CROWN-MAGNATE RELATIONS, 1437-1460

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Crown - Magnate Relations

1437 - 1460

Christine Anne McGladdery

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# Crown - Magnate Relations, 1437 -1460

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Abstract

This thesis examines the relations between James II and those magnates who were active in politics during his reign, which lasted from 1437-1460. The Black Douglas family were of particular importance during both the minority and the personal rule of James II and their rise to prominence, conflict with the king, and ultimate downfall is studied with particular reference to their bases of power and support. The attitude of the king to the higher, and, where appropriate, lesser nobility is considered, and the thesis traces the development of the political community from the beginning of the reign, when the ranks of the higher nobility were severely depleted, to the state of the realm and its leaders at the time of the king's death in 1460.

The major conflict with the Black Douglases is examined through official records and chronicle references and the various stages in the development of the contest are outlined and assessed. The attitude of the other members of the political community to the Crown/Douglas conflict is studied, and the king's methods of courting support, particularly through patronage, are traced. The attacks launched by the king on certain members of the nobility or, in the case of the Livingston faction, royal office holders, are considered, as are his efforts to build up the position of certain families and replenish the ranks of the nobility by creating certain earldoms and lordships of parliament. The rise of honorific dignities, i.e. the bestowal of titles
which did not necessarily include the granting of any new
land, is discussed, and the king's relationship with the
three estates gathered in Parliament or General Council is
assessed.

The view of the reign of James II which appears in modern
histories is traced through from contemporary sources with
particular reference to the histories written in the
sixteenth century which have provided much of the material,
including errors and distortions, which have formed recent
assessments.
Acknowledgements

I would like to express my gratitude to Mr. W. Scott of the Regesta committee for providing, at the outset of my research, an invaluable list of references for royal charters and documents which are not included in the Register of the Great Seal of Scotland, and to Mr. A. Borthwick for drawing my attention to his own additions to this list. I am indebted to Professor I.B. Cowan for his help in providing access to the unpublished Scottish supplications to Rome and to Mr. R. Oram for his help in identifying many of the place-names mentioned in the text. Above all, I wish to thank my supervisor, Dr. N. Macdougall, for providing constant support, direction and encouragement.
Introduction - The Sources

'After the death of James I, we enter on a period when reliable narrative sources are scanty and records are still inadequate. Consequently, the very course of events is at times impossible to follow; it is hard indeed to detect any pattern at all; and above all, the motives which shaped the actions and policies of both the government and its opponents are so uncertain as to be unintelligible. It is all rather like watching a play in an unknown language, and watching it, too, by a rather fitful light: that is, we see only parts of the action, and the thoughts lying behind that action are concealed from us'.

With this masterly paragraph, Professor Donaldson introduces the reign of James II in *Scottish Kings* and any student of the reign can not help but feel a certain amount of sympathy with this assessment. The narrative sources are certainly scanty as the great Scottish chronicle tradition breaks down in 1437 as Bower's *Scotichronicon* ends with the death of James I and the only contemporary chronicle source of any
appreciable length is the Auchinleck chronicle which poses its own problems dealt with in detail in the following chapter. The major narrative histories of the reign are all from the following century and were written with motives other than factual accuracy in mind, and they can not be considered as reliable sources except where other evidence may be brought to support what they say. The inadequacy of the records is also undeniable as there is a dearth of official records for the years between 1437 and 1460 in comparison with other periods. For example, in the following reign, historians have access to the Acts of the Lords Auditors of Causes and Complaints, the Acts of the Lords of Council in Civil Causes, and the Accounts of the Lord High Treasurer of Scotland, none of which are available for the reign of James II, and the surviving records for his reign are largely incomplete.

The best single modern work which deals with the period is Dr. A.I.Dunlop's The Life and Times of James Kennedy, Bishop of St.Andrews, but invaluable though this is to any student of fifteenth century Scotland, it is not, specifically, a study of James II and his magnates, and this assessment of the political events of the reign and James II's relations with his nobility has been based on contemporary public and private records, supplemented where possible by the Auchinleck chronicle. From the evidence of official records - parliamentary acts and sederunt lists, royal documents and witness lists, accounts and references in exchequer rolls
and diplomatic and ecclesiastical records - it is possible to form some opinion of the business transacted at court and the personnel attendant upon the king.

The edition of the *Acts of the Parliaments of Scotland* used in this thesis is volume ii of the printed work edited by Thomas Thomson in 1814. The parliamentary acts were not printed, officially, until 1566, and the proceedings which survive from the reign of James II do not represent a complete record of assemblies of the three estates during those years. There are twenty-seven assemblies between 1437 and 1460, for which records survive, and these are divided almost equally between parliaments and general councils (fourteen and thirteen respectively). The three estates met most frequently in Edinburgh (twelve occasions), then Stirling (nine) and Perth (six). There are five years of James II's reign for which no record of an assembly of the three estates survives - 1444, 1446, 1447, 1448 and 1460. The king was killed in August 1460 and he may have intended to hold a parliament in autumn or winter of that year, but the other missing years are all during the king's minority and the period of Black Douglas ascendancy at court. Although there is no record of an assembly of the three estates in 1444, a royal letter dated 13 November 1444 refers to 'the last general council held at Stirling', and as the previous general council at Stirling, according to the records, was held on 4 November 1443, more than a year before the date of the letter, it seems clear that a
reference is being made to an assembly in 1444, the proceedings of which have been lost. A manuscript survives in York Minster library of Scottish statutes from the reigns of the first four Jameses which was written during the reign of James V, but it is selective and omits most of parliament's judicial business and for the reign of James II, it adds little of interest to the text edited by Thomson. The most recent study of the Scottish parliament is I.E.O'Brien's unpublished PhD. thesis, 'The Scottish Parliament in the Fifteenth and Sixteenth Centuries'.

The bulk of the record material providing evidence of the king's business, whereabouts and the names of those attendant upon him are royal documents, chiefly charters and letters. Most of these are to be found in the printed Register of the Great Seal of Scotland, edited by J. Balfour-Paul and published in 1882 as a latin calendar with the entries arranged in chronological order. Some of the documents have not survived intact and lack details such as date and place of issue, and there are occasional instances of mis-dating. In assessing the king's relations with his magnates, it is important to know who was with the king at any given time and for this information, heavy reliance is placed on the lists of witnesses attached to royal documents. In the R.M.S, witnesses are represented by numbers referring to a key at the end of each section and where these may be checked, they are usually impressively accurate. Professor A.L Brown, writing of a slightly later
period, expresses doubts concerning the accuracy of witness lists on Scottish documents, stating that 'a conventional number of witnesses were drawn from the leading courtiers and officials and other men of status who were at court at the time. The men regularly at court probably tended to be included almost automatically'. However, there is a great deal of evidence to suggest that witness lists on Scottish royal documents were not formal or routine, and although some witnesses appear frequently, there is no-one whose name is invariably on the list, and this includes the major office holders, most notably the chancellor. This is not due merely to long periods of absence, as names may appear regularly and then disappear for a matter of days before occurring again, or a man may be on one charter witnessed on a single day, but not another (perhaps he was present at the morning business session, but not the afternoon). This is certainly true of the lesser figures at court, the names of whom vary from one list to another, and some witnesses make only one or two appearances throughout the extant documents of the reign. The witness lists also vary depending on where the king is when the grant is made. For example, William Mudy bishop of Caithness appears as a witness only when the king is north in Inverness, and other names on witness lists reflect the king's geographical location. Similarly, the lists may be shown to reflect political vicissitudes with names disappearing suddenly when certain men fell from favour and offices changing hands abruptly with alterations in royal policy. Much work remains to be
done on the nature of the official records, but for the purposes of this thesis, the premise is that Scottish witness lists were not merely conventional and are a valuable source of information.

There are 554 documents in the R.M.S under the section for the reign of James II and some 370 additional references to royal documents which appear in miscellaneous antiquarian club volumes, manuscript collections in the Scottish Record Office and the National Library of Scotland and various other sources outlined in the king's itinerary. (appendix A) 13

Exchequer roll references in the text and footnotes are to George Burnett's edition of Rotuli Scaccari Regum Scotorum, volumes v (1437-54) and vi (1455-60), published at Edinburgh in 1882 and 1883. 14 The records are incomplete and the accounts of some years are fuller than others, but there is some very useful information contained in the accounts of crown officials such as bailies, chamberlains and stewards, grouped under the heading 'ballivi ad extra', for example, the names of those who administered crown lands, had the keepership of royal castles and were in receipt of royal pensions, and the accounts rendered by custumars and bailies of burghs provides information for the towns. The E.R also provide additional information for the king's whereabouts with references to household expenditure when the king was on hunting trips which is not recorded elsewhere as no
official business was transacted. The problem with these entries is that there is seldom a precise date given, and although the month of the visit may be mentioned it is sometimes difficult to determine when the king made his excursion. Any calculations of royal income are necessarily vague because the accounts in the E.R are not simple statements of revenue and expenditure and do not represent all areas of royal finance. Dr. A. Murray has made a detailed study of the Scottish exchequer during the fifteenth and sixteenth centuries and he points out that 'the Scottish Exchequer was not a permanent body or institution, but an occasion or an event, the annual audit of the royal accounts'.\textsuperscript{15} Under James II, the audit was held in summer, usually at Edinburgh, but also at Linlithgow and Stirling.

Foreign sources have been used to determine diplomatic activity concerning Scotland, but only to the extent that they have some bearing on crown-magnate relations - an intensive study of foreign policy has not been attempted. The Scottish material found in the English records is almost all available in printed form in Rotuli Scotiae, ii, Rymer, Foedera, xi, and Bain, Calendar of Documents relating to Scotland, iv, and these have been used, chiefly, to determine who was sent on embassy or issued with safe-conducts to travel to England or abroad.\textsuperscript{16} James II's communications with France and England are also dealt with in Stevenson, Letters and Papers Illustrative of the Wars of
the English in France. 17

A reproduction of the only contemporary portrait of James II appears at the beginning of the thesis and I would like to thank the Württembergische Landesbibliothek, Stuttgart for their assistance in providing a photographic negative of the picture from the original manuscript diary of the Austrian knight, Jörg von Ehingen. 18 Although von Ehingen describes his visit to Scotland only very briefly, the portrait confirms the description of the king by the chroniclers, most notably Francois Villon, who wrote,

'Semblablement, le roy-Scotiste
Qui demy face ot, ce dit on,
Vermaille comme une emastiste
Depuis le front jusqu'au menton' 19

References in the Vatican archives to Scottish supplications to Rome are in print up to 1447 and the material relating to the reign of James II is in the Calendar of Scottish Supplications to Rome, volume iv. 20 For the supplications between 1447 and 1460, I am very grateful to Professor I.B Cowan for providing access to the unpublished material in the Department of Scottish History, University of Glasgow. In addition to the C.S.S.R, the Calendar of Papal Letters 21 has also provided some very useful cross references for chronicle entries.

Except where otherwise indicated, references in the text are to £ Scots.
Notes, Introduction


5 *Reports of the Royal Commission on Historical Manuscripts* (London, 1870-), Home, 85. Hereafter cited *H.M.C.*

6 York Minster Library, MS. xxi. M.S


10 For example, two charters were witnessed on 2 June 1441 and the witnesses are exactly the same on both except that John Cameron, bishop of Glasgow appears on one, but not the other, and William Cranston is similarly absent on one document. S.R.O., GD 48/5; GD 205, box 6,
bundle xi, 7. On 12 January 1452, two charters have the same list of witnesses with the exception of Patrick lord Glamis who appears on the first but not the second, and Andrew lord Gray who appears on the second but not the first. Haddington Charters, Stirling Charters, 21.

11 October 10 1457, Fraser Papers, 219

12 On 6 July 1460, Andrew Stewart lord Avandale suddenly replaced George Schoriswood, bishop of Brechin as chancellor. However, George bishop of Brechin appears in the same witness list and it is possible that the change in office was not acrimonious and does not indicate Schoriswood's disgrace. H.M.C, Home, 278

13 I am indebted to Mr. W. Scott for his invaluable list of references for unregistered documents (i.e., those not in R.M.S, ii) and to Mr. A. Borthwick for kindly drawing my attention to his own additions to the list.


18 Das Tagesbuch von Georg von Ehingen. Württ. Landesbibliothek, Stuttgart, Cod. hist. 4°141


Chapter 1 The Auchinleck Chronicle

The 'Auchinleck Chronicle' is the only contemporary chronicle source for the reign of James II of Scotland and is a crucial document for any study of the events of the reign as it provides, in many cases, greater detail than may be found in official sources and some of the entries offer the only information now available concerning particular events. The title, the 'Auchinleck Chronicle' was given to the document by T.G. Stevenson in 1877 because the manuscript in which it appears (the Asloan MS.) came from the library of Alexander Boswell of Auchinleck. The entries are not in strict chronological order, therefore to call it a chronicle which, by definition, is a continuous register of events in order of time, is inaccurate, but for the sake of convenience and clarity, the document will be referred to as the Auchinleck Chronicle throughout the thesis.

The Auchinleck Chronicle forms only one part of a large folio volume entitled the 'Asloan Manuscript'. The manuscript, written on paper, consists of miscellaneous prose and verse collections which were transcribed from various sources shortly before 1514 by John Asloan, a writer or notary at Edinburgh. The manuscript appears to have been acquired in 1730 by Alexander Boswell, as his signature, with that date, appears on the fly-leaf of the manuscript. Early in the nineteenth century, the Asloan MS. was brought to Edinburgh and bound at Register House under the
supervision of Thomas Thomson and the order in which the pages now appear is, in some instances, clearly incorrect. The Auchinleck Chronicle occupies fourteen folios in the Asloan MS., from folio 109 to 123, and it was edited and printed by Thomson in 1818 for private circulation, although his intention to add notes and illustrations remained unfulfilled at his death and consequently, very few copies were issued. Those that were contain the Auchinleck Chronicle in two forms; first, with the entries in the order of the original MS. and secondly, with the entries re-arranged in what Thomson believed to be chronological order, and given the title, 'A Short Chronicle of James the Second, King of Scots'. However, the very nature of the document defies such strict chronological treatment, and the result of Thomson's efforts has simply been further confusion.

The original manuscript appears to have been imperfect even before it was bound, as a number of the Auchinleck Chronicle's entries begin or tail off in the middle of a sentence, the remainder of which is lost, although it is difficult to gauge whether this involves the loss of one or more folios at any given point. There is also some evidence to suggest that John Asloan's original sources were defective as some of the entries are incomplete and do not make sense as they read, even when these occur in the middle of a folio. There is an example of this on folio 121r. with an entry which reads
'James of douglas sone to the said erll Sir walter of bekirtoune, sir willam of setoun, Sir richert of bekirtoun, Schir henry bekirtoun governour to the scottis archeris & alexander bekirtoun with mony utheris gud knychtis and sqwyeris'

Either Asloan was merely copying down a fragment or he was distracted and failed to complete the entry, but this is extremely unlikely unless he was subject to many such distractions!

Notwithstanding the numerous defects inherent in the Auchinleck Chronicle, it is possible, from a detailed study of the entries, to draw some general conclusions about the nature of the document, and even to recognise some clues to original authorship. At the beginning of folio 109, Asloan wrote the title; 'Heir followis ane schort memoriale of the Scottis corniklis for addicoun'. This suggests that Asloan used more than one chronicle source and the text itself gives the impression that Asloan gathered together all the chronicles he could find and transcribed them. The expression 'for addicoun' probably meant: that Asloan intended to use these chronicle sources as the basis for a continuation of Walter Bower's 'Scotichronicon'. Thomas Thomson's title, 'A Short Chronicle of James the Second, King of Scots' is highly inappropriate as the Auchinleck Chronicle, while it does deal with events of national
importance, such as the conflict between the king and the Black Douglases, the proceedings of certain parliaments etc., is far more concerned with recording events of local interest. By far the greatest proportion of the chronicle deals with local incidents ranging from short annalistic entries recording the death of a local man, for example; 'Item, that samyn zere and moneth thare was drownit in the watter of crawmond sir Jhon logane of lestalrig, knycht of the age of xxii zeris', to long, detailed accounts of events with no direct bearing on national politics, but for which the writer clearly had access to first-hand information.

The most interesting and informative aspect of these entries is that many of them have, as a common factor, the west of Scotland. For example, out of seventeen separate entries concerned with feuds and local disorder, eleven relate to the west. On folio 109r, the chronicler recorded the blood-feud between the Stewarts of Darnley and the Boyds, stating that: 'the zeir of god lmiiiì xxviii the xx day of september allane stewart lord dernlie was slane at polmais thorne be sir thomas boyd under ane assouerance takin betuix them'. Asloan has evidently copied the year incorrectly, and it should read 1438, as the following entry reads

'The zere of god lmiiiìxxxix the vii day of Julii sir thomas boyd was slane be alexander stewart buktuth & his sonis & mathow stewart with his
Polmaise is near Stirling and the feud between the two families evidently attracted the attention of a chronicler whose sphere of interest was, broadly speaking, the west of Scotland. Other such entries record the slaying of John Colquhoun of Luss at Inchmurrin on Loch Lomond, a detailed account of disturbances in the castle of Dumbarton, and the seizure of Lochmaben castle by the Johnstones, to cite but a few examples. In addition to accounts of local violence, other entries show a knowledge of events of local interest in the west. The chronicler noted the proclamation of the privileges of Glasgow University and a papal indulgence in 1451, the first mass said by William Turnbull as bishop of Glasgow in 1439, the outbreak of plague at Dumfries in the same year, and the entry which describes a flood on 25 and 26 November 1454:

'the quhilk brocht doun haile houses bernis and millis and put all the town of gowane in ane flote quhill thai sat on the houses'.

The west coast bias is so striking that at least one, if not more of the original chroniclers must have been living in the west of Scotland, and given their literacy and interest in church affairs, the writers were almost certainly clerics. A clue to the identity of one author may be found in the passage which commences on folio 113v and continues
on folio 119r, in which the chronicler recorded the death of Thomas Tarvas, abbot of Paisley, extolling his virtues and describing how, on his appointment to the abbacy in 1446 he

'fand the place all out of gud rewle and destitut of leving and all the kirkis in lordis handis and the kirk unbiggit'.

The chronicler wrote that Tarvas proceeded to renovate the buildings and increase the wealth and reputation of the abbey, bringing it, by the time of his death in 1459,

'fra nocht till ane mychti place and left It out of all kynd of det and at all fredome'.

Some confirmation for this may be found in the Calendar of Scottish Supplications to Rome where, in 1441, Thomas Morow, then Abbot of Paisley, was criticised severely for having

'sold, dilapidated and distrained many of the movable and immovable goods of the monastery. In addition, by his negligence, he allowed regular observance and divine worship to be despised and diminished, the fabric to fall into ruin and the monastery to be utterly devastated'.

The complaint against Thomas Morow was raised again in
August 1444 and he resigned, being succeeded by Richard Bothwell. The complaint then was that the monastery was

'so destroyed and collapsed in its buildings and structures that it is truly feared that it cannot be restored in the life of man'.

Richard Bothwell, no doubt considering the state of Paisley abbey too daunting to contemplate, was translated to Dunfermline in the following year and Thomas Tarvas became abbot of Paisley, remaining in that office until his death in 1459. The chronicler gives a detailed inventory of the renovations to the monastery instigated by Tarvas, for example a new slate roof, repairs to the steeple and a new 'staitlie' gate-house. He also lists Tarvas's acquisitions for the monastery as jewels, fine books, silver chandeliers, a brass lectern and the best mitre and tabernacle in all Scotland. Such detail certainly suggests first hand knowledge and, coupled with the chronicler's information concerning events in and around Glasgow and Dumbarton, it is worth speculating that one of the original chroniclers was a monk of Paisley.

The value of the Auchinleck Chronicle depends largely on its being contemporary, and there is a considerable amount of evidence to suggest that most of the entries were contemporary. Where the chronicler's dating may be checked, it is usually impressively accurate. For example, the
chronicler states that the battle of Arbroath was fought on 23 January 1446, 'on ane sondaie laite'. Sir Patrick of Corntoun was slain in Dumbarton on Saturday 7 August 1451, and William 8th earl of Douglas was summoned to Stirling by the king on 21 February 1452, the Monday before lent. All these dates and week-days are accurate, which suggests that the events described were being written about at the time or shortly afterwards. However, the Auchinleck Chronicle's dating does present a number of problems, such as the use of the expression 'that samyn zere' or 'that samyn moneth', as a number of entries begin in this fashion and it is sometimes difficult to ascertain which year or month is meant if the preceding entry is missing. On a couple of occasions, the chronicler is even more vague in his dating, using the expression 'that samyn tyme'. The most striking example of this is the entry describing the battle of Brechin. This is the last item in the chronicle, on folio 123v and it ends in the middle of a sentence, leaving half of the page blank. The preceding entry concerns border skirmishes in May and June 1449, although the battle of Brechin took place in 1452, therefore 'that samyn tyme' does not refer to 1449. The chronicler appears to have been rather confused in his account of the battle, as the entry is given a heading (it is the only item in the chronicle which is) which reads, 'the battell of arbroth brechyne'. This confusion is perhaps understandable, as the earls of Huntly and Crawford were involved in both conflicts, and the entry, fragmentary though it is, is full
of detail. It reads;

'Item about that samyn tyme the xvii day of maii
Thar met and faucht in the feld on the mure besyd
brechyne The erll of craufurd callit allexander
The erll of huntlie callit alexander and thair was
with the erll of huntlie fer ma tham was with the
erll of craufurd becaus he displayit the kingis
banere and said it was the kingis actioun and he
was his luftennend and schortlie the erll of
huntlie wan the feld and slewe the erll of
craufurdis brother callit Jhon lyndesay of
brechyne and the lard of dundas and uther syndry
gentill men wele till iii\textsuperscript{xx} of cotarmouris on that
syd and on that uther syd willam of setoun the
erllis brother and uthir three or four of gentill
men and v or sex of zemen and the erll of huntlie
held the feld and raid in angus with three or
foure thousand with him and the erll of
craufurd'.\textsuperscript{23}

The entry has every appearance of being tacked on as an
afterthought, but although there is some vagueness about the
year, it is interesting to note that in the sixteenth
century, Lesley dated the battle 18 May 1452\textsuperscript{24} and
Pitscottie dated it Ascension day 1453\textsuperscript{25} - the year is
incorrect, but Ascension day 1452 was 18 May. There is also
some corroborative evidence for the raid in Angus which is
said, by the chronicler, to have followed the battle, in the form of a letter from James II dated 16 January 1455 to the sheriff of Forfar concerning a complaint by Walter of Carnegie that during the fighting between Alexander earl of Huntly and the late Alexander earl of Crawford, Carnegie's mansion was burnt and his charters of the lands of Kinnaird were destroyed. The chronicler's statement that the laird of Dundas was slain is interesting, as James Dundas of that Ilk was forfeited at the time of the disgrace of the Livingstons in 1450 and was imprisoned at that time in Dumbarton castle where he was presumed to have died. On 26 August 1452, the king granted a remission to the late James Dundas, and his brother Archibald succeeded to the Dundas estates. It is quite probable, therefore, that James Dundas was slain at Brechin on 18 May 1452, taking part in a battle which was a baronial feud rather than a battle of national importance, which saw the Earl of Crawford fighting against royal authority represented by the Earl of Huntly, and the battle ought to be seen as subsequent to, rather than consequent upon, the murder of Douglas. In the long and very detailed account of the murder of Douglas and the ensuing conflict, the chronicler makes no mention of the battle of Brechin.

