tantallon. The Scottish Parliament met on 2nd September 1528 and confirmed the attainder against



Angus and the Douglasses. The lands of Angus were given by the King to Argyll, Arran, Bothwell, Buccleuch, Maxwell, and Hamilton, Tantallon Castle being reserved to the Crown.

A divorce was, in 1528, pronounced between the Queen and Angus by Cardinal Beton, and was afterwards confirmed by the Pope. The Queen thereafter married Henry Stuart, and created him Lord Methven.

Angus continued to defy the King, and took refuge eventually at the Priory of Coldingham. From there he was expelled by the King's troops under Argyll, and he fled into England, where he remained till the death of James in 1542, when he returned to Scotland. The Scottish Parliament then reversed his attainder, and he was restored to his estates.

In 1543 the English King was determined to have his son and the infant Queen of Scotland betrothed. Cardinal Beton and Arran, the Regent, earnestly endeavoured to bring over to their party the Earl of Angus

and his associates. They desired them to attend the approaching coronation of the infant Queen; to assist by their presence and experience in the Parliament, and so restore unity to the commonwealth. Angus and his associates replied by retiring to Douglas Castle, where they assembled their forces and drew up an agreement by which they became bound to employ their utmost strength in fulfilling their engagements to the English King.

To escape the sentence of forfeiture to which their repeated treasons had exposed them, the Earls of Angus, Lennox, Cassillis, and Glencairn, who had lately thus bound themselves, by written agreement, to the service of the English King, did not hesitate to transmit to Arran, the Regent, a similar bond in equally solemn terms, by which they stipulated for themselves and others to remain true, faithful, and obedient servants to their Sovereign lady and her authority, to assist the Regent in the defence of the

realm against their old enemies of England, to support the liberties of the Church, and maintain the true Christian faith.<sup>1</sup> To this treaty Angus gave his adherence on 13th January 1544, and in security for the performance of its conditions his brother, Sir George Douglas, and the Master of Kilmaurs, Glencairn's eldest son, surrendered themselves as pledges. Before two months had expired Angus had secretly announced his unlimited fidelity to Henry VIII.,<sup>2</sup> and the nobles of his faction despatched messages to request Henry to hasten his preparations for the invasion of Scotland, and to give him such hints as might be likely to promote the success of the enterprise. At this juncture Angus and Maxwell, on their way to Glasgow to mediate in a fresh quarrel between Lennox and the Regent, were arrested and imprisoned by the Regent's orders.

The unblushing treachery involved in all

<sup>1</sup> *State Papers.*

<sup>2</sup> See his letter, dated 5th March, to the King.

this seems almost incredible. The same year a split in the party occurred, when Angus, his brother, Sir George Douglas, and their adherents joined Cardinal Beton and the infant Queen, and Lennox and Glencairn went over to England; Angus was thereupon appointed Lieutenant-General of the kingdom. Dissensions arose between the Queen-Dowager, Mary of Guise, and the Regent. The people neither knew whom to obey nor where to look for protection. In November the Regent held a Parliament, when Angus and his brother were charged with treason, and forfeiture threatened against him. The Estates assembled at Stirling in obedience to a summons of the Queen, who issued a proclamation discharging all classes of the people from their allegiance to the Regent. In the midst of these troubles Arran, the Regent, advanced with an army to the Borders to oppose the English, but he was defeated. For this disaster Angus got the responsibility. Nevertheless,

in a Parliament held at Edinburgh the following month, Angus and his brother, who were present, were absolved from the charge of treason and declared innocent. At this crisis the Earl of Cassillis, acting under the advice of the English King, planned a conspiracy to murder Cardinal Beton. In this plot Angus, his brother, and Glencairn were accomplices, but it did not succeed.

We are informed that in 1545 the barons of the Lothians had no confidence in the patriotism or honesty of Angus, and they declined either to pay money or to serve under his banner, preferring to make covenants with each other for their mutual protection against the incursions of the English.<sup>1</sup>

The English Wardens, Eure and Layton, felt confident that they could easily take and permanently keep possession of the whole of the country south of the Forth. The proposal met with King Henry's approval, and

<sup>1</sup> *Diurnal of Occurrents.*

he is said to have bestowed on Eure a grant of all the lands he might conquer in Merse, Teviotdale, and Lauderdale, the greater part of which belonged to Angus. Angus, furious that the English King should presume to dispose of his property, swore that "if Ralph Eure dared to act upon the grant he would write his sasine [or instrument of possession] on his skin with sharp pens and bloody ink" (Godscroft.)