The space devoted by the Auchinleck chronicler to certain entries and the detail with which he furnished his account has led some historians to attach too much importance to events which were simply localised disturbances. The
longest single entry in the chronicle is the account of an attack made upon George Lauder, bishop of Argyll and his party on 29 August 1452 - an account which occupies almost two complete folios. In brief, the chronicler relates that the bishop was journeying from his castle of Achadun, at the south end of the Isle of Lismore, to the cathedral kirk, accompanied by Hercules Scrimgeour, his brother Alexander, and certain others. The purpose of their journey was to deliver a summons to Gilbert McLochlan, chancellor of the cathedral and Maurice McFadzen, treasurer. Having received word of the bishop's approach and thinking that his purpose was to remove them from their benefice and put in Hercules Scrimgeour, they gathered support and challenged the bishop's party as it approached the church. A violent scuffle ensued, the bishop was threatened and was released only on condition that there would be no reprisals. This curious incident is particularly interesting as some supporting evidence may be found for it. In the Calendar of Papal Registers there is a mandate, issued on 23 January 1451 to the chancellor, treasurer and official of Argyll to hold an inquiry arising from a complaint by Godfrey McForsan, perpetual vicar of St. Ferchins's in Argyll, against Hercules Scrimgeour. If Godfrey's charges were found to be true, the officials of Argyll were empowered to deprive Hercules and to collate his canonry prebend of St. Columba in Glassary to Godfrey. According to the Auchinleck chronicler, Hercules Scrimgeour,
'had no thing bot a summondis apon Sir Gilbert and apon Sir Morris McFadzane for a sentence diffinitive that thai gaf aganis him of his benefice that he had loysit peceably xv zere with Sir Gotheray McForsan.'

Clearly, this incident was part of a continuing dispute which persisted for years. On 3 April 1454, the pope was petitioned, this time by Alexander Scrimegeour, to cause Godfrey McForsan to be summoned and censured for unjustly opposing and hindering Scrimegeour from holding his possessions peacefully.

On 29 April 1462, bishop George Lauder of Argyll supplicated the Pope for permission to live outside his diocese, alleging that he could not conveniently visit his diocese in person 'because of certain ill-wishers and enemies of his.' The Auchinleck chronicler's account of the 1452 incident has an obvious bias in favour of the bishop's party. He regarded the actions of the chancellor and treasurer as outrageous and wrote that they spoke to the bishop

'right dispituouslie with felloun wordis and scorne and for dispyte halsit him in errische sayand bannachadee.'

There certainly was a problem of communication with a
non-gaelic speaking bishop being appointed to a gaelic-speaking diocese, and this may have been a factor leading to the acrimony described by the chronicler. Originally, 'bannachadee' meant 'blessing of God', but it had come to acquire an offensive meaning approximating to wily, fox-like or crafty. Evidently, this was not the manner in which to address a bishop. The account is long and very detailed, and the chronicler's source of information must have been a member of the bishop's party. However, there is no evidence to suggest the involvement of Donald Balloch or to credit the event with national importance simply because it took place in 1452 when the conflict between the king and the Black Douglases and their allies, was being fought out on the national stage.

The emphasis on local history in the Auchinleck Chronicle does not mean that national events are not dealt with. There are a number of very detailed accounts concerning Parliaments and General Councils and this may indicate that one or more of the authors worked at court, possibly recording the business of parliament, and where details given may be checked, these are usually quite accurate. The section of the chronicle which runs from folio 114 to 116 deals with the king and the Black Douglases and offers the most detailed contemporary account of the murder of William 8th earl of Douglas by the king and the ensuing conflict. The motive advanced by the chronicler for the murder of the earl was the king's objection to a bond which had been made.
between the earls of Douglas, Crawford and Ross. Douglas was summoned to Stirling and on the evening of his second day there, (the chronicler even gives the time as seven o'clock) the king instructed Douglas to break the bond and when he refused, the king said;

'fals tratour sen thow will nocht I sall/and stert sodanly till him with ane knyf and straik him in at the colere and down in the body.'

This is the only instance of reported speech in the chronicle and the whole account is quite remarkably detailed. The chronicler names the lords who rushed in to complete the murder, and states that the earl's body eventually bore twenty-six wounds. All the men named by the chronicler - Sir Alexander Boyd, John Stewart lord Darnley, Sir Andrew Stewart, Sir Simon Glendinning, Andrew lord Gray, Patrick Gray and William Gremston (recte Cranston) - may be shown to have benefited in the wake of the murder of Douglas with rewards of lands and offices. The chronicler also gives a far more detailed account of the June parliament of 1452 than appears in the printed Acts of the Parliaments of Scotland, and he names those who were rewarded with titles, including the new creations of lords of parliament. The impression that these were hastily given grants to win support is conveyed by the chronicler who expressed the opinion that the rewards were such that 'men demyt wald nocht stand.'
It is interesting to note the chronicler's bias at any given point as a reflection of his personal opinion of a particular event or person. The chronicler certainly does not hesitate to criticise the king, describing the murder of Douglas as 'foule slauchter' and when the king led an army down to the south of Scotland in July 1452 to quell the Douglas rebellion, the chronicler stated that he

'did na gud bot distroyit the cuntre right fellonly baith of cornes medowis and wittalis and heriit mony bath gentillmen and utheris that war with him self.'

However, this does not mean that the chronicler was demonstrably pro-Douglas and he is in fact, rather scathing in his attitude towards James 9th earl of Douglas. In the summer of 1452, the chronicler credited the king with raising an army of 30,000 men, but stated that the Douglas party 'excedit nocth of gud men viC'. Neither figure is likely to be accurate, but the inference is clear. The king, notwithstanding the heinous nature of his crime, was able to command far more support than the Douglases. The 9th earl's lack of decisiveness seems to have annoyed the chronicler and in 1455, when the king was besieging Abercorn, he wrote, cryptically, 'men wist nocht grathlie quhar the douglas was all this tyme.'
Some stress has been laid on the general accuracy of the Auchinleck Chronicle where dates may be checked, although it ought to be pointed out that some of the entries are quite clearly wrong. However, such mistakes provide valuable clues for an overall assessment of the chronicle. An example of this is the entry describing the downfall of the Livingston family at the end of the king's minority. The chronicler gives a very detailed account, naming those Livingstons who were arrested and also their adherents, most notably the Dundases, but when he comes to describe the actions taken against the family in the parliament held in January 1450, he writes that

"James of livingstoun sone and air to the said alexander was put to deid and Robyne of livingstoun of lithqu that tyme comptroller was put to deid baith togidder on the castellhill thair heidis strikin of.'42

Robert Livingston of Linlithgow, comptroller and cousin of Sir Alexander Livingston of Callendar, was indeed executed, but James Livingston was not - it was his younger brother, Alexander, who shared the same fate. However, if news had reached the chronicler that the son of Alexander Livingston of Callendar had been executed, then he may well have assumed that it was the eldest son, James. This account appears on folio 122, yet on folio 116, the chronicler, in an entry concerning events of 1455, mentions James
Livingston, chamberlain of Scotland, by that time restored to favour, therefore it is unlikely that both entries were written by the same man.

Similarly, the chronicler appears to get his dates wrong when he records the death of James Stewart of Lorne, the second husband of queen Joan Beaufort. The entry reads:

'that samyn zere in the moneth of may Sir James Stewart, the qwenes knycht was tane apon the se be the flemyngis befor the son and thair was put to deid and of thaim that come with him viij\textsuperscript{xx} of ynglismen.' \textsuperscript{43}

The previous entry was dated April 1449, therefore 'that samyn zere' would appear to refer to 1449. However, James Stewart did not die in that year, as a number of safe-conducts were issued to him and his sons (who were to become the earls of Atholl and Buchan) after this date\textsuperscript{44} and there is evidence that he was serving his step-son, James II, as an ambassador as late as 1454.\textsuperscript{45} It is possible, in view of this, that the entry does not belong to 1449 but it may be an accurate account of the fate of James Stewart at a later date.

Another mistake in the Auchinleck Chronicle for which an explanation is not immediately obvious, is the entry which reads: 'Item 1454 thar decessit in the moneth of August,
Gilbert Hay erll of erroll. The problem with this entry is that the earl of Erroll was called William Hay, not Gilbert, and he did not die in 1454. William Hay's grandson was called Gilbert, and on 14 December 1456, the earl of Erroll issued letters confirming an Inquest which declared Gilbert Hay son and heir of Nicholas Hay, who was William's son. Nicholas Hay succeeded his father in the earldom, but died without heirs in 1467 therefore it may be the death of the earl's grandson, Gilbert, to which this entry refers, although the date is clearly wrong. There are a number of other obituary notices on the same page and where these may be checked, they are accurate.

In addition to the Auchinleck Chronicle's factual inaccuracies, some problems have arisen from a mistaken reading of particular entries, and some of this confusion is due to a lack of consistency in the chronicle's dating. In the fifteenth century, the New Year began on 25 March, therefore, when the chronicler wrote 'the zere of god 1445 the xxijij day of January the erll of Huntley and the Ogilvies with him on the ta part and the erll of Crawford on the tother part met at the zettis of Arbroath...' the year was actually 1446 by modern computation. However, this is not a general rule applicable to all the entries in the chronicle, as on folio 109v the chronicler writes 'the zere of god 1443 the x day of March erll James Douglas deit at the castell of abercorn.' As the date given is 10 March, one would expect the year to be 1444 by present dating, but
James 7th earl of Douglas did die in 1443. Dr. Grant argues that this very inconsistency has led to a widespread misinterpretation of the date at which John earl of Ross and lord of the Isles led a minor revolt in the north and seized the castles of Inverness and Urquhart and cast down the castle of Ruthven. The revolt, according to the chronicler, took place at the beginning of March 1451 and this has generally been interpreted as 1452 - the month after the murder of Douglas and connected with that event. However, Dr. Grant suggests that the revolt actually took place in 1451, prior to the murder of Douglas and connected with a quite different dispute - the fall of the Livingstons. 51

Interpretations of this nature can have quite radical implications in forming particular theories about the events of the reign and demonstrate that the Auchinleck Chronicle must be used very carefully. Another example of this is the entry which has been seen as a reference to Mary of Gueldres at the beginning of the minority of her son, James III. This entry occurs at the beginning of folio 121r and the preceding entry on folio 120v concerns events of 1461. The entry reads:

'of the law and the kingis profettis and of all the Realme and that the king suld cum be him selfe and his and the gwene be hir selfe and hirris/bot the king suld ay remane with the gwene Bot scho suld nocht Intromet with his profettis bot
However, the two folios are not continuous and Dr. Macdougall has shown that the entry does not refer to Mary of Gueldres but rather to Joan Beaufort who was forced to submit to an agreement known as the 'Appoyntement' in 1439, in which she abdicated political responsibility, and it is to this year and agreement that this entry refers. The entry would also appear to mark the end of a particular source, as the next item is the laconic recording of the death of Archibald 4th earl of Douglas, Duke of Touraine in 1420 (recte 1424), and all the following entries on this page are short and almost exclusively obituaries.

The same event is never described twice in the Auchinleck Chronicle, and to this extent, Asloan may have been selective when transcribing his chronicle sources, but it is unlikely that he altered his sources when writing them down as, had he done so, the Auchinleck Chronicle would undoubtedly make far more sense and appear more structured than it does. Asloan collected together a miscellaneous selection of prose and verse, much of which, like the 'schort memoriale' is imperfect. These imperfections are not due entirely to missing folios, but also indicate defective source documents. Its deficiencies notwithstanding, the Auchinleck Chronicle is a vital document for the study of the reign of James II.
Notes, chapter 1

1 Stevenson, T.G., The Auchinleck Chronicle (1877)
2 NLS, MS. Acc. 4233
3 Thomson, T., A Short Chronicle of James II King of Scots. (Edinburgh 1819)
4 Johannis de Fordun Scotichronicon cum supplementis et Continuatione Walteri Boweri, ed. W. Goodall. (Edinburgh, 1759)
5 Chron. Auchinleck, f. 112r
6 Ibid, 109r
7 Ibid, 109v
8 Ibid, 110r. Also see chapter 2, p. 55
9 Ibid, 112v
10 Ibid, 112r
11 Ibid, 122r
12 Ibid, 109v
13 Ibid, 113r
14 Ibid, 113v
15 C.S.S.R., IV, 748
16 Ibid., 1049
17 Watt, Fasti.
18 Chron. Auchinleck f. 119r
19 Ibid,
20 Ibid,
21 Ibid,
22 Cheney, C.R., Handbook of Dates (1945)
23 Chron. Auchinleck, f. 123v
Lesley, J., The History of Scotland from the Death of King James in the Year 1436 to the Year 1561. (Bannatyne Club, 1830)


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Chron. Auchinleck, f.117v-118v

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Chron. Auchinleck, f.118r

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C.S.S.R., 550

Chron. Auchinleck op.cit.

I am indebted to Ann Johnston for this information.

Nicholson, R., Scotland: The Later Middle Ages (Edinburgh, 1974) p.362

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Ibid., f.115r

Ibid., f.115r

Ibid., f.115r

Ibid.

Ibid., f.122v

Ibid., f.121v

45 Proceedings and Ordinances of the Privy Council of England, ed. H. Nicolas (1834) vi 63-4

46 Chron. Auchinleck, f. 112v

47 S.R.O., GD 203, sec. II, no. 8


49 Chron. Auchinleck, f. 111v

50 Ibid, f. 109v


52 Chron. Auchinleck, f. 121r

The immediate problem to be faced following the murder of James I, after the conspirators had been caught and executed, was the establishment of a corps of government which would administer the country until the six year old king reached his majority. James II was crowned on 25 March 1437 at Holyrood, thus breaking with the tradition of holding coronations at Scone. It has been suggested that the nearness of Scone to Perth, the scene of the recent murder of James I, was considered too unsafe, but the men who had conspired in the plot to murder the king had been executed and there is no evidence to suggest that the life of the young James II was ever threatened. A Parliament was held in March 1437 in which the chief conspirators were executed and decisions were made concerning the administration of the realm, therefore the coronation of the king in Edinburgh, where the three estates had assembled, is hardly remarkable. The terms agreed by the three estates for the governing of the country during the minority have not survived in the extant records and it is necessary to piece together information from other sources in order to infer what took place.

Witness lists from extant royal charters show that no immediate changes in personnel occurred, as men who had witnessed charters at the end of James I's reign continued
to do so at the beginning of James II's reign. John Cameron, bishop of Glasgow continued in the office of chancellor, John Forrester of Corstorphine continued as chamberlain, William Foulis as keeper of the privy seal, William Crichton as master of the king's household and Walter Ogilvy of Luntrethin2 as treasurer. It would also appear from later evidence4 that the 1437 Parliament recognised the Queen as custodian of her children with an allowance of 4000 marks for maintenance. A council was also appointed, the purpose of which was to assist the Queen with such duties as controlling policy and patronage and making domestic appointments. It is known that William Crichton retained his keepership of Edinburgh castle,5 but it is not recorded what changes, if any, were made at other royal castles.

It would have been in the March 1437 Parliament that Archibald 5th earl of Douglas was created Lieutenant-General, which was the position of highest authority next to the king's. The precise function of this office is not specified on this occasion therefore it would be useful to examine the position and influence of previous lieutenant-generals, as precedents would have been looked to when investing the Earl of Douglas with his powers. In 1384, Robert II had proved ineffective at keeping law and order and had also failed to prove an inspiring military leader, both of which were important criteria for mediaeval kings and deficiencies not easily overlooked. In a General
Council held at Holyrood in November 1384, the king's son and heir, John earl of Carrick was given direct responsibility for the administration of justice on the following terms;

'because our lord the king, for certain causes, is not able to attend himself personally to the execution of justice and the law of his kingdom, he has willed...that his first-born son and heir, the Lord Earl of Carrick, is to administer the common law everywhere throughout the kingdom.'

This was a specific function in a particular sphere - justice - and was not an abdication by Robert II of the kingship per se. However, the appointment of John earl of Carrick proved ill-fated for, in August 1388, he was kicked by a horse, a mishap which left him lame and may have provided the excuse for removing him from office. Certainly, he had failed in his brief to keep law and order and with the king remitting amercements, royal justice was far from reliable.

In the General Council of 1 December 1388, the matters of justice and defence were submitted to the three estates by Robert II. Reference was made to the infirmity of Carrick and also to the 'tender years' of Carrick's heir, David. This hints at the office of lieutenant-general being regarded as hereditary, thus the heir had to be considered
before anyone else. On this occasion, Robert Stewart, earl of Fife (the second son of Robert II) was chosen as guardian of the realm, and the execution of his duties was to be supervised by conciliar authority, although the exact nature of the composition of this council is unclear.

There is more information available for the appointment of David, duke of Rothesay as lieutenant in 1399. Rothesay was the heir apparent when his father, Robert III, commissioned him to govern with full royal authority, not merely in the sphere of justice. There were certain indications of a faction fight at this time in which the creation of Rothesay as lieutenant has been seen as a direct attack on Albany. The three estates evidently wished to ensure that the power of the lieutenant would be subject to a system of checks and balances which would help to prevent any abuse of the office. A special council consisting of twenty-one people named by the three estates was to be established and these men were to be consulted when the three estates were not in session. A further check was provided in the stipulation that every administrative act on the part of the lieutenant was to be recorded with date and place and the names of those who had counselled the action. Rothesay was authorised to reward deserving persons with escheats and forfeitures that fell during his three years of office, although he was answerable to the king and General Council for these grants. It was ordained that for the next three years the king should hold a Parliament annually on 2
November so that his subjects might be 'servit of the law'. It appears that General Council was to constitute ultimate political authority and Parliament was left with judicial authority. To this extent, the office of 'guardian' or 'lieutenant-general' had evolved through trial and error, and Archibald earl of Douglas came to office in 1437 with these precedents to define the post.

In the fourteenth century however, there had been an adult king who had, in effect, to be assisted to govern due to his own shortcomings. During the Albany governorship, the monarch had been absent due to imprisonment in England and therefore the office was of an interim nature due to the physical absence of James I. In 1437, the circumstances differed once more from previous examples. James II was six years old and therefore unable to rule personally, which meant that a system of government had to be found by which to administer the realm in all spheres of government, not merely justice, until such time as James could take a more personal role.

It is noteworthy that previous lieutenants were heirs to the kingship except when disbarred by personal incapacity, such as the infirmity of the Earl of Carrick and the extreme youth of his son, discussed above. With the death of James I and the young age of James II, the next in line to the kingship was Archibald, 5th earl of Douglas, therefore he was called upon to assume the role of lieutenant-general, in
addition to his position as one of the most powerful magnates in Scotland at the time. The reference made in the 'Appoyntement' of 1439 to a council having been established in 1437 to assist the Queen may have been a harkening back to the councils of 1388 and 1399, intended to provide a check on the power of the lieutenant-general and, in this case, the Queen. General Councils were held regularly from 1438 to 1443 (at least nine, according to the records) which supports the theory that the three estates were regarded as the ultimate authority. It is difficult to assess accurately the position of Archibald earl of Douglas as lieutenant-general, as he died at Restalrig in 1439 and in the two years in which he held office he does not appear as a charter witness, although the lack of extant charters for these years makes this less remarkable, and there is a reference to Douglas, as lieutenant-general, holding a General Council in Edinburgh on 27 November 1438.

The efficacy of the lieutenant-general may be inferred from the negative evidence of unrest and dissent which appeared to pervade the early years of the minority. The removal of the energetic and authoritarian James I opened the way for the pursuit of claims which had lain suppressed but not forgotten in the minds of the aggrieved, and one of these was the Darnley claim to the earldom of Lennox. Sir Alan Stewart, lord Darnley was in France heading the Scots mercenaries there when news of the murder of James I reached him. He returned to Scotland at the earliest opportunity
and endeavoured to press his claim to at least half of the earldom of Lennox, a claim which he intended to pursue; 'be quhatsumever maner off way, law trety or composicione'.

The Auchinleck Chronicle provides further information concerning Alan Stewart, although the date, 1428, given in the Asloan Manuscript is clearly a mistake and should read 1438, in which year, on 20 September; 'Allan Stewart lord Darnley was slane at polmais thorne be Sir Thomas Boyd under ane assouerance taken betuix tham'. It would seem that a collision of interests had occurred as a result of Darnley's Lennox ambitions which had involved him in a blood-feud with Boyd of Kilmarnock. In the following year, on 7 July; 'schir Thomas Boyd was slane be Alexander Stewart buktuth and his sonnis and Mathow Stewart with his brother and uther syndry'.

The reaction of the government to disputes and claims was a statute made in General-Council in November 1438 which attempted to deal with the problem by revoking all alienations of lands and moveable goods in the possession of the late king at the time of his death if made without the consent of the three estates. Also, any future alienations made during the king's minority and considered to be; 'in prejudice or hindering of the croune' were prohibited.

The immediate political problems were compounded at this time by a severe outbreak of the plague, followed by famine. The Auchinleck Chronicle states that the plague began in
Dumfries and; 'It was callit the pestilence but mercy for thar tuk it nain that ever recoverit bot thai deit within xxiii houris'. Following hard on plague and famine came civil disorder and the government attempted to deal with the problem of 'spuilze' (spoliation) in the General Councils held in November and December 1438. In March 1439, at a General Council held in Stirling, the government was still trying to deal with the problems both of civil disorder and troublesome claimants seeking a forceful remedy for their grievances. An ordinance was passed which dealt with; 'rebellys or unrewlfull menne within ony castellys or fortalicis'. However, issuing ordinances was one thing and having them enforced effectively was quite another, and it was a grave blow to the government when the lieutenant-general, Archibald earl of Douglas, himself fell victim to the plague and died at Restalrig in 1439.

Evidence of political changes had appeared before this, the most notable of which was the replacement of John Cameron, bishop of Glasgow by Sir William Crichton as chancellor. The position and actions of the Crichton and Livingston families in the minority of James II are crucial in understanding the political manoeuvering of the minority. The rise to prominence and the subsequent vying for position of these families could have been possible only in a minority, especially when the most powerful representative of the nobility, the Earl of Douglas, had died leaving a successor who was only fourteen or fifteen years old, and
had neither the maturity nor the political experience for the office of lieutenant-general. The next adult male in line for the crown was Malise Graham, earl of Menteith. Malise Graham was the son of Patrick Graham, earl of Strathearn, and Euphemia Stewart. In 1413, Patrick Graham was murdered and as Malise was still a child, the regent Albany committed the earldom of Strathearn to Walter Stewart, earl of Atholl, for the duration of Malise's minority. In the parliament of July 1427, Malise Graham was deprived officially of the earldom of Strathearn, which has been interpreted by Professor Duncan as James I's unwillingness to alienate the Earl of Atholl, whose heir was a hostage in London for the payment of the king's ransom. To compensate Malise Graham for the loss of the earldom of Strathearn, James I granted to him the title of Earl of Menteith and some of the lands of that earldom, although the king retained a sizeable portion of Menteith lands and the castle of Doune. Malise Graham was sent to England in the second exchange of hostages in October 1427 and was to be the longest serving hostage, as he was not released until 1453. The enforced absence of Malise Graham provides the explanation for his inability to participate in Scottish politics, but the state of the higher nobility of Scotland as a whole during the minority of James II must be examined in order to appreciate the events of these years.

The higher nobility had been seriously denuded by James I's aggressive policy towards his earls, and following the
murder of James in 1437 and the execution of the Earl of Atholl for his alleged complicity, the only adult earls remaining in Scotland were, Archibald 5th earl of Douglas, William Douglas, earl of Angus, and David Lindsay 3rd earl of Crawford. (The earls of Menteith and Sutherland were hostages in England.) The Earl of Angus died in October 1437, leaving an heir who was only eleven years old, and it is in the light of this quite unprecedented power vacuum that the failure to appoint another lieutenant-general, coupled with the evident willingness of Livingston and Crichton to govern without one, must be viewed.

Sir William Crichton had found favour at the court of James I, succeeding Walter Ogilvy in the recently created office of Master of the King's Household. He had been a frequent charter witness and had also been granted the custody of Edinburgh castle which brought him a revenue of £100. In addition to this, James I also made Crichton sheriff of Edinburgh. Crichton continued to witness charters and hold the office of Master of the King's Household at the beginning of the reign of James II and by 10 July 1439 he had succeeded in obtaining the office of chancellor.

Sir Alexander Livingston of Callendar was a Lothian baron who had served as a hostage for James I at Durham in 1424 and was also present at the trial of Murdoch Duke of Albany in the same year. He was keeper of Stirling castle early in the minority of James II and the Livingston family were
to base their power and influence on the holding of various offices and strongholds which they acquired systematically during the minority. However, it was their positions as keepers of Edinburgh and Stirling castles, respectively, which formed the keystone of Crichton and Livingston power in the early years of the minority and played an important role in the mutual rivalry between the two families.

It is on the subject of the mutual jealousy with which the Crichtons and the Livingstons regarded each other that the sixteenth century chroniclers give vent to a series of picturesque stories, the most enduring being that of the Queen smuggling her son out of Edinburgh castle without Crichton's knowledge, and taking him to Stirling, held by Livingston, who promptly proposed to besiege Crichton in Edinburgh castle. The Auchinleck Chronicle is silent on this point, but the itinerary of the young king, calculated by dates and places of issue of royal charters and letters, show that James II was in Edinburgh on 10 July 1439 and in Stirling one month later, on 13 August. By this time, the lieutenant-general was dead and Cameron had been supplanted by Crichton as chancellor, therefore the Queen may have felt isolated and considered that her interests could best be served by allying herself to Livingston. Stirling castle had been assigned to the Queen as a residence and she would normally have had her children there with her unless Crichton had chosen to be obstructive, regarding the possession of the king's person as necessary to gain him a
crucial advantage in the struggle against Livingston.

It ought to be noted, however, that later chroniclers date the supposed smuggling of the young king from Edinburgh before the death of the lieutenant-general, as it was the very animosity of Douglas to both parties, according to the story, that caused Crichton and Livingston to reach a compromise and join together in defence against Douglas. If the Queen did experience any feelings of isolation it is likely to have prompted her marriage to Sir James Stewart of Lorne, probably at the end of July 1439. James Stewart was the younger brother of Robert Stewart lord of Lorne who had succeeded his father in the lordship in 1421. In that year, Robert served as one of the commissioners appointed to treat with the English for the release of James, and he became a hostage for the king's ransom in 1424. He had returned to Scotland by 1425, when he was present at the trial and condemnation of Murdoch duke of Albany and his sons, although he had married Joanna, the daughter of Robert duke of Albany. Of the career of his brother, James, nothing is known and he does not appear to have been active at the court of James I. However, the marriage indicates that the Queen did not consider an alliance with the Livingston faction to be adequate protection for her interests, and James Stewart must have been viewed as a sufficient threat to prompt Sir Alexander Livingston to react to the marriage by imprisoning the Queen, her new husband and his brother. Records show the king to have
been in Stirling at the time, \textsuperscript{37} therefore Livingston could be reasonably sure of the strength of his immediate position, but what exactly he hoped to gain by his action in the long term is not clear. It is possible that Livingston was merely flexing his muscles and seeking to underline his new position of advantage both to Sir James Stewart, should he entertain any ideas of involving himself in government, and chancellor Crichton. Incurring the Queen's animosity seems to have been a risk he was prepared to take.

The popular reaction to the imprisonment of the Queen and her husband and brother-in-law may well have been alarm at such a precipitate move, and Livingston himself must have realised that such a state of affairs could not be prolonged indefinitely and that some solution had to be found. On 4 September 1439, a General Council met in Stirling at which the three estates negotiated the Queen's release in terms known as the 'Appoyntement'. \textsuperscript{38} At the same council, according to the Auchinleck Chronicle; 'Sir James was borowit (pledged security for) be the lord Gordon sir Alexander Setoun, (Alexander) lord of the Isles, Sir William of Crichton that tyme chancellor under the pane of thre thousand'. \textsuperscript{39}

The terms of the Queen's release were very favourable to Livingston who still appeared to hold the upper hand. Queen Joan was seen to declare that Livingston and his accomplices had been motivated by; 'grete truth and leaute', and she
professed to forget the 'grief and displeasance' caused by her arrest. Also, in order to demonstrate the faith and trust she had in Livingston, she entrusted the young king to his keeping in Stirling and granted to him the 4000 marks annuity previously given to her at the start of the minority, and although she was to be allowed access to her son, her retainers were to be scrutinised and vetted by the Livingstons. Sir Alexander Livingston was obviously aware of the hollow nature of the 'Appoyntement' and realised that he must maintain a strong position or suffer for his actions. As a further attempt to insure himself, he sought the assurance of the Queen and her adherents that they would never try to bring the Livingstons; 'neirar the deede'. A cryptic note appears in the Auchinleck Chronicle at the start of folio 121r. of the Asloan Manuscript. The narrative immediately preceding this entry, which is obviously a continuation of what had gone before, has been lost, and the position in the manuscript of this entry, that is, following entries dated 1461, has tended to lead to the assumption that it concerns Mary of Gueldres, James II's queen. In fact, the remainder of folio 121r. deals with events of a much earlier date, and it is far more likely that this particular passage refers to Joan Beaufort. The entry reads as follows;

'....of the law and the kingis proffettis and of all the Realme and that the king suld come be him selfe and his and the queen be hir self and hirris
It is probable that this forms part of the Auchinleck chronicler's report of the events of September 1439 and would certainly coincide with the political impotence of the Queen at this time.

The later chroniclers, still dwelling on the Crichton-Livingston animosity, relate the story of the young king's abduction while out riding near Stirling, by Crichton with a band of armed followers, who took the king back to Edinburgh, thus thwarting Livingston's plans. Official records bear this out to the extent that on 18 September 1439, royal charters, in the name of James II, were issued in both Stirling and Edinburgh, and thereafter, the court appeared to be established in Edinburgh. However, this was not a clear cut case of Livingston being ousted from government by a neat Crichton coup, as charter witness lists reveal the presence at court of Alexander Livingston which suggests, at best, a more amicable arrangement than the chroniclers would imply, or at least a tacit acceptance by Livingston of a fait accompli.

The uncertainty and instability at court at this time precluded the government from taking effective measures to deal with the unrest which persisted, to some extent, in the
localities. On 24 September 1439, according to the Auchinleck Chronicle, 'John of Colquhoun the lord of Luss was slane in Inchmuryne underneth ane assouerance be Lauchlane McClanis and Murthow Gibson'. This incident seems to have been a further episode in the dispute over the Lennox which had drawn Alexander lord of the Isles into the fray, at least indirectly. John Colquhoun of Luss had been a supporter of Alan Stewart lord Darnley, and Lauchlan Maclean was the brother-in-law of Donald lord of the Isles, the father of Alexander, who considered that the Albany Stewarts had dispossessed Donald of the earldom of Ross. The connection with the earldom of Lennox was extremely tenuous. The sister-in-law of Alexander lord of the Isles, Ellen Campbell of Lochaw, had married as her second husband, Duncan earl of Lennox, and their daughter, Isabella, married Murdoch duke of Albany. Inchmurrin was the chief messuage of the earldom of Lennox and the incident was probably a flare-up of old animosities which led to a general upheaval in the Lennox lands.

The court remained in Edinburgh throughout 1440 with the exception of a General Council held in Stirling in August. In this council the problem of law and order was recognised and an attempt made to deal with it. It was ordained that justiciars should hold ayres bi-annually and the king should, where possible, be involved. With a high degree of optimism, but rather less realism, it was also suggested that the king should; 'ride throu ounte the realme...quhar
On 19 August 1440, the same General Council attempted to find a temporary solution to the long-running dispute over the earldom of Mar. In 1402, Isabel countess of Mar and Garioch was widowed and childless and her title to the earldom of Mar was coveted by Sir Alexander Stewart, the illegitimate son of Alexander Stewart earl of Buchan, the fourth son of Robert II. According to legend, Stewart captured Isabel and compelled her to marry him and to draw up a charter on 12 August 1404 which entailed the joint earldoms of Mar and Garioch upon himself and his own heirs, should Isabel die without bearing him a child. However, Thomas Erskine, lord of that Ilk, also claimed the earldom of Mar by right of descent from Gartnait earl of Mar who had died in 1305. On 20 December 1400, Thomas Erskine had made an indenture with David Lindsay earl of Crawford in which Crawford pledged his support for Erskine's claim to Mar. Stewart's charter could not be validated without the king's ratification and this was withheld. However, on 9 December 1404, another charter was drawn up which granted Alexander Stewart a liferent of the earldom with remainder to 'the heirs of Isabel, and this duly received crown confirmation. Despite obtaining a re-grant of the earldom of Mar on 28 May 1426 to himself, his illegitimate son, Thomas, and the heirs male of Thomas, Alexander was unable to ensure heritable possession, as his son pre-deceased him.
without issue and upon the death of Alexander in 1435, James I claimed the earldom, as the 1426 re-grant contained the stipulation that the earldom would revert to the crown in the event of the failure of Alexander Stewart's line.55 The earldom of Mar was annexed to the royal lands and Elizabeth Douglas, sister of Archibald 5th earl of Douglas, was given Garioch in life-rent.56 Elizabeth had been married, first, to the Earl of Buchan and afterwards to Thomas Stewart, and it was on this marriage that Elizabeth's claims to Mar and Garioch were founded, albeit tenuously. However, the lieutenant-general was her brother and this put Elizabeth and her third husband, William Sinclair earl of Orkney, in a strong position for advancing their claim.
The rival Erskine claim was based on the terms of the charter issued on 9 December 1404, which made Sir Robert Erskine (son of the Thomas Erskine of the 1400 indenture) heir of line to Isabel. Alexander Stewart died in July 1435 and on 17 November following, an indenture was made between Sir Robert Erskine, lord of that Ilk and his son, Thomas, on one part, and Alexander Forbes, lord of that Ilk on the other. Forbes undertook to assist Robert and Thomas in pursuit of their right to the earldoms of Mar and Garioch in return for certain specified lands. The chances of Erskine persuading James I to relinquish the earldom of Mar in 1435 were virtually non-existent, but with the murder of the king in February 1437, it must have appeared that an ideal opportunity to revive the claim had arisen. On 22 April 1438, a special retour was held before Alexander Forbes, then sheriff depute of Aberdeen, which found in favour of Robert Erskine as heir to Isabel, countess of Mar and Garioch. It was decided that Erskine should have half of the lands of the earldom of Mar and the regality of Garioch; 'now in the hands of lady Elizabeth, Countess of Buchan, spouse of the deceased Sir Thomas Stewart on account of conjunct infeftment thereof made by James I to Thomas and Elizabeth'. On 16 October 1438, another retour before Alexander Forbes served Erskine to the other half of the earldom of Mar as lawful heir of Countess Isabel and in June 1439, Robert Erskine, now styling himself Earl of Mar, granted a charter to Alexander Forbes of half of the lordship of Strathdee. It must have been apparent to the
government that some measures had to be taken to neutralise Erskine's claims. The act of Parliament of 1438 which prohibited the alienation of crown lands during the minority did not seem to be enough to quell Erskine's persistence and on 10 August 1440 an indenture was made at Stirling between the king and his council on one part, and Robert lord Erskine on the other, which stated that Erskine was to have the keeping of Kildrummy castle, the chief messuage of the earldom of Mar, for the duration of the king's minority. In return for this, Robert Erskine was to deliver Dumbarton castle to the crown. If the members of the government involved in this indenture supposed that this arrangement would serve to shelve the dispute, they were mistaken. On 28 March 1441, a protest was made on behalf of Sir Robert Erskine 'called Earl of Mar' that a retour of the lands of Garioch had been given to the chancellor, Sir William Crichton, but that Crichton maintained; 'that he did not have the retour, nor did he know where it was'. Such a weak excuse did nothing to pacify Erskine, and on 2 May 1442, an instrument was drawn up narrating a decree, obtained from the lords of the king's council, to the effect that William lord Crichton, chancellor, should either grant letters of sasine in favour of Erskine of the earldom and lands of Garioch, or return his retour endorsed. The principal witnesses to this instrument were the bishops of St. Andrews, Glasgow and Dunblane, but Crichton apparently remained intransigent, as Sir Robert Douglas quotes from a document, now lost, which had been in the Mar charter chest,
dated 9 August 1442, which described Robert lord Erskine's protest before the king and his council in Stirling, against chancellor Crichton, that he had refused to return him to the lordship of Garioch and give him possession of Kildrummy. Consequently, Erskine seized the castle of Kildrummy by force, in retaliation for which, the government seized Alloa castle. Given Erskine's anger at the failure of Crichton to fulfil the terms of the indenture, the question arises as to whether or not Erskine had honoured his pledge to surrender the castle of Dumbarton. The fact that the king stayed at Dumbarton while William Cranston was keeper in 1441 is not, in itself, evidence that Erskine had surrendered Dumbarton to the government, and the dispute which arose in 1443 would suggest that he had not. According to the Auchinleck chronicler, on 15 July 1443, Sir Robert Semple, sheriff depute to Sir Robert Erskine, was put out of the castle of Dumbarton by Patrick Galbraith; 'beand in the ower bailze havand the entre be him selfe at wallace towre and the k(ep)ing of the ower bailze'. According to this account, a dispute arose when Sir Robert Semple ejected Patrick Galbraith from the castle, but the latter managed to reverse the situation on the following day. The eventual outcome, on the evidence of the Exchequer Rolls, was that Robert Livingston of Callendar was given custody of the castle until 1449. Patrick Galbraith's name appears on an indenture made between Robert Erskine earl of Mar and Alexander lord Forbes in 1439. The name, William Semple, possibly a relative of Robert Semple, also appears,
therefore it is clear that both men in the Dumbarton dispute were connected with Erskine. In an effort to wrest Dumbarton from Erskine's control, the government may have suborned Galbraith, as he was certainly rewarded out of the royal revenues for 'his services in the castle of Dumbarton' before Robert Livingston, who was one of the custumars of Edinburgh, took control.73

There followed a temporary respite in the dispute with the government, and the next couple of years witnessed the various claimants to the titles and possessions of the earldoms of Mar and Garioch seeking to come to terms with one another, and to strengthen their own positions. On 26 March 1444, an indenture was made at Perth between Robert Lyle of Duchal, who claimed half of the earldom of Mar by right of his descent from a younger co-heiress of Isabel countess of Mar, and Sir Alexander Forbes.74 By this indenture, Lyle granted to Forbes his lands of Strathdee and Kindrochit, with his part of the castle of Kindrochit, as soon as he should recover possession of half of the lands of Mar. In return, Forbes granted to Lyle, heritable possession of the lands of Cluny and Whitefield in Strathearn and Angus. Forbes had already received half of the lordship of Strathdee from Robert lord Erskine in 1439,75 and it is clear that he was seeking to capitalise on the eagerness of the Mar claimants to court his support. However, Forbes was well aware that such settlements as had been reached in the course of the dispute would not
necessarily stand for long, and the indenture includes the proviso that he would regain free entry to his lands of Cluny and Whitefield; 'gyffe it sale, happyn in ony tyme to cum that our Soverane Lorde the Kyng recover or take the forsaide landis of Mar fra the saide Robert or fra his ayris'. 76

Robert lord Erskine also sought an agreement with Robert Lyle, and on 11 June 1444, an instrument was drawn up which sought a contract between Erskine and Lyle upon the excambion of the lands and earldom of Garioch; 'in the same form as the Earl (of Mar) made to the Countess of Orkney'. 77 There is no surviving record of a contract with the Countess of Orkney, but on 16 June, an instrument was given narrating the offer, on behalf of Robert Erskine 'earl of Mar and Garioch' to William earl of Orkney that agreements should be completed between the two earls for the excambion of the lands of Garioch and that the Earl of Mar would pay 110 marks annually to the Earl of Orkney. The latter replied that he would complete all such agreements made between them and Robert Lyle of Duchal. 78 A period of stalemate followed in the Mar dispute which was not to be broken until 1448.

Confrontation between those who exercised power in the minority government and members of the nobility was not limited to the Mar dispute, and one of the most dramatic events of the minority occurred in 1440 when Crichton and
Livingston, apparently working in concordance, turned their attention to the young William 6th earl of Douglas, the son of the lieutenant-general. The sixteenth-century chroniclers Buchanan and Pitscottie both state that William had proved haughty and ambitious, and that he was at the root of the breakdown of law and order in the country. However, the boy was scarcely more than sixteen years old and there is no evidence for his involvement in government beyond the appending of his signet to the 'Appoyntement' in 1439, or of his having caused problems for the government. On 24 November 1440, earl William, his younger brother David and their close adherent, Sir Malcolm Fleming of Biggar and Cumbernauld, were entertained to dinner in Edinburgh castle, following which the two Douglases were seized and executed on the grounds of treason, although no specific charges survive and they were not forfeited. Sir Malcolm Fleming was executed also, but not until the following day, presumably to allow time to form the sentence of forfeiture which was passed against him.

The motives for Crichton and Livingston taking this action remain obscure. If it was concern at the size and power of the Douglas earldom and the fear that William was a threat to their own power, then to execute him was an effective, if extreme, solution to the problem. However, his younger brother, David, was also executed and this meant that the Douglas inheritance went to the boys' great-uncle, James Douglas of Balveny and Abercorn, who had been created Earl
of Avandale in 1437\textsuperscript{82} following the murder of James I. Thus, Crichton and Livingston, instead of having to deal with Douglases scarcely more than children, had the prospect of a mature earl inheriting, if not all, then at least a large proportion of the wealth of lands and titles which formed the entailed Douglas estates. Had James Douglas chosen to revenge himself on the two perpetrators of what became known as the 'Black Dinner' for the killing of his kinsmen, then Crichton and Livingston would have faced a problem immeasurably greater than the supposed threat of an arrogant youth.