Angus had his revenge at the battle of Ancrum Moor, fought on 17th February 1545, the English Wardens, Eure and Layton, being slain. King Henry was furious when he heard of this defeat, and vowed revenge. Angus made him the following bold reply: "Is our brother-in-law offended that I, as a good Scotsman, have avenged my ravaged country and the defaced tombs of my ancestors upon Ralph Eure? They were better even than he, and I was bound to do no less; and will he take my life for that? Little knows King Henry the skirts of Carn-

table; I can keep myself there against all his English host."

A convention of Lords, spiritual and temporal, was held at Stirling on 10th June 1546, after the assassination of Cardinal Beton, the Chancellor. Concessions were made by both parties for the purpose of promoting unanimity. The Regent Arran renounced the contract of marriage between the infant Queen (Mary) and Edward, son of Henry VIII., to which he had been advised by Beton; and annulled the bonds or feudal engagements by which certain barons were pledged to see it carried into effect. Angus and his friends approved of the Act of the Scottish Parliament dissolving the Treaty of Peace with England, declared their opposition to any marriage between the young Queen and Edward, and solemnly repudiated for ever all the promises of loyalty which they had made to Henry VIII.<sup>1</sup>

Angus in 1547 commanded the vanguard

<sup>1</sup> *Privy Council Register.*

of the Scots army at Pinkie, where the Scots suffered so great a defeat

In 1555 Mary of Guise, now the Regent, resolved to raise a standing army of foreign soldiers, and a proclamation was issued forbidding the attendance of noblemen at meetings of Parliament or public conventions with any other followers than their domestics. Angus could not be expected to acquiesce calmly in this order of the Regent, and rode immediately into Edinburgh at the head of 1000 horse. Appearing in the presence of the Regent, he was upbraided by her for this daring violation of her injunctions, but replied, "Well, Madam, the knaves *will* follow me; gladly would I get rid of them, for they devour all my beef and my bread; and much, Madam, would I be beholden to you if you could tell me how to get quit of them." At a subsequent interview the Regent proposed to Angus to place one of her garrisons of hired troops in his castle of Tantallon. Angus made no answer, but, addressing a hawk,



which he had brought on his wrist and which he was feeding, he said, "The devil take the greedy gled! Thou hast too much already, yet thou desirest more." The Regent referred him to her proposal, when Angus good-humouredly replied, "Oh! yes, Madam; why not, Madam? All is yours, ye shall have it. But, Madam, I must be captain of your muster, and keeper of Tantallon."

For the last few years of his life Angus lived mainly in retirement. He died in 1556 at Tantallon Castle, and was interred in the Collegiate Church of Abernethy (Perthshire), the burying-place of his ancestors, the Lords of Abernethy. Having no male issue, his estates went to his nephew, David, the son of his brother, Sir George Douglas.

It is said that Angus was accessory to the assassination of Cardinal Beton, and that his brother, Sir George Douglas, informed Sadler that if the King would have the Cardinal dead, his wish would be gratified if he would promise a good reward for doing so.

The Regent on one occasion told Angus that Lord Huntly had done her very good service, for which she meant to make him a Duke. This wounded Angus' pride, he being only an Earl, and he replied, "Why not, Madam? We are happy who have such a Princess who can know and acknowledge men's service, and is willing to recompense it; but, by the might of God, if he be a Duke I will be a Drake!"—his meaning being that he would be above and before Huntly.

The ambition, restlessness, and unscrupulousness of Angus undoubtedly contributed to the unsettled and turbulent state of the kingdom, from his marriage with Queen Margaret in 1514 to his death in 1556. All his actions were for the promotion of his own selfish purposes, and he was sublimely indifferent to all that concerned the welfare of the realm.

## GAVIN DUNBAR.

1528-1543.

Gavin Dunbar, Archbishop of Glasgow, belonged to the ancient family of the Earls of Dunbar and March. He was the third son of John Dunbar of Mochrum, his uncle being Bishop Dunbar of Aberdeen, and his grandfather Sir Alexander Dunbar of Westfield, eldest son of the Earl of Moray. He studied at the University of Glasgow, and in 1514 was made Dean of Moray; afterwards he became Prior of Whithorn and tutor to James V. On the translation of James Beton, Archbishop of Glasgow, to St. Andrews in 1522, Dunbar was appointed his successor. In 1526 he was, for his eminent qualifications, made a Privy Councillor; and on the fall of the Earl of Angus he was elected Chancellor of Scotland (21st August 1528).