It is very unlikely that Crichton and Livingston took this action independently, and the involvement of the Earl of Avandale is suggested strongly by his subsequent actions. James, as 7th earl of Douglas, showed no inclination for revenge. Instead, he set to work to consolidate his newly elevated position, and it is worth noting that although the two boys were executed as traitors, no sentence of forfeiture was passed against them. However, Malcolm Fleming had been sentenced to forfeiture before his execution and it was the new Earl of Douglas who took it upon himself to placate Fleming's son and heir by ensuring that he was permitted to succeed to the forfeited lands and also by giving one of his own daughters in marriage to Sir Robert Fleming.\textsuperscript{83}

At the same time as Douglas power and influence was being
re-aligned, an attempt was made to oust John Cameron bishop of Glasgow from government. Cameron had been involved in forming the minority government in 1437, however, on 3 March 1441, a petition, in the name of James II was sent to the Pope in which Cameron was attacked in the strongest terms;

'John bishop of Glasgow, a son of perdition....is not immune from the damnable deeds of certain other traitors, his associates and adherents....to the prejudice of the king, then in his tenderest age, and of the kingdom. Later, he audaciously presumed to make a most treasonable conspiracy against his majesty and, with several others of the king's council, to plot to the death and to proceed in the guilty conspiracy'.

If the object of this attack had been to remove Cameron completely from both government and the bishopric of Glasgow, then his enemies were unsuccessful. On 2 June 1441, Cameron appeared as a charter witness in Edinburgh and he continued to appear at court until his death in 1446. On 7 June 1441, Cameron was granted a charter by James II, and the king himself appeared in Glasgow on 3 October accompanied by both Crichton and Livingston. In terms of political influence, however, Cameron was never again to enjoy the same position he had held at the beginning of the minority and the attack on him merely underlined the fact that power now lay with the uneasy Crichton-Livingston
alliance, underlying which were the seeds of a new Douglas influence.
James 7th earl of Douglas wasted no time in building up the territorial power of the Douglases once more. The Dukedom of Touraine and the other lands in France which had been acquired by the 4th earl were beyond recovery because there were no Douglas heirs male in the direct line, and similarly, the lordship of Annandale had lapsed to the crown.88 The lordships of Galloway and Bothwell, however, were not completely beyond recovery as they had been inherited by the sister of the 6th earl, Margaret Douglas, and James realised that a marriage between her and his son and heir, William, would re-unite the lands, although this scheme was not fulfilled until after the 7th earl's death.89 James Douglas's own lands and possessions included the earldom of Avandale, lands in Banffshire, Invernessshire, Buchan and Moray, and his castle of Abercorn on the Forth. In the short period during which he held the earldom of Douglas, he managed to secure the earldom of Moray for his third son, Archibald, although by rather dubious means. In 1429, James Dunbar earl of Moray died leaving his two daughters, Janet and Elizabeth, as co-heiresses. The elder daughter, Janet, had married James Crichton, the eldest son of chancellor William Crichton, and it was to the younger daughter, Elizabeth, that Archibald Douglas was married. Nevertheless, Archibald was styled Earl of Moray, and to give this move the semblance of legality, Douglas managed to secure an entail which excluded Janet Dunbar.90
Another area in which James earl of Douglas was able to gain influence was in the lordship of Dalkeith. On 22 May 1441, Sir James Douglas of Dalkeith had been declared incapable of discharging his duties due to mental incapacity and letters were issued by the government placing James Gifford of Sheriffhall, Douglas of Dalkeith's brother-in-law, as custodian. However, James Douglas of Dalkeith's younger brother Henry, tried to capitalise on the situation by seeking to gain the estates himself. James earl of Douglas was Henry's father-in-law, therefore he was undoubtedly more than an interested observer, especially as the lordship of Dalkeith was granted to him on 6 September 1442.

Douglas came into conflict with the Crichton family over the lordship of Dalkeith and this was the second occasion since he became earl that their interests had clashed. Douglas had crossed the chancellor's son, James Crichton, over the earldom of Moray, but on this occasion, it was the chancellor's cousin, George Crichton, who may have felt threatened by the actions of the Earl of Douglas. The Crichton connection arose from the marriage of George Crichton to Janet Borthwick, the widow of Sir James Douglas of Dalkeith, and when Dalkeith's eldest son, James, had been declared insane in May 1441, Crichton may well have hoped to benefit through his wife's life tenure to the barony of Morton.

Crichton was never successful in obtaining control of Dalkeith, even after the death of the 7th Earl of Douglas, as in 1444, the custody of Dalkeith passed to Patrick Cockburn, himself a Douglas adherent, and under
Douglas influence, £122 15s 5d was expended on Dalkeith in 1444-5.96

The 7th Earl of Douglas also tried to have his second son, James, provided to the bishopric of Aberdeen, exploiting the schism within the church to do so. This attempt proved unsuccessful in the long term, as Ingeram Lindsay was provided to the bishopric on 28 April 1441 by Pope Eugenius IV97 and this provision held, despite the provision of James Douglas by the anti-pope, Felix V, on 30 May 1441.98 James 7th earl of Douglas did not enjoy his new title for long, and the Auchinleck Chronicle states that; 'the zere of god 1443, the 10th day of March erll James Douglas deit at the castell of abercorn'.99 His successor, William 8th earl of Douglas was to assume a very active role in government, and it was natural that he should turn his attention to the positions of William lord Crichton and Sir Alexander Livingston. Livingston and Crichton were still witnessing charters side by side until at least 6 August 1443,100 but on that date, Crichton appeared as chancellor for the last time until 1447, although the first reference to James Bruce bishop of Dunkeld as chancellor was not until 7 September 1444.101 A Douglas charter dated 20 April 1444 bears the name of the Bishop of Dunkeld as a witness, but he is not styled chancellor.102 The chancellor was the most important officer of state and it might seem curious if the office lay vacant for the best part of a year, but there is a dearth of records and documentary evidence for this year, therefore it
is impossible to form any clear impression of the functioning of the government at this time. The apparent eclipse of Crichton saw a corresponding strengthening of the Livingston position. On 16 August 1443, Sir Alexander Livingston dissociated himself by a pledged oath in the presence of Sir Robert Fleming, James Kennedy bishop of St. Andrews, John Cameron bishop of Glasgow, James Bruce bishop of Dunkeld and Michael Ochiltree bishop of Dunblane, from any complicity in the murder of Malcolm Fleming.¹⁰³ In this, the Livingstons appeared to be clearing the way for an alliance with the Douglas faction and this, in turn, led to an attack on Crichton. William lord Crichton, although no longer chancellor, was still in possession of the crucial stronghold of Edinburgh castle, but rather than launch an attack on him there, which would be unlikely to meet with much success, George Crichton, William's cousin and sheriff of Linlithgow, was dealt the first blow. On 20 August 1443, only four days after Livingston's pledge, the Auchinleck chronicler writes that William earl of Douglas; 'came to beretoun in lothian with ane gret ost and with him the forsaid kingis counsall beand with him and his houshald and schortlie he askit the hous on the kingis behalf and schew the kingis lettres...and suthlie Andrew Crichton than beand thair in captain answered sayand that the hous was in the kingis hand and Nicol of Borthwick and James of Crichton war under burrowis to the shiref Sir William Crichton and thai put in be him on the kingis behalf'.¹⁰⁴ Despite this plea, the Earl and his forces remained at the house for five days
after which, Douglas 'schew the kingis banere' and the garrison agreed to surrender on condition that they and their goods would be spared. Following the casting down of the house of Barnton, the next move was to have the Crichtons summoned before the king. A General Council was held in Stirling at the beginning of November 1443; 'in the hender end of the quhilk counsall thai blewe out on Sir William Crichton and Sir George of Crichton'.

Crichton retaliation was quickly forthcoming and it was Sir John Forrester of Corstorphine who was first to feel the brunt. At this time, Sir John Forrester, who had been chamberlain to James I, was associated clearly with the Douglases. He had taken part in the attack on Barnton and his own lands of Corstorphine were situated between Barnton and Edinburgh, and it was this fact which probably led to the attack on Forrester's property by the Crichtons as the easiest form of retaliation, although their revenge also took them further afield to damage Douglas lands and possessions. The Auchinleck chronicler writes that the Crichtons 'tuke away Sir John Forrester's gudis that is to say schepe and nolt and syne Sir George tuke the erll of Douglas' horses and brynt his grangis of Abercorn and Strabrok and uther five placis and brynt the samyn tyme the blak nestis'.

There is a considerable gap in the official records from November 1443 to July 1444 which makes it impossible to
trace, in detail, the developments in this conflict, and this in itself suggests a high degree of turmoil in government. However, as more evidence becomes available, it is clear that this time witnessed political changes at court, not least of which was the attempted consolidation of the Douglas ascendancy.
Notes, Chapter 2.

1 A.P.S., ii, 31
2 Lintrathen, west Forfarshire, between Alyth and Kirriemuir.
3 Fraser, Melville, iii, 31
4 The 'Appoyntement' 1439. Discussed below, 47
5 A.P.S., op.cit.
6 A.P.S., i,550
7 Ibid, 553; E.R., iii,164
8 Nat.MSS.Scot. ii.,47
9 Nicholson, R., Scotland: The Later Middle Ages (Edinburgh 1974) p.214
10 A.P.S., i,572
11 Chron. Auchinleck, f.121r
12 A.P.S., ii,31. Douglas also appears on a notarial instrument dated 30 May 1438 - Fraser, Douglas, iii, 403
13 Sir Alan Stewart of Darnley claimed the earldom of Lennox in respect of his grandfather, Duncan earl of Lennox. Darnley's mother, Elizabeth, was the younger daughter of Lennox. The Albany Stewarts had a claim through the elder daughter, Isabella. Fraser, Lennox, i,
14 Ibid., ii,68
15 Chron. Auchinleck, f.109r
16 Ibid. Alexander Stewart was the younger brother of Alan. The other brother was called John, therefore
Matthew may have been a cousin? Fraser, Lennox, op.cit

17 A.P.S., ii, 31
18 Chron. Auchinleck, f.109v
19 A.P.S., ii, 31-32
20 Ibid.
21 R.M.S., ii,201,202
22 S.P., iii, 170
23 Duncan, A.A.M., James I 1424-1437 (University of Glasgow, Department of Scottish History Occasional Papers, 1984)
24 Ibid. 11-12
26 C.A. Chr., i, 68 - 28 August 1432
27 E.R., iv,607
28 R.M.S., ii,202
29 Livingston, E.B., The Livingstons of Callendar (E.U.P 1920)
30 Lesley, J., The History of Scotland from the Death of King James in the Year 1436 to the year 1561. (Bannatyne Club, 1830),13; Buchanan, G., The History of Scotland transl. J. Aikman (Glasgow 1827) Vol.ii, book xi, chapter iii,f.iv.
31 R.M.S., ii,202
32 Ibid., 203
33 Lesley, History, op cit.; Buchanan, History, op cit.; Pitscottie, Historie, 17
34 The queen's arrest and imprisonment on 3 August 1439 is said to have taken place a few days after the wedding.
Chron. Auchinleck, f.109r; E.R., v, 53

35 S.P., v, 3

36 Chron. Auchinleck, f.109r. The Auchinleck chronicler names James Stewart's brother as William, but this is clearly a mistake, as James Stewart's brothers were called Robert, Alexander and Archibald. S.P., v, 3

37 R.M.S., ii, 204

38 A.P.S., ii, 54


40 A.P.S., op cit.

41 Ibid.


43 Chron. Auchinleck, f.121r

44 Lesley, History, 16: Buchanan, History, f. xi

45 R.M.S., ii, 206, 207

46 Ibid, 208 – 13 October 1439

47 Chron. Auchinleck, f.109v

48 Fraser, Lennox, i, 248, 258; S.P., v, 340-2

49 A.P.S., ii, 32

50 Crawford, Earldom of Mar, i, 173-6

51 S.P., v, 578-9

52 S.R.O., GD 124/7/3

53 Crawford, op cit 194-217

54 R.M.S., ii, 53

55 Ibid.
Alternative lands were offered to cover the possibility that the king might grant the Erskines 'lands other than the said earldoms'.

Robert Semple's name appears on an instrument dated 11 June 1444. S.R.O., GD 124/1/155

Lesley, History, 15; Buchanan, History, f.xv; Pitscottie,
Historie, 40; Chalmers of Ormond, Ane Cronickill of the Kingis of Scotland (Maitland Club, 1830)

80 A.P.S., ii, 54
81 Chron. Auchinleck, f. 121r
82 H.B.C., 469
83 S.P., viii, 533; Fraser, Douglas, i, 446
84 Calendar of Scottish Supplications to Rome, iv, series ed. I.B. Cowan. (Glasgow 1983) As chancellor, Cameron had made laws which curbed papal powers in matters of administration and jurisdiction. On 28 December 1439, Eugenius IV pardoned him. C.P.L., viii, 294
85 S.R.O., GD 205 Box 6, bundle 11, no. 7
86 Glas. Reg., ii, 347
87 NRA (s) 1100 - Roxburgh. Bundle 1007
88 Nicholson, Later Middle Ages, 331
89 C.P.L. x, 130-31
90 A.B Ill., iii, 231-2
91 Mort. Reg., ii, 219
92 Dunlop, Kennedy, 36
93 S.R.O., RH6/307
94 Dunlop, op cit. p. 59
95 E.R., v, 180-2
96 Ibid, 146-7, 150, 180
97 Watt, Fasti, 3
98 Ibid.
99 Chron. Auchinleck, f. 109v
100 S.R.O., GD 26, Sec. 3, no. 1083
101 R.M.S., ii, 273
102 Ibid.

103 Wigt. Chrs., 29

104 Chron. Auchinleck, f.110v

105 A.P.S., ii,33

106 Chron. Auchinleck, op cit.

107 Ibid. The 'blak nestis' refers to Blackness on the Forth, a stronghold belonging to George Crichton. The sense of the entry is confused, and ought to be interpreted as follows; 'and (also) brynt (at) the samyn, tyme (was) the blak nestis' - this action, presumably, was Douglas's retaliation for George Crichton's spoliation of his lands.
Chapter 3 - The Black Douglas Ascendancy - The Minority 1444-1449

It is evident that William 8th earl of Douglas had determined to be an active political force and to continue his father's energetic policy of increasing the Black Douglas influence. He was a frequent attender at court and witnessed more charters in the course of the reign than any other earl, even though such activity was limited to the years 1444-1452. In the parliament of June 1445, Archibald Douglas appeared as Earl of Moray and Hugh Douglas as Earl of Ormond - a dignity created for him out of his sister-in-law Margaret's patrimony in Aberdeen and Inverness. John Douglas, the youngest brother, was infeft in Balveny, his father's lordship in Banff.

The last recorded general council had taken place on 4 November 1443 in Stirling, but a letter to Sir Alexander Home of that ilk, dated 13 November 1444, refers to events which took place 'at the last' general council. This appears to refer to a general council held in 1444, possibly on or around 16 October, the king's fourteenth birthday, but for which no records survive. From the Home letter, it would appear that the king's majority had been declared at the general council and the letter was an assurance to Sir Alexander Home that his land rights would be unaffected by this declaration and indicates that a general revocation was to take place sometime in the future. The political changes which took place in 1444-5 may be connected directly with
the ascendancy of William earl of Douglas, and events lend weight to the view that James II's majority had been declared in an attempt to legalise the actions of the faction which controlled him. On 29 November 1444, the king himself appeared at the siege of Methven castle. This castle had been granted by Robert II to his son Walter, earl of Atholl and became crown property on Atholl's attainder. It is possible that the castle was being held by an adherent of Sir William Crichton, but the siege was successful, the castle was taken and subsequently committed to the keeping of Sir Alexander Ogilvy of Inverquharity, although it passed later to Alexander Livingston, second son of Sir Alexander Livingston of Callendar.

A further indication that changes had taken place at court is to be found in a set of coronation oaths which purport to be those used by the parliament of 1445. These oaths appear in a manuscript which belonged to Sir James Balfour of Denmilne and may be traced back to a fifteenth century manuscript written by James Monynet in 1488. When compiling the records of the Acts of the Parliaments of Scotland, Thomas Thomson did not include the text of the 1445 oaths, and they have tended to be overlooked in discussions of this period. The main problem which inhibits the analysis of the mediaeval Scottish coronation service is that evidence is very scarce. The earliest indication of the content of the king's oath occurs in the proceedings recorded in Parliament on 27 January 1399 when David Stewart, duke of Rothesay
promised 'all the thyngis that the kyng in his crownyng wes suorne for to do to holy kyrke & ther pupyl'.

This oath was taken on the occasion of the Duke of Rothesay's appointment as lieutenant to his father, Robert III, and the preoccupation with the privileges of the church and orthodox religious practice is also found in the oaths taken in England and France during roughly the same period. However, the 1445 oaths have a different emphasis and their overriding theme is justice and law and order - themes which were very much to the fore in 1445 when the instability at the centre of government in the early minority had led to widespread disorder, and the three estates were struggling to re-impose a measure of control. A parliament had been held in Edinburgh at the start of the king's minority, in March 1437, when James II had been crowned. For the duration of the minority, until the king took over direct control following his marriage in 1449, all consultative and representative assemblies had been general councils with the exception of the parliament held in Perth in 1445. On 14 June 1445, legislation was passed 'tuiching the landis quhilkis our soverane lordis fadir had in peacabill possessione the day of his deces', but this was the only piece of legislation enacted at Perth, as on 28 June, the parliament was continued to Edinburgh. The short stay at Perth, where the three estates had clearly been instructed to assemble, may be explained if the coronation oaths found in Balfour's MS. were imposed upon the king at this time, perhaps at Scone, the traditional site for the coronation of
Scottish kings. The king had been only six years old at the time of his coronation at Holyrood in 1437, but in June 1445, he was almost fifteen years old and better able to take oaths which could be made to mark the end of his minority, in theory if not in fact. The declaration of the king's majority by such means was undoubtedly a cynical move to strengthen the position of the faction, led by the Earl of Douglas, which then had control of the king and to lend an air of legitimacy to any attack on their political opponents. The sederunt list for the July parliament 1445 shows a heavy Douglas influence and the adjournment to Edinburgh was effected because of the siege of William Crichton in Edinburgh castle. It would appear that negotiations had already been in progress before the arrival of the three estates and the Edinburgh burgesses played an important part in securing a settlement. In the first week of July, William Crichton surrendered on terms, although it is not clear exactly what the terms were. There was no question of Crichton being in absolute disgrace as he was restored to government and witnessed charters on 1 and 3 July, but he was not restored to the office of chancellor.

Aberdeen proved to be a storm centre at this time and events there highlighted the rift in government and the opportunism of those on the fringes of the dispute. The revenues from the burgh of Aberdeen were subject to a number of exactions from various quarters. The queen exercised her right to an
annuity from the Aberdeen customs, and a similar pension was appropriated forcibly by David earl of Crawford. However, it was not only the nobility who caused problems, as Thomas Tulloch, bishop of Ross laid claim to 'the tak of the half net of the Rake' and the bishopric of Aberdeen was contested by James Douglas and Ingeram Lindsay. The 7th Earl of Douglas took advantage of the papal schism to push his son, James forward for the bishopric of Aberdeen and his appointment was ratified by Felix V. However, with the collapse of the conciliar movement, the Douglas hopes for this office were dashed, and the appointment of Ingeram Lindsay was the successful and lasting one. Alexander earl of Ross and Lord of the Isles embarrassed the government by holding certain Englishmen 'for a litil monee' at a time of truce with England. On 18 March 1443, an appeal was made to the king and his council by English ambassadors, and as a result of negotiations, a letter was issued by the king on 20 March 1445 which instructed the release of the captives.

The queen and James Kennedy, bishop of St. Andrews were in dispute with the Livingstons over the Aberdeen revenues and were obviously resentful of the political changes taking place at court and on 17 November 1444, they issued letters of inhibition forbidding any payments to be made out of the revenues of Aberdeen 'to tha persownis that nay has the Kyng in gouernance'. On 20 November 1444, the Aberdeen magistrates declared that they would await the decision of
the three estates on the matter, reflecting caution on their part and some confusion over who really exercised power at that time.19 The burgh of Aberdeen had courted the patronage of Sir Alexander Irvine of Drum in the hope that he would offer protection, and in October 1440, he was invested under the title of captain and governor.20 He held the office for two years, but the experiment does not seem to have been a successful one, as, in 1442, the citizens of Aberdeen were commanded to take arms in support of the magistrates and council, the town was strengthened and fortified by the building of walls, the ports were kept shut each night, and every day, thirty men were chosen from the citizens of the town to act as an armed guard to prevent surprise.21 In 1445, the Aberdeen council had agreed unanimously that no lord should be chosen as captain of the burgh, and no such office was revived.22 In 1447, the council would not permit tacks of the town to be held by lords, and the sub-letting of fishing tacks applied to anyone 'except lordis'.23 Disorder continued to such an extent that on 3 November 1445, the king wrote to the bishop of Moray stating that there was to be no hosting or weapon-showing except at direct royal command and not at the command of the Bishop of Moray or the Earls of Moray and Huntly.24 Even as late as 24 January 1447, James II sent a letter in which he instructed Lord Keith to collect the revenues rightfully belonging to the king and stated that the Bishop of Aberdeen was to content himself with the tenth penny.25 However, it must have been virtually impossible to
enforce law and order when the Earls of Ross and Crawford - justiciar and sheriff of Aberdeen respectively - violated the law themselves.

William earl of Douglas had managed to build up an impressive list of allies by 1445. The network of offices held by the Livingston family was regarded, it seems, as potentially useful and Douglas was prepared to work with the Livingstons, which does much to explain the eclipse of the Crichton family at this time. Sir James Hamilton of Cadzow was a staunch supporter of the Black Douglases, and in the June parliament, 1445, he was given the title Lord Hamilton. The first clear connection between William 8th Earl of Douglas and David, earl of Crawford occurs in an indenture made on 30 October 1445 between William earl of Douglas and Jean Lindsay. Jean Lindsay was the daughter of David earl of Crawford and had been married to William 6th earl of Douglas, who was put to death in Edinburgh castle at the Black Dinner of 1440. The terms of the indenture were that Douglas promised to assist Jean Lindsay to recover 'her terce of Anandirdale' in return for resigning all other right and claim she might have through her late husband. Annandale was unentailed and therefore lapsed to the crown rather than passing to James Douglas earl of Avandale who had inherited the Douglas earldom as the next male in line. It appears that the 8th Earl of Douglas was seeking to neutralise any possible claims to Douglas lands or property arising from the Douglas-Lindsay
marriage by offering his support in the pursuit of the recovery of Annandale.

The rise in power and influence of the Black Douglas line led to an attempt to overshadow the Red Douglases at court. William 2nd earl of Angus did not long outlive James I as he died in October 1437 and was succeeded by his son James who was only eleven years old. On 18 October 1440, James 3rd earl of Angus was betrothed to James II's sister, Joanna, but in 1445, she was sent with her sister Eleanor, to France, indicating that a marriage was being sought for her in Europe and that Angus had fallen too far from favour to merit such a prestigious bride. In the July parliament of 1445, Angus was arraigned at the same time as Sir James Stewart of Lorne, therefore it seems that Angus was identified firmly with the queen's party and was under attack as a consequence. In 1446, James earl of Angus died, and he was succeeded by his brother George, 4th earl of Angus, who appeared at court almost immediately as a frequent charter witness. It is likely that this was a conscious effort to ensure that the Red Douglas influence was represented at a court dominated increasingly by the Black Douglases.

Opponents of the Douglases suffered attacks on their property and positions. The Crichtons, as has been shown, lost influence and possessions in the struggle with the Douglases, and in 1445, James Kennedy, bishop of St. Andrews
was the target for an attack. According to the Auchinleck chronicler, early in 1445, the Earl of Crawford, James Livingston, Robertson of Struan, James Hamilton of Cadzow and the Ogilvies made 'ane richt gret herschipe...in Fyff'. The lands which were ravaged and destroyed were owned by, or under the jurisdiction of, Bishop Kennedy, and following the attack he 'cursit solempnitlie with myter and staf buke and candill contynually a zere and Interdytit all the placis quhar thir personis ware'. However, Kennedy was not noticeably out of favour with the ruling faction, because on 5 February 1445, James II confirmed a charter of the privileges of St. Andrews University.

The opposition faction was not strong enough to prevent the dominance of the Black Douglases and their allies at court. It seems that Dunbar was the final centre of resistance from which the queen, her husband James Stewart of Lorne, James earl of Angus and Adam Hepburn of Hailes defied the court faction. However, on 15 July 1445, Queen Joan died at Dunbar and Adam Hepburn 'gaf our the castell of Dunbar throu trety'. The 'trety' ensured, presumably, that no action would be taken against the inhabitants of Dunbar, and there do not appear to have been any recriminatory measures, although on 24 November 1445, James Stewart of Lorne took out a safe-conduct to go to England, no doubt prompted by the arraignment of himself and Angus in the July parliament. The Auchinleck chronicler writes that in May 1449,
'Sir James Stewart the qwenes knycht was tane apon the se be the flemyngis befor the son37 and thair was put to deid and of thaim that come with him viiiXX of ynglismen'.38

However, Auchinleck's dating is contradicted by a safe-conduct issued to James Stewart to come to England as late as 17 August 1451,39 although as this is the last time he is mentioned seeking a safe-conduct with his sons, it is possible that the chronicler was relating a version which had come to him of the fate of James Stewart, but mis-dated it.

The relationship between the Ogilvies and the Lindsays deteriorated in 1446, although the two families had been allies previously and had joined forces in the raid on Kennedy's lands in 1445. The justiciarship of Arbroath abbey was at the centre of the dispute. Alexander, master of Crawford had been chosen for the office, but, according to the Extracta e variis cronicis Scocie, the monks of Arbroath had been unhappy about the way in which Crawford exercised his duties, feeling that he took advantage of his position and did not act in the best interests of the abbey, and thus, Crawford was deposed in favour of Walter Ogilvy of Inverquharity.40 The Master of Crawford conceived this as a great insult and determined to fight the decision, entrenching himself in the abbey for this purpose. By chance, Alexander earl of Huntly was a guest of the Ogilvies
at that time and he felt obliged to join the fight with his hosts. The Auchinleck chronicler is very precise about the date of the battle, stating that it took place late on Sunday 23 January 1445 (1446 by modern computation) and the outcome of the battle was that David earl of Crawford, who had arrived to intervene in the dispute, was mortally wounded, although the Lindsays actually won the fight and 'efer that a gret tyme held the Ogilvies at gret subjectoun and tuke thair gudis and destroyit thair placis'. With the death of David earl of Crawford, his son, Alexander became earl, and the battle of Arbroath may well have sown the seeds of a lasting Huntly-Crawford animosity.

In south-east Scotland, the storm centre in the early 1440's was undoubtedly the priory of Coldingham. Coldingham priory was a wealthy house and there were many who were prepared to exploit the weaknesses of its position which was a survival from the time before the border between Scotland and England was defined. The institution of the priors of Coldingham was vested in the Bishop of St. Andrews, but the actual presentation belonged to the priors of Durham, as Coldingham had been granted to the Benedictine house of St. Cuthbert of Durham by the agreement of kings of Scotland and 'divers earls of Dunbar'. Severance of the English connection had been attempted, unsuccessfully, by Robert III who annexed Coldingham to the monastery of St. Margaret of Dunfermline. However, the rights of Durham over Coldingham had been confirmed by royal charter in 1392, an
act of parliament in 1424 and litigation in Rome. In addition to disputes concerning the appointment of a prior of Coldingham, the office of bailie was also contested. This office conferred administrative control and temporal jurisdiction over the lands of Coldingham and therefore was a highly coveted position. Both of these problems occurred in the 1440's. On 6 December 1441, William Drax prior of Coldingham died, and the Prior of Durham wasted little time in presenting a Durham monk, John Oll, to Coldingham priory. Dunfermline disputed this provision as it still clung to its claim to patronage, and William de Boys, a monk of that house, was presented. The case was referred to James Kennedy, bishop of St. Andrews, who assessed the evidence and found in favour of Durham. Consequently, John Oll was invested and a precept for his induction was issued on 18 January 1442. However, the problem had not been solved as the abbot of Dunfermline appealed to the Pope and asked him to confirm the rights of Dunfermline and to alienate Coldingham from Durham. When the case came before the Roman court, Durham held the dual advantage of a stronger legal position and the ability to call upon considerable secular support. On 11 June 1442, Oll appeared before the king and council at Stirling and presented letters from Henry VI, Cardinal Beaufort and the earls of Northumberland and Salisbury. A letter from the Prior of Durham also made the plea that

'to despoil us of our right over the priory of
Coldingham is expressly against the truces between the realms'.

At this time, the king's council was unwilling to run the risk of open hostility with England and considered it expedient to agree to the presentation of John Oll to the priory of Coldingham.

The dispute over the office of the bailie of Coldingham, however, was not so easily settled. The forfeiture of the Earl of March in 1435 had left the area with no dominant and powerful magnate, therefore Coldingham became the prey of ambitious local magnates. The bailiary of Coldingham and a tack of its lands of Aldcambus was coveted by Sir Alexander Home of that ilk, Lord of Dunglass, and also by his uncle, Sir David Home of Wedderburn, the latter being supported by Sir Adam Hepburn of Hailes, the feudal superior of both men. On 16 September 1441, John Wessingham, prior of Durham, granted the bailiary of Coldingham to Sir David Home for a period of forty years, with a promise of Aldcambus in exchange for some of his own lands. Not surprisingly, this grant was opposed by Sir Alexander Home and in an effort to reach a compromise, the Prior of Durham and Adam Hepburn of Hailes attempted the division of the disputed possessions between the claimants, but following the induction of John Oll, Sir David and Sir Alexander appealed to Durham. After some deliberation, the council of James II and the Prior of Durham reached an agreement in favour of
Alexander Home, who had strengthened his own case in the meantime by obtaining letters of recommendation from James earl of Angus, Adam Hepburn of Hailes, and James Kennedy, bishop of St. Andrews. On 14 May 1442, Alexander Home received a patent of the bailiary for life. This was issued at Durham from whence he proceeded to Stirling where the king and court were residing, and he was admitted formally to the office on 20 May at the request of James II, James Kennedy, bishop of St. Andrews and the earls of Angus, Crawford and Mar.

This apparent concord did not see an end to the problems in the south east, however, as hostilities flared up once more - this time arising from a dispute over the archdeaconry of Teviotdale. This involved Patrick Home, a kinsman of Alexander Home who had ousted William Croyser as archdeacon of Teviotdale, thereby incurring the wrath of James 7th earl of Douglas who supported Croyser. Douglas used his position as justiciar south of the Forth to attack the decision to present Alexander Home to the bailiary of Coldingham as having been made by only a 'partiale consale' and therefore was 'of na strenth na vertu'. The opportunity was too good to miss, and David Home of Wedderburn took immediate advantage by forcibly seizing Coldingham and causing prior John Oll to flee. The forces needed to sustain this position were evidently not at David Home's disposal, and both John Oll and Alexander Home were re-instated in their respective offices, although Sir David continued to complain
volubly to the Prior of Durham that Alexander Home was holding Coldingham as a fortalice from which he led raids on the lands and possessions of David Home and his family, and also on those of Adam Hepburn of Hailes.56 The mediation of James earl of Angus eventually produced a settlement on 16 January 1444 in which Sir David was to recover sheep and cattle with compensation for his losses, and also five pounds scots as half of the profits of the bailiary for the Martinmas term 1443.57

The solution was short-lived. Following the death of the queen in 1445, Dunbar castle had been surrendered to the Douglas-Livingston faction by its keeper, Adam Hepburn of Hailes. However, in April 1446, Sir Patrick Hepburn, son of Adam, re-possessed Dunbar and captured and imprisoned John Oll, prior of Coldingham.58 The forfeiture of the Earl of March in 1435 had brought the custody of Dunbar into the hands of Adam Hepburn of Hailes and thus Patrick Hepburn must have been loath to see the loss of Hepburn influence there. The capture of John Oll may have been intended as a reprisal for the plundering raids of his ally, Alexander Home. In a letter from Coldingham written on 10 November 1446, John Oll stated that he had been held in Dunbar for 'a great and intolerable ransom'.59 Shortly after this, on 30 November 1446, Archibald Dunbar, the son of the dispossessed Earl of March, captured castle Hailes, but according to the Auchinleck chronicler 'syne cowardlie gaf it owr to the master of Douglas sodanlie'.60 It is not clear precisely
what Archibald Dunbar hoped to gain by such a move. He may have hoped to regain Dunbar castle in exchange for Hepburn's castle of Hailes and over-estimated the amount of support he could raise for such an action. The government seems to have acted swiftly in sending James Douglas, the brother of William earl of Douglas, to recover Hailes castle from Archibald Dunbar. Dunbar castle, held by Patrick Hepburn, was itself put under siege and a settlement was reached although the exact details are not recorded. Dunbar castle remained in crown hands and on 2 February 1449, the Homes and the Hepburns made peace by a double marriage contract between the heirs of both houses and a daughter of the respective families. Ellen, the daughter of Alexander Home, was to marry Adam, the son and heir of Patrick Hepburn of Hailes, but only if he 'has nocht the dochter of James of Levingstoune to wyff'. Alexander Home's son, also called Alexander, was to marry Agnes, the sister of Patrick Hepburn.

The stalemate which had existed over Kildrummy castle since 1442 was broken once more in 1448. On 12 May 1447, Robert and Thomas Erskine were charged to deliver Kildrummy castle and place it at the king's disposal during his forthcoming trip to the north. David Murray of Tullibardine and Robert Livingston, comptroller, were to be sent ahead to make arrangements for the king's visit, and the Erskines were to deliver the castle to these men under pain of forfeiture, according to the terms of an 'appoyntment' made
to that effect. It is not clear exactly what this was, but Sir Robert Douglas describes an indenture dated 20 June 1448, which was in the Mar charter chest but has since been lost, between the king and council and Robert lord Erskine. The terms of this indenture state that Erskine agreed to deliver the castle of Kildrummy between that date and 3 July 1448:

'to any the King should appoint, to be kept by them till the king's majority and then to be delivered up to either of them who should be found to have right to it, at the sight of the three estates'.

In addition, Erskine was to account to the king, upon the attainment of his majority, for his half of the earldom of Mar. In return, the king and council agreed to return Robert lord Erskine's castle of Alloa, as soon as Kildrummy castle was delivered. The indenture was given under the privy seal and William Turnbull, bishop of Glasgow, James Livingston, custodian of the king's person, Patrick lord Graham and Andrew lord Gray bound themselves as cautioners for king and council; and for Erskine's part, in addition to his own seal and that of his son, Thomas, the cautioners were Henry Douglas of Lochleven, Thomas of Wemys and William Auchterlonie of Kellie. Letters issued by James II from Methven on 2 June 1448 stated that Erskine was relieved of the custody of Dumbarton castle, but Dumbarton had been
surrendered already and Robert Livingston put in possession. The letter also stated that Erskine was to be relieved of the rents and issues of Dumbarton received from the time of entry to Martinmas 1445. However, this ought not to be interpreted as the Erskines in disgrace but rather as a move to clarify and regularise the situation. On 11 September 1448, a crown charter in favour of Thomas Erskine was witnessed by three Livingstons. The king visited the north of Scotland in July 1448. The citizens of Aberdeen presented the king, under the denomination of a propine, with two tuns of Gascony wine, six lights of three stones of wax and twelve half pounds of scorchets (sweetmeats). On 24 July, James II issued a charter in Inverness, and although there is no record of his having stayed in Kildrummy, the castle was surrendered before 21 July and Archibald Dundas, brother-in-law of Sir Alexander Livingston of Callendar, became keeper. The reciprocal arrangement to surrender Alloa appears not to have materialised as Sir Thomas Erskine made a formal protest in the general council held at Stirling on 4 April 1449, that the king and council had failed to give credence to their claims. However, on 26 January 1450, in the parliament held in Edinburgh, the protest was referred to the consideration of the privy council when the king should come of age. As the king was certainly exercising royal power in his own right by this time, this was yet another example of royal procrastination, shelving the problem until the attainment of the king's 'perfect majority' at the age of twenty-five. (October
During the reign of James II, the royal house of Stewart sought and obtained a number of European marriage alliances. James II had six sisters, four of whom were married abroad in matches which conferred both diplomatic and economic advantages. James' eldest sister Margaret had already been married to Louis, the dauphin of France in an alliance arranged in 1436 between James I and Charles VII of France. In 1442, the king's second sister, Isabella, was married to Francis duke of Brittany at the castle of Aurai on 30 October, and the trend towards seeking European marriage alliances continued with the marriage between James' third sister, Mary and Wolfaert van Borselen in 1444. The importance of this marriage was the consequent strengthening of Scotland's position in the Low Countries which were crucial trade markets but were also traditionally pro-English. Wolfaert van Borselen's father was Henric lord of Veere, Sandenburg, Flushing, Westkapelle, Domburg and Bronwershaven, and was admiral to Philip the Good of Burgundy. Wolfaert was heir, not only to his father, but
also to his father's two wealthy and powerful cousins, and with the assured support of the Borsselen family and their vassals, the Scots could look forward not only to consolidating their position in and around Zealand, but also to enjoying powerful and influential backing for any diplomatic alliance with Burgundy. 75

On 14 December 1444, princess Annabella was betrothed at Stirling to Louis, count of Geneva, who was the second son of the Duke of Savoy, and a grandson of Felix V. 76 The initiative for this alliance is alleged to have come from Savoy, and it is possible that it was an attempt to win Scottish support for the cause of the anti-pope and the conciliar movement. Annabella was sent to Savoy, but the marriage did not take place and the betrothal was broken off formally in 1456. 77 Annabella returned to Scotland and was married subsequently to George, master of Huntly. 78

In 1445, the princesses Eleanor and Joanna sailed for France in the hope of securing foreign marriages with the help of their sister, the Dauphiness of France. They arrived at Tournai on 19 August to be greeted with the news that their sister, Margaret, had died three days previously. 79 However, Charles VII received the princesses at Tours on 9 September and by 25 January 1446, they were established with their own household while negotiations for their marriages proceeded. 80 In a letter dated 27 May 1447, James II proposed his sister Eleanor as a bride for the
Dauphin, but this dubious suggestion was not adopted and at some time before the end of August 1447, Eleanor was betrothed to Sigismund, duke of Austria. Sigismund had been betrothed to Radegond of France, but she had died in 1445, therefore in June 1447 an Austrian embassy was sent to Charles VII to ask for the hand of Eleanor of Scotland. Eleanor is said to have been married per verba de presenti in the church of Beaumont near Chinon on 8 September 1448 and she left later in the year for Innsbruck.

While Eleanor's marriage was still being negotiated, James wrote to Charles VII on 9 January 1448 asking for his assistance in finding a suitable bride for himself, whereupon Charles recommended the Scottish ambassadors to the court of Burgundy. The marriage between Mary Stewart and Wolfaert van Borsselen had resulted in a series of embassies between Scotland and the Low Countries, and when, on 6 May 1448, James gave power to his ambassadors to arrange a marriage for him with a suitable princess of the house of Burgundy, Gueldres or Cleves, he could rely on strong diplomatic support. Philip the Good of Burgundy offered the hand of his niece, Mary, who was the daughter of Arnold, duke of Gueldres, and the marriage contract was signed at Brussels on 1 April 1449. The marriage arrangement brought with it an alliance between Scotland and Burgundy which embraced the Duke of Brittany (married to James' sister Isabella) and the Duke of Gueldres. These signatories were bound to assist each other against
aggressors; to promote each others' interests and honour and
to take active part against anyone causing damage or injury,
by land or sea, to the other signatories or their subjects.
Negotiations or treaties with other powers were to be
effected only after consultation with fellow signatories.88

The Treaty of Brussels did not include Charles VII of
France, but he does not appear to have been averse to its
terms. The political climate was encouraging for such a
treaty, as there was an atmosphere of growing hostility
towards England in France at this time. In the winter of
1448-9, Franco-Burgundian relations improved, and on 31
December 1448, the Franco-Scottish alliance was renewed by
the same ambassadors who had taken part in the negotiations
for the alliance with Burgundy.89

Mathieu d'Escouchy describes the voyage to Scotland of Mary
of Gueldres and the bridal party in June 1449.90 They
departed from Sluys at 4a.m. in order to take advantage of a
favourable wind, and the journey would have taken eight or
nine days. On 18 June, Mary reached Leith, having first
made a pilgrimage to the chapel of St. Andrew on the Isle of
May.91 The marriage contract was ratified under the Great
Seal on 25 June by the king at Stirling and he agreed to a
number of conditions. He was to renounce any right to the
succession of the Duke and Duchess of Gueldres should they
leave legitimate male heirs, and he promised to restore
whatever dowry his wife should bring if she died within a
year of the consummation of the marriage without bearing a child. Letters had been issued by Philip, duke of Burgundy laying a subsidy of 400 livres on the town of Courtrai on 12 April 1449:

'pour l'alliance qui presentement se fait avec le roi d'Escoce de nostre belle niepce, de Gheldres'.

For his part, James ratified the promise made by his ambassadors that his future wife would be awarded a portion of 10000 gold crowns per annum from the lands of Strathearn and Atholl, the castle and seigneury of Methven and the palace and great customs of Linlithgow. Four days later, on 29 June, James gave a receipt for 10000 gold crowns as part of the dowry payable on his marriage and on 3 July, James II and Mary of Gueldres were married at Holyrood abbey and Mary was crowned Queen of Scotland.
Notes, Chapter 3

1 The name 'Ormond' was adopted from a hill - probably an ancient moot hill - in the estate of Ardmanach. Pinkerton, History, i, 198

2 A.P.S., ii, 33

3 H.M.C., Home, 85. Alexander Home's concern for his land rights is connected directly to the Coldingham dispute, discussed later in this chapter, and he had cause to fear Douglas animosity, having suffered at the hands of James 7th earl of Douglas; hence his concern if the 8th Earl were controlling the king.

4 R.M.S., ii, 283

5 E.R.v., 201, 219, 230


7 A.P.S., i, 210-211

8 A.P.S., ii, 31

9 Ibid.

10 William earl of Douglas, Archibald earl of Moray and Hugh earl of Ormond were present, as was David earl of Crawford. The lords spiritual were well represented with the bishops of Dunkeld, Glasgow, Brechin, Dunblane, Moray and Dunkeld in attendance, but James Kennedy, bishop of St. Andrews is notably absent: A.P.S., ii, 59

11 On 9 July 1445, a payment of 20s. is recorded to David Henry for going out from the castle of Edinburgh and
coming to the king: E.R., v, 181, 276

12 NLS, Acc. 5976 Box 6, 10; Fraser, Douglas, iii no., 413
13 E.R., iv, 596-8
14 Abdn. Counc., i, 399
15 Watt, Fasti, 3
16 Abdn. Counc., i, 8-11
17 Ibid., 397
18 Ibid., 399
19 Ibid.
20 Ibid., iv, 211, 253
21 Ibid., v, 660, 663
23 Ibid.
24 Moray Reg., 189
25 Abdn. Counc., i, 240
26 A.P.S., ii, 59
27 S.R.O, Calendar of Charters, 321
28 Fraser, Douglas, ii, 42
29 A.P.S., ii, 59
30 H.B.C., 467
31 Chron. Auchinleck, f. 111v
32 Ibid.
33 St. Andrews Univ. Evidence, 10.
34 Chron. Auchinleck, f. 111v
35 Ibid.
36 Foedera, ii, 675
37 ‘befor the son’ may mean that James Stewart of Lorne was accompanied by his son, as both John and James (later
Earls of Buchan and Atholl) had appeared before on a number of safe-conducts.