This appointment was made at a meeting

of the Scottish Parliament immediately after the King's escape from the Douglasses. Cairncross, Abbot of Holyrood, became Treasurer, and the Bishop of Dunkeld Privy Seal. The command of the capital and the Provostship of Edinburgh was conferred on Lord Maxwell.

It was probably by the advice of Dunbar that the King at this period inaugurated the College of Justice. The College was duly instituted in a Parliament held at Edinburgh 17th May 1532. It consisted of fourteen judges—one half from the clergy and one half from the laity—over whom was a President, who was always to be a Churchman. The object of this new Court was to remove the means of oppression out of the hands of the aristocracy; but as it was provided that the Chancellor might preside when he pleased, and that on any occasion of consequence or difficulty the King might send three or four members of his Privy Council to influence the deliberations and give their votes, it was evident that the subject was only freed from

one grievance to be exposed to the possibility of another.<sup>1</sup>

In 1536, when James V. went on his matrimonial trip to France, Dunbar was appointed one of the Lords of the Regency in his absence, along with Archbishop Beton and four nobles. On the King's return Dunbar received the Commendatorship of the Abbey of Inchaffray, then in the King's hand, by the death of Stewart of Moray.

In February 1539 Dunbar, along with the Archbishop of St. Andrews and the Bishop of Dunblane, concurred in the burning at the stake of Thomas Ferret, Vicar of Dollar, and others for heresy, on the Castle Hill of Edinburgh. He also, shortly afterwards, condemned Jerome Russel and a youth named Kennedy to be burned at Glasgow. He would have spared their lives but for the remonstrances of Cardinal Beton.

Dunbar enjoyed the King's full confidence, and administered the duties of Chancellor for

<sup>1</sup> *Acts of the Scottish Parliament.*

fourteen years, up to the King's death in December 1542. At that date James Hamilton, Earl of Arran, was appointed Regent of the kingdom in the minority of the infant Queen. Dunbar was reappointed Chancellor, and was also one of the Regent's Council.

On 15th March 1543 there arose an important question requiring the Chancellor's decision—a proposal by Lord Maxwell to print the Bible in the English language. The proposal was actually agreed to by the Lords of the Articles, but it was opposed by Dunbar the Chancellor. His opinion was that a General Conference should be held of the whole clergy to resolve thereupon. That would have meant the disapproval of the proposal and the shelving of the question. Notwithstanding the opposition of the Chancellor, however, the Act passed the Scottish Parliament and became law. This was followed by the resignation of the Chancellor, who, it is recorded, retired to the duties of

his diocese, and so employed himself till the close of his life in 1547.

The excessive influence exercised by ecclesiastics in the reign of James V. must be ascribed to Dunbar, who retained through the King's life his special confidence and respect. At his instigation the King brought influence to bear on Pope Clement VII. to obtain his exemption from the jurisdiction of the Archbishop of St. Andrews. Dunbar concurred in the sentence against Patrick Hamilton, and was then specially commended in a letter sent to Beton by the doctors of Louvain.

In 1545, when George Wishart went to preach at Ayr, Dunbar resolved on the experiment of depriving him of an audience by himself preaching in the Kirk; but Wishart, by adjourning to the market, took with him nearly the whole audience from the Kirk, leaving the Archbishop to his supporters and the waifs and strays of the town.

Cardinal Beton having occasion to visit Glasgow some time after, a question arose

at the door of the Cathedral as to the precedence of the cross-bearers of the Archbishops, and the matter led to a violent personal conflict, the Archbishops only becoming reconciled through their common zeal in promoting the martyrdom of Wishart. Dunbar answered the summons of Beton to be present at the trial of Wishart in February 1546. He subscribed the sentence for his execution, and "lay over the east block house with the Cardinal, till the martyr of God was consumed with fire." (This account is inconsistent with the statement sometimes met with that Beton witnessed the burning of Wishart from one of the windows of his Castle.)

Dunbar died in 1547, and was interred in the choir of Glasgow Cathedral. He is generally admitted to have been a good and just man, and was the first scholar of his time. His remains were discovered in 1855, during the repairs then being executed within the choir of the Cathedral. The sarcophagus



contained an entire skeleton in a perfect state of preservation, also a border and fringe of rare gold tinsel, on which appeared a figure resembling a quatrefoil, which, on being exposed to the atmosphere, fell to powder. Covering a portion of the skeleton were the remains of a fringed silk vestment, portions of which, with a cast of the skull, were presented to the Museum of the Society of Antiquaries, Edinburgh.





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