38 Chron. Auchinleck, f.121v
39 *Foedera*, ii,682
40 *Extracta E Variis Cronicis Scocie*, (Abbotsford Club 1842),237-244
42 Chron. Auchinleck f.111v
43 *Ibid*
44 *N.D.*, app. 20,92
45 *Cold.Corr.*., 95-6,130-2; *A.P.S*, ii,25
46 Dunlop, *Kennedy*, 49
47 *C.P.R.*, ix, 456-7; *Cold.Corr.*, 255
48 *C.P.R.*, ix, 298-9
49 *Cold.Corr.*, 125,142-3
50 Dunlop, *Kennedy*, 51
51 *Cold.Corr.*, 120-1,147
52 *Ibid*, 123-4,126
53 *N.D.*, app.99, 567. This is the only occasion, in official records, that Robert lord Erskine is styled Earl of Mar.
54 *Cold.Corr.*, 147-8
57 *H.M.C*, Milne-Home Report, 21
58 *N.D.*, app.22 no.96
59 *Cold.Corr.*, 156-7
60 Chron. Auchinleck, f.111r
61 Patrick Cockburn earned £40 for his 'labours and expenses at the siege of the castle of Dunbar'.
E.R., v, 305

62 Fraser, Buccleuch, ii, 39-41. It is not clear which daughter of James Livingston is referred to in this contract. It may have been Marion, who later married William 3rd Lord Crichton, but no details of the earlier arrangement survive.

63 A.B. Ill., iv, 196
64 Douglas, Peerage, 467
65 S.R.O., GD 124/10/1
66 S.R.O., GD 124/1/1
67 Abdn. Counc., v, 731
68 Fraser, Southesk, 69
69 E.R., v, 306
70 A.P.S., ii, 60
71 Ibid., 62
72 Barbe, L, Margaret of Scotland and the Dauphin Louis. (1917), 12-31
73 Dunlop, Kennedy, 84
74 Ibid., 66-7
76 Dunlop, Kennedy, 61
77 Ibid., 179, 181. There was, apparently, pressure from Charles VII to break off the marriage contract, as France and Savoy's relations were strained at that
time.

78 Ibid.
80 Ibid., 70
81 B.L, Additional MS. 8878
82 Baxter, op.cit.
83 Stevenson, Wars ii, 194
84 Dunlop, op.cit., 88-9
85 Baxter, op.cit., 71
86 Stevenson, Wars, ii, 197
87 Baxter, op.cit.
88 Stevenson, 'Trade Between Scotland and the Low Countries', 79-80
89 The ambassadors were William lord Crichton, chancellor, John Ralston, bishop of Dunkeld and Nicholas Otterburn, official of St.Andrews and canon of Glasgow.
90 Cronique de Mathieu d'Escouchy, ed. G.du Fresne de Beaucourt (Paris 1864)
91 E.R., v, lxxvii
92 Baxter, op.cit.
93 Ibid., 72
94 Ibid. 10000 gold gowns = 10000 French ecus = 5000 pounds Scots.
95 Ibid.
96 Ibid.
Chapter 4 - Conflict and Consolidation: James II's Personal Rule 1449-1452

Following his marriage in July, James II was confronted with the immediate financial problem of providing the new queen with a suitable tocher. In the marriage agreement, arranged with the Duke of Burgundy, James had promised to endow Mary with an annual income of 10000 French ecus, but the agreed marriage portion of the lands of Strathearn and Atholl, the castle and lordship of Methven and the palace and great customs of Linlithgow would be unlikely to yield such a sum, and the king may have feared that Mary's dowry payments would be withheld by the Duke of Burgundy as a result. One of the king's first political moves following his marriage was to launch an attack on the Livingston family, whose ascendancy during his minority was thus brought to an abrupt end. The initial strike appears to have been made in September 1449, as Sir Alexander Livingston of Callendar was nominated as an envoy to treat with English commissioners for a truce in August 1449, but his name was not mentioned on a second safe-conduct issued on 16 October. According to the Auchinleck chronicle:

'on the monunday the xxiii day of september James of Levingstoun was arrestit be the king and Robyn kalendar capitane of the castell of doune and David levingstoun of the grene zardis with syndry utheris and sone eftir this sir alexander levingstoun was arrestit and robyn of levingstoun
of lichqw that tyme comptroller and James and his brother alexander and robyne of lithqw war put in the blakness...

The captain of the castle of Doune was actually John Livingston, not Robin, and he may have been the brother of Alexander Livingston of Callendar. David Livingston of Greenyards may have been a cousin, but this is the only occasion on which he is mentioned. It is significant that James Livingston, his brother Alexander and Robert Livingston of Linlithgow (cousin of the elder Alexander) were imprisoned in Blackness.

Following the death of James I, the Livingston family had steadily increased its influence, largely through the holding of offices. In the exchequer account of 26 July 1443, John de Livingston was warden of the royal mint at Stirling and he may be the same John Livingston who went on to become captain of Doune castle. Robert Livingston of Callendar was captain of the castles of Dumbarton and Dunoon, and James Livingston held the offices of captain of Stirling castle and custodian of the king's person. By 1449, Alexander Livingston of Callendar was Justiciar of Scotland, and his second son, Alexander of Filde was constable of Stirling castle and captain of Methven. Henry Livingston held the office of comptroller between 5 July 1442 and 27 June 1444, and Robert Livingston of Linlithgow succeeded Alexander Nairn of Sandfurd in the same office.
between June 1447 and August 1448.

The Livingstons were forfeited in the January parliament of 1450 and the younger Alexander Livingston and Robert Livingston, comptroller, were executed. The exact charges brought against these men have not survived, but the motive appears to have been largely fiscal. Methven castle, of which Alexander Livingston of Filde was captain, was granted to the queen as part of her tocher in the marriage treaty ratified by James in June 1449. However, in the later ratification of the treaty made in January 1450 the castle and lordship of Methven appear to have been exchanged for the lands of Menteith. The queen was certainly seised in the lands of Menteith prior to the 1451 Exchequer account. The execution of Robert Livingston solved another of the king's financial problems, as he was in debt to Livingston for the sum of 930 pounds Scots which he was obliged to repay out of the queen's tocher. The debt was cancelled by Livingston's forfeiture and execution and it is also significant that he had been custumar of Linlithgow and that the palace and great customs of Linlithgow formed part of the queen's endowment.

It has been suggested by Sir James Ramsay that Robert Livingston, as comptroller, had been guilty of a serious malversation of the royal funds, and he pointed out that Livingston's execution was followed by a notable increase in the landed revenues of the crown. Prior to 1450, the
exchequer accounts do not show significant revenues collected from the crown-held earldoms of March, Atholl, Strathearn, Menteith and Fife, and Ramsay believed that, as comptroller, Robert Livingston would have had ample opportunity for subverting the revenues. It is not possible to prove this, as no such charge against Livingston is made in the extant records. The attack on Robert Livingston was not entirely a cynical device for saving money through the cancellation of debts as, in 1451, the king assigned £123 13s 7d 'to satisfy the poor creditors from whom the late Robert of Levingstoun, the king's comptroller, received goods and merchandise for the use and expenses of the king's household before his removal from office and before the entry on office of Alexander Napier'.

An intriguing incident occurred on 23 August 1450 when James wrote to the lord of Veere, claiming as escheat, a chest of silver-ware which had belonged to Robert Livingston. This incident should be viewed in the context of a protracted diplomatic wrangle which began when the Scottish ship, the Copin Ring, was wrecked at Veere and its cargo subsequently plundered. On 17 May 1450, William Turnbull, bishop of Glasgow, wrote to the lord of Veere and, with George Crichton, to the lady of Veere (James II's sister, Mary) to ask for redress. The plea was apparently unsuccessful as
Turnbull repeated it on 10 July and James himself wrote on 28 August asking for restitution to be made to a deputation of Edinburgh merchants, one of whom was George of Falou, who was also mentioned in the letter concerning Livingston's smuggled silver-ware. The demands seem to have met with no response and it has been suggested that the removal of the Scots staple from Veere to Middelburg was connected with this dispute.

The attack on the Livingstons appears to have been aimed at the entire family and their adherents, although only two men were executed. The Auchinleck chronicler writes 'all officeris that war put in be thaim war clerlie put out of all officis and all put down that thai'put up....' James Dundas of that ilk was the brother-in-law of Alexander Livingston of Callendar, and the Dundas family was included in the disgrace of the Livingston faction. The brothers of Sir James Dundas, Archibald and Duncan, were keepers of Kildrummy and Restalrig castles, respectively. James Dundas was imprisoned in Dumbarton castle prior to his forfeiture and he was dead before 26 August 1452, on which date, a remission was granted to the late James Dundas of that ilk and his brother Duncan. The Auchinleck chronicler, in his account of the battle of Brechin, fought in May 1452, states that 'the lard of dundas' was among those slain and this would certainly account for his posthumous remission in August. After the attack on the Livingstons and their adherents, the Auchinleck chronicler
states that Archibald Dundas "stuffit the towre of Dundas" and held the house against the king for several weeks with William earl of Douglas taking charge of the siege until the surrender of the tower at the end of April 1450. Douglas had a vested interest in the fall of the tower of Dundas as, on 10 February, he had received charters of Dundas lands, and provisions and stores found within the tower on its surrender were bestowed on Douglas.

In a statute of 19 January 1450, the Livingstons were accused of the treasonable incarceration of the queen, Joan Beaufort, in 1439. On 7 March 1450, the estate of Filde, forfeited by the younger Alexander Livingston was bestowed upon Alexander Napier, the new comptroller, for his services to the queen and in recompense for the wounds he sustained at the time of her imprisonment in Stirling castle. The clauses in the 'Appoyntement' of 1439 by which the Livingstons sought absolution for the queen's imprisonment were conveniently forgotten or held to have no effect, and there is a certain vagueness about the claim made by James II to the Pope in a letter dated 1 June 1450, that Alexander Livingston had been guilty of 'rebellion and other excesses', although this may be a reference to the faction fighting of 1444-45 in which the queen was definitely on the losing side. The latter also stated that Alexander Livingston was 'expelled from the said kingdom' although there is no evidence for his exact fate. It appears that he did not long survive the family's downfall, and he died
between 4 July and 6 November 1451.24

The combined family influence of the Livingstons was such that they had aroused the jealousy of others who sought advancement and as the events of the minority show, the Crichtons had no cause to love the Livingstons and the Earl of Douglas seems to have been prepared to see them fall as the king asserted himself, anxious to demonstrate that his minority was at an end.

Douglas and Livingston have been described as allies in the years between 1444 and 1449, although this may give a misleading impression. It is more likely that Douglas chose to tolerate the Livingstons rather than the Crichtons when he embarked upon his career at court in 1444. The Douglases and the Crichtons had crossed swords before, but Douglas could not run the government single-handed and the Livingstons, with their network of office holding, were the obvious choice for maintaining the machinery of government, although this was in no sense a coalition of equals. The relationship between the two families in the later years of the minority may not always have been harmonious. In 1447, Sir Alexander Livingston, as justiciar, superintended the surrender of the castle of Lochdoon by the Maclellans, who were Douglas vassals.25 The castle belonged to the king as Earl of Carrick, therefore Livingston was acting legitimately, but Douglas may have felt that this was an encroachment upon his jurisdiction. The reason for this
action is obscure, but the Maclellans were allowed certain expenses for their keepership of the castle, therefore this does not appear to have been a total disgrace. Lochdoon castle was committed to Edward Mure after its surrender, but he had resigned keepership before Martinmas 1449.26 On 17 May 1450, Gilbert Kennedy of Dunure was appointed keeper on the resignation of John Kennedy of Coyf, and William earl of Douglas was one of the witnesses to this charter.27 Another incident which may have caused some friction between Douglas and the Livingstons was the ousting of John Forrester of Corstorphine as chamberlain. James Livingston had replaced Forrester in that office by 29 June 1448, but as Forrester was an adherent of Douglas, this action may have generated some animosity.28

Nicholson has suggested that the arrangement whereby James Livingston's daughter Elizabeth was to marry the young lord of the Isles was regarded as a family of mere baronial rank aiming too high, and that there would have been many voices ready to insinuate to the king that his agreement to such a match was unwise.29 Certainly, the Auchinleck chronicler states that on 23 September 1449, Elizabeth Livingston,

'\text{the forsaid James dochter that was spousit with the lord of the Ylis come till him sodanlie with few personis with hir and thai met in dumbertane sir duncan persone and led hir with him to kintyre}'.30
This passage, coupled as it is with the arrest of James Livingston, suggests a mood of conspiracy and is worth noting as one of the factors which contributed to the Livingston disgrace.

Marion Stewart, in her study of Richard Holland's alliterative poem, the 'Buke of the Howlat', has argued that it was written under the patronage of Archibald Douglas, earl of Moray and younger brother of William earl of Douglas, probably in the late spring of 1450. The poem, Stewart argues, satirises the Livingston rise to a position of power in the figure of an owl in a bird assembly, who borrows feathers from the other birds and then becomes so vain that the feathers are snatched back. The moral is clear: the Douglases, as established members of the nobility, were the king's 'natural' counsellors, whereas the Livingstons' rank was too low for them to enjoy the equal privilege.

The chief beneficiaries from the forfeiture of the Livingston faction were the queen, on whom the estates of Callendar and Kilsyth were bestowed, and the Earl of Douglas who obtained large shares of the possessions of the comptroller and the forfeited Dundases. In addition to these rewards, the Douglases had ingratiated themselves so far with the king that they received Crown ratification of a family settlement defining the succession to the earldom.
and royal sanction for the marriage of William to his
cousin, Margaret of Galloway. Also, William's town of
Strathaven was erected into a burgh in barony and he
received a free gift from the king of £27 9s 4d.

The new queen played an active role in the January
parliament of 1450 which forfeited the Livingstons. On 22
January, following the execution of Robert and Alexander
Livingston, the three estates confirmed her marriage portion
and on 24 January she pleaded the cause of the prelates in
parliament on the question of bequeathing personal estate.
The bishops of St. Andrews, Glasgow, Dunkeld, Moray,
Dunblane, Brechin, Ross and Argyll complained in parliament
that the personal estates of deceased prelates were being
requisitioned by the king's officers which made it
impossible to settle debts, leave legacies or provide for
masses for the soul because no moveable goods were left with
which to pay for these provisions. A drafted charter of
redress was read and the queen added her entreaties.
Ceremoniously, the king acceded to the requests and a
charter was drawn up, under the Great Seal, which gave
official sanction to the settlement. The support of the
Church was important to James at a time when political
changes were taking place, and the Church leaders in turn,
must have realised that the opportunity for seeking
concessions had to be grasped.

William Crichton, in the light of his adversaries' downfall,
clearly understood the advantage of showing his loyalty to the king by practical means, as the comptroller's account of 1450 shows a loan of £500 made by Crichton to the king.\(^38\) Also, on 12 June 1450, Crichton received a charter of the lands of Castlelaw in reward for faithful counsel and service and in recompense for £2080 14s 6d advanced for the expenses of the king's household, and for a loan of £400 to the king.\(^39\)

The truce with England was ratified on 9 June 1450 and on 23 October William earl of Douglas was named as one of the conservators of the truce. It was during the month of October that Douglas set out for Rome to attend the papal jubilee, although the English safe-conduct for himself and his retinue was not issued until 12 November.\(^40\) Douglas appears to have travelled by ship to Lille, where he was received by the Duke of Burgundy, and thence to Paris, where he had talks with the French king, Charles VII.\(^41\) He reached Rome in January 1451 and Law's chronicle states that, by reason of his display of magnificence, Douglas was 'commended by the supreme pontiff above all pilgrims'.\(^42\) On 12 January 1451, Douglas received an indult to choose a confessor, and on 15 January he was granted faculty to nominate to ten secular benefices. On the same date, a further indult was granted to William and his brothers and sisters to choose confessors and to countess Beatrice (William's mother) to have a portable altar.\(^43\) Evidence of Douglas's presence in Rome occurs in a supplication dated 6
February 1451 which reads

'Lately the Pope granted to William earl of Douglas then present in the Roman court, prorogation for two months to present a fit person for the canon and prebendary of Cambuslang, in the patronage of the earl...but the said earl, who is on his journey from Rome back to Scotland, doubts that on account of the dangers of the ways and of the sea, he may not be able to present a fit person within the time of prorogation and therefore supplicates that the Pope would extend the term for other three months, with strict prohibition to the bishop, vicar, official or whatsoever others to dispose of the same in any way'.

This supplication is very significant in view of the fact that, back in Scotland, events had been running against Douglas in his absence. John Law's chronicle states that William Turnbull, bishop of Glasgow, in association with William and George Crichton, conspired against Douglas:

'For by their counsel King James II besieged all the castles of the earl and slew many free tenants of the said earl and received the rest to his peace upon oath'.
The background to this apparently astonishing action by the king may have been the death of Margaret, duchess of Touraine (widow of the 4th Earl of Douglas) who is said to have died at Threave at some time during 1450. She had held the earldom of Wigtown and the lordship of Galloway in life-rent and legally they reverted to the crown on her death. The king's attempt to seize these lands may have been prompted by financial considerations, chief of which was the fear that the Duke of Burgundy would withhold further dowry payments as the queen had not received sufficient provision as agreed in the 1449 marriage settlement. The death of the Duchess must have appeared an ideal opportunity to bestow the Earldom of Wigtown on the queen and thus increase the value of her tocher. However, on 26 January 1450, a royal charter had been given to William earl of Douglas of all the lands, lordship and regalities of Galloway above the water of Cree, resigned by Margaret, countess of Touraine, through procurators. William styled himself 'lord of Galloway' from January 1450 and may also have aspired to the earldom of Wigtown by virtue of his wife Margaret's direct descent from the Duchess. It is not clear to whom William entrusted the management of his lands and affairs in his absence. His eldest brother, James, appears to have accompanied him to Rome, therefore the administration of his possessions may have been left to his other brothers. In Bishop Lesley's History, written in the late 1560s he states that William earl of Douglas had travelled to Rome leaving his brother,
Hugh earl of Ormond in charge of his lands. In Douglas's absence, James II, 'be the counsell of thame quha wes with him for the tyme' summoned the Earl of Douglas to compear upon 'three score days' warning, and when he did not appear, James invaded his lands. George Buchanan, in his Rerum Scoticarum Historia, published in 1582, goes even further. Buchanan's account is full of the depredations and crimes of the Douglases and he states that when Douglas had left for Rome, his opponents took the opportunity to complain to the king and to persuade him to summon the earl's procurator to answer the charges. The procurator (who is not named) refused, and was eventually brought to court by force and ordered to pay the sums awarded in redress against the Earl of Douglas. The chancellor, William earl of Orkney, was sent to see that the rents of the Douglas estates were received to pay the damages, but he encountered obstruction and opposition. The Douglas faction was ordered to appear before the king, and on their failure to do so, were denounced as traitors and the king raised an army and marched into Galloway, seizing Lochmaben castle and levelling Douglas castle. There is some confusion in this account, as the chancellor in 1451 was William lord Crichton, not William Sinclair, earl of Orkney. However, Orkney was involved, as chancellor, in the proceedings against the Douglases in 1455, and it is probable that Buchanan was confusing two separate attacks on Douglas lands. Official evidence is scarce, but there was a justice ayre held at Lochmaben in January 1451, and the king
appeared in Ayr and Lanark on 13 and 16 February respectively. This is interesting in view of Buchanan's statement that Lochmaben castle was seized and Douglas castle levelled. As Douglas was warden of the west march, Lochmaben, although a royal castle, would be within his jurisdiction, and if it were being held by Douglas men, the king may have decided to replace the keepers, although there is no official record evidence of this. Douglas castle was in Lanarkshire, which accords with the king's itinerary, but John Law states that it was the castle of Craig Douglas, on the Yarrow which was attacked, not Douglas castle near Lanark. There does not appear to have been a concerted 'all out' attack on the Douglases such as the sixteenth century chroniclers suggest. It seems that there was a dispute over the administration of the lands of Wigtown and Galloway, following the death of the Duchess of Touraine, and an attack may have been made upon Douglas retainers who were obstructing the king, but James had other business to attend to in February 1451 which was not concerned, directly, with the Douglas dispute.

On 13 February, four charters were issued in favour of Gilbert Kennedy of Dunure and one in favour of John Kennedy. Gilbert was given lands in the sheriffdom of Ayr, the keepership of Lochdoon castle and the office of bailie of Carrick. The king also confirmed Gilbert as head of the Kennedy kin, thus giving royal recognition to Gilbert who had been involved in a drawn-out dispute with his
half-uncles. The advancement of Kennedy of Dunure, on the borders of Douglas territory, may have been a calculated move designed to secure loyal support in the west which could offset Douglas power. On 16 February, Robert Colville of Ochiltree and his wife, Cristiane Crichton, daughter of Robert Crichton of Sanquhar, were given the lands of the baronies of Ochiltree and Oxnam, and lands in the sheriffdom of Roxburgh. There appears to have been hostility between Douglas and the Colvilles as, according to the Auchinleck chronicler

'The zere of god 1miii xlix, sir James auchinleck was slane be richert coluile the xx day of aprile and within v or vi days cowartlie gaf our the castell and was hedit and iii sum with him and Incontinent efter that he came furth the castell was castin doun be erll william of douglas James son'.

James Auchinleck was a Douglas retainer who appears as a witness on royal and Douglas charters in the 1440's. He does not appear on a charter issued by Douglas on 2 May 1449 nor at any time thereafter, and on 26 October 1450, the king confirmed a charter dated 17 October 1449 in favour of John Auchinleck, son and heir of 'quondam' James Auchinleck of that ilk. Thus the incident referred to and the date given agree with such corroborative evidence as there is, and the extreme action taken by Douglas against
Richard Colville in revenge, apparently, for the killing of an old family retainer, was sufficient to indicate that Douglas would not view kindly the king's grant to the Colvilles, who were allied through marriage to the Crichtons. On 31 March 1450, Robert Crichton of Sanquhar had received a royal charter of lands near Moffat in Annandale, and after the death of the Earl of Douglas, Crichton became sheriff of Dumfries on 6 November 1452. Similarly, Andrew Agnew of Lochnaw was created hereditary sheriff of Wigtown on 25 May 1451, and he received a new charter after the death of Douglas. It is also interesting to note that a number of charters were granted to Alexander Hume in 1451-52, as he and David Hume of Wedderburn were also to be found on Douglas charters and named with him on embassies and safe-conducts. Thus, there may have been a concerted effort on the part of the king to entice Douglas supporters away from him and to build up the position of trusted men in areas within or adjacent to Douglas territory.

John Law's statement that the Crichtons and William Turnbull, bishop of Glasgow, instigated the attack on Douglas's lands in his absence is quite credible given the Crichtons' animosity towards Douglas, and Turnbull may have resented the position of power held by Douglas, the bulk of whose lands lay within his diocese. Turnbull was clearly in favour during the absence of the Earl of Douglas as, on 22 February and 24 March 1451, he received charters of land and
ecclesiastical liberties: charters which were witnessed by both William and George Crichton. 62

Another political figure who had good reason to desire the curbing of Douglas power was George earl of Angus. He was of the Red Douglas line (illegitimate descendants of the 2nd Earl of Douglas) and as such, the inheritor of an old animosity towards the Black Douglases of whom William 8th earl of Douglas was the chief representative. Angus was warden of the East March, and in that capacity he may have clashed with Douglas who was warden of the West and Middle Marches. Angus was with the king at Melrose on 4 December 1450, therefore he was probably involved in the proceedings against the absent Douglas which took place that winter. 63
When news of what had happened reached Douglas, he returned from Rome, but rather than taking ship from Europe to Scotland, he returned through England, availing himself of the safe-conduct issued the previous November. There is a record of Garter King being sent to await the earl's arrival in England at the end of February 1451,64 and if Law is correct in his assertion that Douglas did not return to Scotland until 7 April, then he must have decided to wait south of the border until he could discover the nature of reception he was likely to receive in Scotland. John Law states that, on Douglas's return, 'the king forthwith gathered an army against the earl... and approached Craig Douglas in warlike fashion, and having taken the castle, razed it to its foundations.'65

It is probable that John Law's chronology is at fault, as it is unlikely that the king would have attacked the Earl of Douglas personally at this stage, as Douglas was sufficiently back in favour by 17 April 1451 to be named as a commissioner to be sent to England to discuss recent violations of the truce. It is probable that Douglas remained in England and sent some of his followers ahead to discover what had happened during his absence, and George Buchanan, in his History, states that William's brother, James, was sent for that purpose.66

An interesting entry appears in the Auchinleck chronicle at this time which is unfortunately incomplete in that the
narrative is a continuation of a page now lost. The entry reads:

'thai cryit him luftennent and sone efter this thai worthit als strange as ever thai war / and at this tyme thai gat the erllis sele to consent to the trewis and Incontinent thai send furth Snawdoun the kings herrod to lundone to bynd up the trewis and als fast as Sir James of Douglas gat wit hereof he past till londone Incontinent / and quharfor men wist nocht redelye bot he was thar with the king of yngland lang tyme and was meikle maid of'. 67

On the same folio, the chronicler proceeds to narrate the events of the June parliament, 1451, therefore it is probable that the preceding fragment belongs to the same year. The expression 'thai cryit him luftennent' has led to the interpretation that the office of Lieutenant-General was bestowed on the Earl of Douglas. 68 This seems very unlikely, as this office had been held hitherto only during a minority or when the king was prevented from ruling effectively due to personal incapacity or enforced absence abroad. James II was well able to exercise royal power and would hardly have created the Earl of Douglas Lieutenant-General given the prevailing atmosphere of mistrust between them. At no point is Douglas styled Lieutenant-General in extant official sources, and there are
numerous charters granted to Douglas of his lands and offices, resigned into the king's hands and then re-granted in 1451, and his name appears in charter witness lists in 1450-52 with sufficient frequency to make it very improbable that he held the office but failed to be styled Lieutenant-General on surviving documents. The difficulty with using the Auchinleck chronicle as the basis for the assumption that Douglas was Lieutenant-General is that close definition of the terms used is not always possible. In the passage describing the battle of Brechin, for example, the Auchinleck chronicler writes that Alexander earl of Huntly, 'displayit the kingis banere and said it was the kingis actioun and he was his luftennend'.

It is not supposed that the Earl of Huntly held the office of Lieutenant-General, although the term used in both entries is the same, and it is possible that the term 'luftennent' was used by the chronicler to indicate that Douglas was to continue acting for the king in the west and middle Marches. In the Calendar of Scottish Supplications to Rome, William earl of Douglas is found, on 29 January 1450, styling himself, 'William earl of Douglas and Avandale, Great Guardian of the kingdom of Scotland and Prince and Lord of Galloway'. This grandiose string of titles does not include the office of Lieutenant-General, although the title 'guardian of the kingdom' is repeated in later supplications and seems to indicate his duties as warden of the Marches. Further evidence that the term
'lieutenant' should not necessarily be equated with the specific office of Lieutenant-General occurs in a bond of maintenance made between James II and James Tweedie of Drumelzier on 8 March 1455. Part of the agreement required of James Tweedie 'that his house of Drumellioure sal be redy til us ande oure lieutenant with mony or few also oft and quhen as emplesis us...ande als oft as oure lieutenant in oure name has ony entre in his saide house it sal be frely til him delyuerit...'. In 1455, there was no question of the king requiring a Lieutenant-General, therefore the lieutenant referred to in the bond was clearly the king's nominated representative in charge of the host muster for the spring campaign against the Douglasses, and other such bonds must have been made at the same time.

The Auchinleck chronicler's observation that the Douglasses were soon as strong as ever appears to relate to the formal submission of Douglas in the June parliament of 1451, when he surrendered and was re-granted all his lands and offices. Significantly, the king continued to hold the earldom of Wigtown until October 1451 when it was finally granted to Douglas, but the only occasion on which Douglas is styled Earl of Wigtown on a royal charter is 13 January 1452 - the last royal charter witnessed by him before his murder in February.

On 23 April 1451, a warrant was issued for a safe-conduct, granted by Henry VI on 12 May, for William earl of Douglas,
his brothers James, Archibald and Hugh, and others, to go to England. The safe-conduct was valid for one year, and although there is no evidence of William having availed himself of it, his brother James apparently did so. On 11 December 1451, £13 was paid to Garter King of Arms, 'lately sent by the king's command to travel with Sir James Douglas on his coming to the king, to bring the said James to the king's presence at Winchester, Salisbury and elsewhere, and then back to Scotland'. This supports the Auchinleck chronicler's cryptic reference to the actions of James Master of Douglas during this time, and the involvement of Snowdon Herald is confirmed by the recorded payment of 100s to that officer on 1 July 1451, 'lately with letters'.

Also, Sir James Ramsay wrote that the Master of Douglas paid a private visit to the English court at Winchester between 14 and 17 July 1451, although he gives no source for this information. The reasons for James Douglas travelling to the English court are unknown, although there was evidently some suspicion in Scotland concerning his activities. It is possible that he was initiating the negotiations, for which there is evidence from 1453, for the release of Malise Graham earl of Menteith, who had been held captive in England for twenty-four years as a hostage for the ransom of James I.

The connection between Graham and the Douglases was twofold. Euphemia Graham, sister of Malise, married Archibald 5th earl of Douglas, and when he died, she took as her second
husband, James Lord Hamilton who was a principal adherent of the Douglases. In 1430, Euphemia and her first husband, Archibald, had been suspected of conspiring to secure her brother's release and Archibald suffered temporary imprisonment. Of all the Scottish nobles, Malise Graham had the best claim to the crown after the king, as Mary of Gueldres had not yet provided James with an heir. If James Douglas were intriguing for Graham's release, therefore, his actions may have been construed as potentially treasonable. However, in the charges brought against Douglas in 1452 as justification for his murder, there is no reference to treasonable intrigue with England. Whatever the suspicions in Scotland, it would not have been easy to level such a charge as there was a truce between the two countries at the time, and the king could hardly display open opposition to the return of Malise Graham.

Despite Douglas being named as a commissioner of the truce in April, the Auchinleck chronicler states that 'thai gat the erllis sele to consent to the trewis', which implies that Douglas did not go to England in person, but sent his seal. It is possible that, having been in England the previous month, Douglas did not feel it necessary to return so soon, or he may have felt unwilling to venture far in the light of his recent experience, considering that his interests could best be served by remaining in Scotland. On 6 July 1451, an English safe-conduct was issued for William Turnbull, bishop of Glasgow and others, commissioners of the
King of Scots. William earl of Douglas does not appear on the list although the earls of Angus, Crawford and Huntly do. On 14 August a three year truce was agreed at Newcastle which was ratified by James at Perth on 28 August and by Henry VI at Westminster on 16 September.

The parliament held at Stirling on 25 and 26 October 1451 witnessed the re-granting of the Earldom of Wigtown to William earl of Douglas and to all appearances, the king and Douglas had resolved their differences and the Auchinleck chronicler wrote that 'all gud scottismen war ryczth blyth of that accordance'. However, it was a hollow peace. The king's actions had evidently been too arbitrary to be successful, and he was persuaded ultimately to back down, as attacking the possessions of an earl when he was not there to defend them would have made other members of the nobility uneasy, fearing that if the king could attack Douglas in that manner, their own positions were similarly vulnerable. James would not have appreciated losing the contest over Wigtown, which is indicated clearly by his reluctance to part with the earldom, and his relationship with Douglas from that point onwards must have been strained and latently hostile.

The motive advanced in the Auchinleck chronicle for the murder of Douglas in February 1452 was the king's objection to the bond of alliance which is said to have existed between the earls of Douglas, Crawford and Ross. Bonds
between members of the nobility were a normal form of activity and Dr. Wormald's study of the practice has shown that the 1440's witnessed the appearance of a number of bonds of manrent. The basic difference between bonds of manrent and earlier feudal agreements was that land was rarely involved in manrent bonds, but rather service and maintenance. It is impossible to form definite conclusions about the Douglas-Crawford-Ross bond as it has not survived and its terms are unknown. However, a bond between three powerful earls was unusual in the context of fifteenth century bonding practices as bonds were given, normally, to only one lord, generally of a higher social status than the man offering the bond. It was formulaic that allegiance to the king came first, and superseded any promise or agreement made. There is no other case in the records of this period where three powerful magnates made a mutual bond, and Charles VII's experience in France where magnates bound themselves to each other in rebellious coalitions would probably have been known to James who would not have welcomed the development of such a trend in Scotland. However, James II did not object to bonds in principle and Dr. Wormald has shown that he was the only Scottish king known to have entered into such personal bonds himself. His objection to the Douglas-Crawford-Ross bond was a specific objection to that particular bond, and there is evidence to suggest why it was such a vital issue.

The Auchinleck chronicle contains an entry which describes a
revolt involving John, earl of Ross, lord of the Isles, which has been the subject of some controversy. The entry reads as follows:

"the zere of god \( i^{\text{MiiiCli}} \) in the moneth of merche the erll of Ross and lord of the ylis tuke thir castellis of the king viz Inuerness and wrquhart and kest doune the castell of rochwan in badyenoch And thai said that he gaf the keping of the castell of wrquhart till his gud fader Iames of levingstoun that was eschapit subtelly fra the king and his counsell out of the abbay of halyrudhouss and was cummand to the lord for supple and succour that resauit him richt thankfully and tuke plane part agane the king for him And said he had the kingis wryt and walx to haf the castell of wrquhart for iii zere And he said that the kingis awne person gart him mary the said Iames douchter and hecht him gud lordshipe the quhilk he had nocht gottin bot ewyn the contrary in all thingis". 87

Dr. Grant has suggested that, rather than interpreting 'the moneth of merche' as March 1452, the revolt should be set in 1451, thus preceding the murder of Douglas. He also contends that the action taken by the Lord of the Isles should be seen in connection with the disgrace of the Livingstons and the wording of the entry in Auchinleck
supports this view. John lord of the Isles was married to Elizabeth Livingston, the daughter of James Livingston, chamberlain, and the match had been arranged, apparently, with royal sanction, prior to the fall of the Livingstons. James II may have made certain promises to the Lord of the Isles as part of the marriage agreement - the grant of the keepership of Urquhart castle and the 'gud lordschipe' mentioned. When the Livingstons fell from favour, the king would have rescinded his promises and the Lord of the Isles seems to have decided, as a consequence, to take by force that which he felt to be due to him by a previous arrangement. James Livingston escaped from royal custody in 1450 and joined his son-in-law, and the attack was launched the following spring. The Auchinleck chronicler states that Ruthven castle was cast down, but this took place, presumably, after 28 April 1451, as on that date the king granted to Alexander earl of Huntly, the lordship of Badenoch with the keepership of Ruthven castle.

In March 1451, Douglas was in England on his way back to Scotland from Rome and the king was occupied with the contest over the earldom of Wigtown and therefore was in no position to take action against the Lord of the Isles. The only gesture which was made was the despatch of John Schethow to Inverness some time before July 1451, 'ad dominum comitem Rossie in negociis regis'. James Livingston was recognised as keeper of Inverness castle in the Inverness account of July 1454 and the bailies accounted
for fees paid to him during the whole of the preceding three years. This indicates that Livingston, and not the previous keeper, Thomas Ogilvy, was holding Inverness castle in the second half of 1451.91

It has been suggested that the bond between Douglas, Crawford and Ross dated from the late 1440's, a time of Douglas dominance at court.92 The only writer to put a date to the bond is Sir James Balfour of Kinnaird, writing in the 1640's, who stated that the bond was signed and sealed on 7 March 1445.93 There is no evidence given to support this statement and Balfour's work is so full of inaccuracies and mis-dating that too much reliance can not be placed on this assertion.94 Also, the earls of Crawford and Ross were not the same men in 1445 as they were in 1452 (David earl of Crawford died in 1446 and Alexander earl of Ross and lord of the Isles died in 1449) and there is no evidence that such bonds of alliance were inherited. In the later years of the minority, Douglas was very much in favour and had an influential position at court, therefore it is hard to understand why he would have felt the need to form bonds of alliance in such a climate of security. However, when the king moved against Douglas possessions in the winter of 1450-51, the earl must have realised, with a sense of shock, that his position was not unassailable and that despite the appearance of reconciliation, the king was no longer content to see others form his policies. In this atmosphere of uncertainty it is much more likely that Douglas would have
cast about for allies and the Earl of Ross was an obvious choice, given his recent cause for grievance against the king.

Marion Stewart suggests that relations between the Douglases and the Earl of Ross were strained because of the fall of the Livingstons. In Holland's 'Howlat', written under the patronage of Archibald Douglas, earl of Moray, Ross is himself satirised in the picture of the 'bard owt of Irland'. However, when Douglas did come to cast around for support, he and Ross must both have seen the merits of mutual assistance. Expediency mattered and Ross would have realised that Douglas could provide far more powerful support than his father-in-law, James Livingston; old enmity would have given way to pragmatism.

The third member of the confederacy is said by the Auchinleck chronicler to have been Alexander earl of Crawford. There is some evidence that the Lindsays were inveterate troublemakers in this period and the Auchinleck chronicler, when stating that Alexander earl of Crawford died in 1453 called him

'a rigorous man and ane felloun and held ane gret rowme in his tyme for he held all Angus in his bandoun and was richt Inobedient to the king'.

After the death of James I in 1437, David earl of Crawford
and Alexander after him exacted annual and illegal payments from the customs of Aberdeen, Montrose and Banff. There are a number of protests in the accounts that these sums were not due and had been extorted by violence, but these protests appear to have been to no avail. The battle of Arbroath in 1446 arose out of the aggressive claim of Alexander Lindsay, as Master of Crawford, to the bailiary of the abbey, and he was also involved in the 'herschipe in Fife' which led James Kennedy, bishop of St. Andrews to place his curse on David earl of Crawford.

The Douglas-Crawford connection arose from the marriage of Jean Lindsay, daughter of David earl of Crawford, to the young William 6th earl of Douglas who was put to death in Edinburgh castle at the 'Black Dinner' of 1440. On 30 October 1445, William 8th earl of Douglas and Jean Lindsay sealed an indenture by which Douglas promised to assist Jean to recover 'her terce of Anandirdale'. Given that the lordship was at that time legally crown property, such a scheme may have had treasonable implications. An instrument proceeding upon the indenture was taken on 14 January 1450 at the church of the Friars of Dundee and on that same date, Douglas witnessed a royal charter at Linlithgow. Douglas and Crawford were, at least to this extent, working together for their mutual benefit and therefore it would have been natural to invite the Earl of Crawford to join in a bond to advance each other's interests. Alexander earl of Crawford was not at court in January 1451 when the king was
involved in the seizure of Wigtown, but he was there on 28 April when Douglas returned from Rome and he was present in the parliament which re-instated him. 103

The atmosphere of intrigue at court with both the king and the Earl of Douglas concentrating on building up their positions and seeking support, indicates that the presence of Douglas at court ought not to be interpreted as a sign that he was in favour. It is probable that he remained at court in order to protect his interests as he was afraid not to be there in view of what had taken place during his absence in Rome. Douglas witnessed a royal charter in Edinburgh on 13 January 1452 on which he was styled Earl of Wigtown. 104 He was still in Edinburgh on 26 January when he issued a charter of lands to Robert Vaus, and one of the witnesses on this charter was William Lauder of Hatton. 105 Lauder was a Douglas retainer who had appeared on safe-conducts with Douglas on 23 October 1450, 12 November 1450 and 12 May 1451. 106 He accompanied Douglas to Rome in the winter of 1450-51 and he was given the task of conveying James II's safe conduct to Douglas in February 1452. On 18 April 1452 the queen received a charter of lands forfeited by William Lauder of Hatton and he was evidently dead by that date, as he is described as 'quondam'. 107 George Burnett, the editor of the Exchequer Rolls, points out that no parliament was held between the death of Douglas in February and the parliament convened on 12 June 1452 and Lauder's forfeiture must therefore have taken place in the
preceding parliament held in June 1451. If so, it is not clear what charges were brought against Lauder but he may have been used as a scapegoat in order to achieve a face-saving 'conciliation' in 1451. It is possible that Lauder was one of the men sent ahead of William earl of Douglas, on their return from Rome, to assess the situation in Scotland before the earl ventured over the border. Lauder may have gone to Craig Douglas, a Douglas stronghold just north of the border, and held it in defiance of the king's officials. James II may consequently have seized the opportunity to make an example of Craig Douglas by attacking it, and the subsequent forfeiture of Lauder is certainly suggestive. In view of this, it is strange that Lauder consented to deliver a safe-conduct to his patron only months later unless some arrangement had been made, perhaps by which the king had agreed to rescind Lauder's forfeiture. The fact that Lauder was dead by April may suggest that he continued to support the Douglas faction following the murder of the 8th Earl and this is certainly indicated by the fact that the royal forces laid siege to the tower of Hatton in late March or early April 1452. The Auchinleck chronicler describes the safe-conduct for Douglas to come to Stirling as a special 'respit and assouerance'. This indicates that Douglas was facing criminal charges for which he was being granted respite and the sixteenth century chroniclers certainly provide a long catalogue of Douglas's supposed misdemeanours. That Douglas, present at court in Edinburgh only one month previously, should have asked for a
safe-conduct at all 'is an indication of the relationship between the king and himself at this time. If James II had only recently received word of the bond between Douglas, Crawford and Ross, this might explain why he chose to confront Douglas and insist on the dissolution of the bond. Douglas, suspecting the reason for the summons, or at least anticipating the king's displeasure, would have demanded a safe-conduct, particularly as Stirling castle was held at that time by his old adversary, George Crichton.

A detailed account of the murder of William earl of Douglas is given in the Auchinleck chronicle. In some of the chronicle's entries, dates and times are vague, but in the account of the murder, the chronicler is very precise, and this may indicate that the writer was employed at court, possibly as a royal clerk, and therefore was present in Stirling at the time. The chronicler described the safe-conduct as having been given under the privy seal and signed by the king personally. In addition, all the lords who were with the king at that time, signed the safe-conduct, following which:

'William of Lawder of haltoun passit to the forsaid erll William of Douglas and brocht him to stirling to the king on the monday before fastrennisevyn that was the xxi day of February and this samyn monday he passit to the castell and spak with the king that tuke richt wele with him
be apperans and callit him on the morne to the dynere and to the supper / and he come and dynit and sowpit and thai said thair was a band betuix the said erll of Douglas and the erll of Ross and the erll of Crawford and efter supper at sevyne houris the king then beand in the inner chalmer and the said erll he chargit him to breke the forsaid band he said he mycht not nor wald nocht / Than the king said / fals tratour sen thow will nocht I sall / and stert sodanly till him with ane knyf and straik him in at the colere and down in the body and thai sayd that Patrick Gray straik him nixt the king with ane poll ax on the hed and strak out his branes and syne the gentillis that war with the king gaf thaim ilkane a straik or twa with knyffis and thir ar the names that war with the king that strake him for he had xxvi woundis. In the first, Sir Alexander Boyd, the lord Darnley, Sir Andrew Stewart, Sir William of Gremston, Sir Simon of Glendonane and the Lord Gray'.

From this account it seems that the earl stayed with the king for two days and it was not until the second day, 22 February, that issue was taken over the bond. The men named by the Auchinleck chronicler as being with the king and participating in the murder merit some attention.
Sir Alexander Boyd of Drumcol was the second son of Sir Thomas Boyd of Kilmarnock. He was knighted between Martinmas 1448 and Martinmas 1449, and in 1456 he was appointed warden of Threave on its surrender to the king, but was removed to Dumbarton shortly afterwards. The lord Darnley referred to was Sir John Stewart of Darnley, the son of Sir Alan Stewart of Darnley slain by Sir Thomas Boyd. The retributive slaying of Thomas Boyd by Alan's brother, Alexander, may have ended the bloodfeud and would explain why Boyd and Darnley were together at court.

According to the Scots Peerage, Sir Andrew Stewart was probably a natural son of Sir Walter Stewart, second son of Murdoch duke of Albany. In 1456 he was granted the barony of Avandale (formerly a Douglas possession) and in the following year, he was created Lord Avandale. He held the position of Warden of the West March and was one of the Scottish conservators of the truce between England and Scotland ratified on 11 June 1457. On 1 March 1460, Avandale was styled King's Guardian on three charters and on 6 July 1460, on the last royal charter issued before the king's death, Avandale suddenly replaced George Schoriswood, bishop of Brechin, as chancellor.

The Auchinleck chronicle gives the name, 'sir willam of gremston' but this ought to be read as Cranston. There is no evidence for anyone of the name Gremston or Grahamston, but there is ample evidence for the presence at court of
William Cranston, and the rewards received by the Cranstons in the wake of Douglas's murder are suggestive. William Cranston was the son of Thomas Cranston of that ilk and both men had a demonstrable connection with the Earl of Douglas. On 10 May 1446, William earl of Douglas granted to Thomas Cranston lands on the west side of the town of Sprouston. Following the murder of the earl, Thomas Cranston received a crown grant on 2 March 1452, of the lands of Greenlaw in the sheriffdom of Berwick. His son, William Cranston received confirmation from William earl of Douglas, on 20 August 1443, of a charter, given by Archibald 5th earl of Douglas on 29 November 1434, of the lands of Nether Crailing in the sheriffdom of Roxburgh. William Cranston was a frequent royal charter witness and was employed on embassies to England to negotiate and act as conservator of truces. On 2 March 1452 he received a royal charter giving him the office of coroner in the sheriffdom of Roxburgh, and on 12 April he received a crown grant of lands in the sheriffdom of Peebles which had been forfeited by William Lauder of Hatton. This is further evidence that former Douglas men had withdrawn their support from the earl and placed their allegiance firmly behind the king whose overt wooing of Douglas followers suggests, at the very least, that he desired the curbing of Douglas power and influence.

Sir Simon of Glendinning held the lands of Glendinning in Westerkirk parish, north-east Dumfriesshire, on the Megget
Glendinning acted as a conservator of the truce with England on 23 October 1450 and 22 July 1451, and he appeared as a witness on royal charters on six occasions between 1451 and 1459. He also appeared as a witness on a charter by William earl of Douglas to his brother James on 2 May 1449 and it is possible that he harboured a private grudge against Douglas or that the king was able to buy his support against the earl. A royal charter was granted by James II to Simon Glendinning and his heirs of £20 worth of land in the barony of Alde-Roxburgh. However, no date, place of issue or witness list survives and it has been placed in the Register of the Great Seal under the year 1450, although it may belong, more rationally, to 1452 as a reward for Glendinning's participation in the murder of Douglas.

Andrew Gray of Foulis had served as one of the hostages for James I in 1424 and had been exchanged for Malcolm Fleming, younger of Cumbernauld, in 1427. He was also one of the train of knights who accompanied the princess Margaret to France for her marriage to the Dauphin in 1436. In 1445, he was created a lord of parliament as Lord Gray and he was used as an ambassador to England in 1449 and 1451. On 22 January 1452, his name was on a safe-conduct issued to certain Scottish bishops and others to travel on pilgrimage to Canterbury and William earl of Douglas appears on the same safe-conduct. In 1452, following the murder of Douglas, Andrew lord Gray became Master of the King's
Household and on 26 August he was given permission to build the castle of Huntly. In the Auchinleck chronicler's account of the murder of Douglas, Andrew lord Gray's eldest son, Patrick Master of Gray also features and it is the Grays who play a crucial part in the accounts of later chroniclers, particularly Robert Lindesay of Pitscottie's account of the murder.

The Scots Peerage states that Andrew lord Gray had a sister who was married to Maclellan of Bombie. No reference for this statement is given and it is likely that it rests on no better evidence than Pitscottie's account, written in the late 1570's. The gist of Pitscottie's story is that Maclellan, tutor of Bombie, the nephew of Patrick Master of Gray, was captured and imprisoned by the Earl of Douglas for failing to join and serve him. Patrick Gray received a letter of supplication from the king asking that Maclellan be released, and delivered it to the earl personally. Douglas entertained Gray to dinner, but meanwhile, unknown to Gray, Maclellan was being beheaded on Douglas's orders. This example of the brutality of Douglas compelled the king to seek some means of restraining the over-mighty earl, and Douglas was duly summoned to Stirling.

The Maclellans were a family from the Stewartry of Kirkcudbright and there is a reference in the Exchequer Rolls to John Maclellan, custumar of the burgh of Kirkcudbright, in 1434. Bombie lay three miles east of
Kirkcudbright and in 1487, one Thomas of Bombie appeared as custumar of the town, but the earliest mention of a laird of Bombie of the name Maclellan was in 1466 when William Maclellan of Bombie was provost of the burgh of Kirkcudbright. In 1447, the Macellans surrendered the castle of Lochdoon to Alexander Livingston, but this appears to be the only reference in contemporary sources to the family during James II's reign. Pitscottie's account of the reign of James II is largely a copy of the eighteenth book of Boece, but his story of the tutor of Bombie is original and is not found in any of the earlier chronicles; however, the story must be viewed with caution as there is no contemporary evidence for the existence of such a man and Pitscottie is frequently inaccurate and uses a number of rhetorical devices. If Andrew Gray's sister had been married to Maclellan of Bombie, then Patrick Master of Gray would have been Maclellan's nephew, not his uncle, as stated in Pitscottie. However, it is possible that the story has at least some foundation in fact. Maclellan may have been in the category of small men on or near Douglas estates who suffered for his loyalty to, or for having been bought out by, the king.

The murder of Douglas is unlikely to have been premeditated as, had James really desired Douglas's death, there were more subtle ways of achieving it. To renege on the safe-conduct, which was an assurance to the earl that no harm would come to him, was a violation of the mediaeval
code of honour which would have outraged contemporaries more than, for example, the slaying of Douglas in armed combat would have done. It is possible that, when the earl was tackled on the subject of the bond, a heated argument developed between the king and Douglas which ended in the hotblooded stabbing of the earl by the king 'that had the fyr mark in his face'.\textsuperscript{139} James would have been well aware of the enormity of his crime, and the royal itinerary at this time shows that the king took the initiative immediately and marched into the south. On 2 March 1452, one week after the murder, the king issued a charter from Lochmaben\textsuperscript{140} and another on the same day from Jedburgh.\textsuperscript{141} On 4 March, the king was in Dumfries\textsuperscript{142} and on 8 March he issued a charter from the Castle of Morton.\textsuperscript{143} It is possible that this was a pre-arranged justice ayre, but the itinerary denotes a flurry of activity which is not mirrored on other occasions and the most striking feature of the charters issued in the two months following the murder is that they are mostly in favour of men who had some connection with Douglas. Thomas and William Cranston, James Rutherford and James Kerr had all appeared as witnesses on Douglas charters or with him on safe-conducts,\textsuperscript{144} and they all received 'royal charters of lands or offices immediately after the death of Douglas.\textsuperscript{145} Similarly, John and Andrew Rutherford and members of the Haliburton, Hume and Hoppringill families were given grants, and their names may be linked with the 8th Earl of Douglas.\textsuperscript{146} Generally, these charters were resignations, re-grants and confirmations, and
may be explained as Douglas men making sure of their lands by evincing support for the king.

The exercise of patronage to offset the natural revulsion which would have been felt for the murder showed James' grasp of political realities, and by moving fast he caught the Douglas faction at a disadvantage which he exploited fully. By the time the Douglases recovered from their confusion and challenged the king, the Auchinleck chronicler states that, 'that excedit nocht of gud men vić'. Six hundred is likely to have been an under-estimate, but the general sense is clear: William's brother James, the new Earl of Douglas, did not command widespread support even given the heinous nature of the king's crime.

The explanation for this may lie in the nature of the Douglas power base. The Black Dinner of 1440 interrupted the straight Black Douglas descent and shifted the line across to a branch of the family who, under normal circumstances, would have stood little chance of inheriting the earldom. This transfer - a result of the execution of the 6th earl and his younger brother, both minors, - may have resulted in a lack of enthusiasm and support for the new line from the tenants and adherents of the 6th earl. Certainly, James 7th earl of Douglas and his sons spent most of their time in their Lothian and Lanarkshire strongholds of Abercorn, Castle of Douglas and Newark, in Ettrick forest, rather than the Galloway heartland of the previous
Black Douglas line. The more far-sighted of the south-western lairds may have realised that the removal of the Douglas lordship would facilitate their rise to greater power and influence in their own areas, and were prepared to offer more than passive resistance to their erstwhile patrons, as witnessed at the battle of Arkinholm in 1455. The king's success in the south-west in ensuring support for himself, rather than the Douglases, may be explained by the fact that the lordship of the 7th earl and his sons did not have deep roots in that area and they could not command the kind of allegiance which would prompt men to take arms against their king.
Notes, chapter 4

2 Chron. Auchinleck, f. 122r
4 This may be Greenyards near Doune. Map reference: NN761 012 Ordnance Survey 1:50000 1st series, sheet 57.
5 E. R., v, 132
6 I am very grateful to Norman Shead and Peter Macneill for identifying this as Fildies in Glenfarg. Alexander Livingston received a crown charter of lands in Perthshire, including the lands of Filde which were to be held of the crown as a free barony. The grant was made at Falkland on 15 February 1449. St. Andrews University Library, Calendar of St. Andrews Charters, 33
7 E. R., v, 258, 297, 477. Nairn may have received the keepership of Doune as compensation.
8 Dunlop, Kennedy, 102; A. P. S., ii, 61; E. R., v, 479
9 Fraser, Keir, no. 28
10 Ramsay, Sir J., Lancaster and York, ii, 195; E. R., v, 406, 488
11 E. R., v, lxxx, 471
12 Smit, H. J., Bronnen Tot de Geschiedenis van den Handel met Ingeland Schotland en Ierland (1928), ii, no. 1359
13 Ibid., ii, 1358
14 Davidson and Gray, The Scottish Staple at Veere, 132
After the murder of Douglas in 1452, Sir Archibald Dundas recovered the estates held by Douglas and became sheriff of Linlithgow. His brother Duncan was promoted to the position of deputy to James lord Livingston, chamberlain. E.R., vi, 146, 148, 547

22 R.M.S., ii, 324

23 Glasgow University Scottish History Department, Calendar of Scottish Supplications to Rome, 442, 228v

24 S.P., v, 429

25 Dunlop, Kennedy, 107

26 E.R., v, 261, 267, 376-7

27 R.M.S., ii, 354

28 E.R., v, 336; R.M.S., ii, 618

29 Nicholson, R, The Later Middle Ages, 350

30 Chron. Auchinleck, f.122r. There was a Duncan Pearson associated with Alexander lord of the Isles in a grant from the Exchequer in 1438: E.R., v, 34


32 R.M.S., ii, 508

33 R.M.S., ii, 316, 317, 357

34 R.M.S., ii, 301
54 R.M.S., ii, 412-416
55 I am indebted to Dr. H. MacQueen for this information.
56 R.M.S., ii, 417
57 Chron. Auchinleck, f.121v
58 Fraser, Douglas, iii, 419
59 R.M.S., ii, 401
60 S.P., iii, 220
61 R.M.S., ii, 455, 484, 485, 512, 514, 525
62 Glas.Reg., ii, 362, 363
63 R.M.S., ii, 404
64 C.D.S., iv, 1231
65 Law, op.cit. Craig Douglas was a small Douglas stronghold which stood on the river Yarrow.
66 Rot.Scot., ii, 345. The other commissioners named were John Ralston, bishop of Dunkeld, John Cranach, bishop of Brechin, George earl of Angus, Alexander earl of Crawford, William lord Somerville, Alexander lord Montgomery, Patrick lord Glamis, Andrew lord Gray, John David of Moray and Alexander Nairn of Sandfurd; Buchanan, History, f.xxxiv
67 Chron. Auchinleck, f.114r
68 Grant, A, Independence and Nationhood (London 1984), 192
69 Chron. Auchinleck, f.123v
70 C.S.S.R., 441, 254v
71 H.M.C, Hay of Duns. Various Collections, v, 14
72 A.P.S., ii, app.24-30, 67-71
73 Ibid., app.31-32, 71-72
74 R.M.S., ii, 523

Pell Records, 30. Henry VI
C.D.S., iv, 1236
Ramsay, Sir J, Lancaster and York, ii, 196
Balfour-Melville, J., James I, 294
Macrae, C, 'The English Council and Scotland in 1430'
E.H.R., LIV (1939), 419, 426
Rot.Scot., ii, 347
Ibid, 354
Chron. Auchinleck, f.114r
Wormald, J., Lords and Men, 152
Chron. Auchinleck, f.118v-112r

91 Grant, 'The Revolt of the Lord of the Isles', op.cit.

92 Grant, Independence and Nationhood, 192-3

93 Balfour, Annales, i, 173

94 For example, the Black Dinner of November 1440 is dated 17 July by Balfour. He states that on 20 January 1449, the king created Alexander Setoun lord Gordon, Earl of Huntly and George Leslie, Earl of Rothes. (Huntly was created in 1445 and Rothes in 1458). John Cameron, bishop of Glasgow died in December 1446; Balfour dates his death, January 1450. He also states that the Earl of Douglas was murdered in Edinburgh castle rather than Stirling. Balfour, Annales, i, passim.

95 Stewart, M., 'Holland's Howlat', op.cit.

96 See chapter 3, 78-80

97 Chron. Auchinleck, f.112r-112v

98 E.R., v, 234,630,639,301,316,325,341

99 Chron. Auchinleck, f.111v

100 S.R.O Calendar of Charters, 321. Also, see chapter 3, 80

101 Ibid.

102 R.M.S., ii, 304

103 A.P.S., ii, 67

104 R.M.S., ii, 523

105 Wigt. Chr., 136

106 Rot.Scot., ii, 340-1,343,346

107 R.M.S., ii, 544
108 E.R., v, xcviii

109 Accounts of the Lord High Treasurer of Scotland, ed.
T. Dickson and Sir J. Balfour Paul (Edinburgh 1877-1916) i, ccxvii

110 Chron. Auchinleck, f. 114v

111 Ibid.

112 E.R., vi, 208; S.P., v 141-142

113 E.R., vi, 209

114 Chron. Auchinleck, f. 109r

115 S.P., i, 150

116 Ibid.

117 Rot. Scot., ii, 383

118 R.M.S., ii, 744, 745, 747. This title appears to suggest a personal bodyguard to the king. David Guthrie held a similar office in the following reign.

119 H.M.C., Home, 278

120 Fraser, Douglas iii, 415, S.P. ii, 587-588

121 R.M.S., ii, 529

122 Laing Chrs., 122

123 A.P.S., ii, 531, 534

124 Groome, F.H., Ordnance Gazetteer of Scotland. (Edinburgh 1882-85)

125 Rot. Scot., ii, 340-41

126 R.M.S., ii, 490 - 4 August 1451
R.M.S., ii, 491 - 15 August 1451
R.M.S., ii, 492 - 21 August 1451
Wigt. Chrs., 138 - 8 March 1452
S.R.O., GD 25/1/64 - 3 October 1455
Fraser, **Buccleuch** ii, 61 - 20 July 1459

127 Fraser, **Douglas**, iii, 419

128 **R.M.S.**, ii, 420

129 Balfour-Melville, **James I**, 294

130 **Rot.Scot.**, ii, 345


132 **Ibid.**

133 Pitscottie, **Historie**, 90-91

134 **E.R.**, iv, 606

135 **Ibid.**, 305

136 **H.M.C.**, Rep.iv, 539

137 See p.108 above

138 See chapter 8, 263

139 Chron. Auchinleck, f.114v

140 **R.M.S.**, ii, 529

141 **Ibid.**, 530

142 S.R.O., GD 89 no.10

143 Wigt.Chrs., 138. See Appendix A, 329

144 **Ibid.**, 136; Fraser, **Douglas**, iii, 406,417,419; **Rot.Scot.**, ii, 340,343

145 **R.M.S.**, ii, 529,530,531,534,534

146 **Ibid.**, 537,538,532,541; S.R.O.,GD 157, no.75

147 Chron. Auchinleck, f.115r

148 See chapter 5, p.174
Chapter 5 - The Fall of the Black Douglases 1452-1455

The murder of William earl of Douglas must have stunned his family and followers and their uncertainty about how to respond was in direct contrast to the decisiveness of the king. William's brother, James, became 9th Earl of Douglas and one of his first actions following the murder was to come to Stirling on 17 March where he

'blew out xxiv hornis attanis apon the king and apon all the lordis that war with him that tyme for the foule slauchter of his brother And schew all thair seles at the cors on ane letter with thair handis subscrivit and tuke the letter and band it on ane burd and cuplit it till ane hors tale and gart draw it throu the towne spekand richt sclanderfully of the king...and spulzeit all the toune and brint it'.

The effect of this defiant display was somewhat lessened by the fact that the king was not in Stirling when it took place, but was, according to the Auchinleck chronicler, on his way to Perth to meet the Earl of Crawford. However, the king had issued a charter from Stirling on 14 March, having returned there following his visit to the south, and this indicates that the Douglas attack was not merely an empty gesture.
It is not clear where the king was between 14 March, when he issued a charter from Stirling, and 24 March, when he was back in Edinburgh, but the fact that the queen gave birth to the future James III in St. Andrews castle in May, 4 would suggest that he may have escorted the pregnant queen to St. Andrews for safety between his departure from Stirling and his return to Edinburgh anticipating that Stirling would be a storm centre for any Douglas reprisals. The Auchinleck chronicler's statement that the king had gone to Perth to meet the Earl of Crawford has been seen in connection with the battle of Brechin which was fought on 18 May 1452. However, it would not have taken the king two months to reach Perth and he was back in Edinburgh by 24 March, 5 where he appears to have remained until the end of August. A meeting with the Earl of Crawford, if it took place, must have happened some time before the fight at Brechin, and it is perhaps significant that the Auchinleck chronicler does not obviously tie in the battle of Brechin with the aftermath of the murder of Douglas. The description of the battle is the last entry in the original Asloan Manuscript, and is incomplete at the end. It has the appearance of having been tacked on as an afterthought and is given a heading which is unique in the chronicle. The heading reads, 'the battell of arbroth brechyne'. 6 The confusion with the battle of Arbroath is understandable as the earls of Huntly and Crawford were involved in both battles and there may have been a deep antagonism between the two families dating from 1446 when David earl of Crawford, the father of
Alexander, was killed by a faction which included Alexander earl of Huntly. Following the battle of Brechin, in which the Earl of Huntly proved victorious, the protagonists raided in Angus, according to the Auchinleck chronicler, and this is borne out by a transcript of a letter from James II to the sheriff of Forfar, dated 16 January 1455, concerning a complaint by Walter Carnegie that during the fighting between Alexander earl of Huntly and the late Alexander earl of Crawford, his mansion was burned and his charters of the lands of Kinnaird were destroyed. It is possible that Carnegie may have suffered for failing to support the Earl of Crawford in the battle of Brechin although it is not possible to check this as the Auchinleck chronicler names very few of the participants. Apart from the two earls, the chronicler states that the Earl of Crawford's brother, John Lindsay and the laird of Dundas were slain on Crawford's side, and on Huntly's side, his brother William of Setoun. The Auchinleck chronicler also stated that

'thair was with the erll of huntlie fer ma than was with the erll of craufurd becaus he displayit the kingis banere and said it was the kingis actioun and he was his luftennend'.

The motif of displaying the king's banner was also used by the Auchinleck chronicler in describing the siege of Barnton in 1444 when the Earl of Douglas sanctioned his actions by this device and it is possible that Huntly was acting as the
king's lieutenant in the north at this time, although there is no evidence of his having received such an appointment. In his account of the battle, John Lesley, bishop of Ross, writing in the late 1560's, stated that Huntly granted lands to numerous followers before the battle of Brechin and he was compensated by the king with the grant of Badenoch and Lochaber. However, this is clearly a confused interpretation, as the lands of Badenoch and Lochaber and the castle of Ruthven were actually granted to Huntly in April 1451 and therefore could have no connection with the battle of Brechin. In view of the king's policy of rewarding loyal supporters it is curious that the Earl of Huntly is not rewarded. Had the battle of Brechin been fought, as the later chroniclers suggest, in direct consequence of the slaying of the Earl of Douglas — the Earl of Huntly opposing the Earl of Crawford on behalf of the king because Crawford had allied himself to Douglas in the notorious bond — then one would expect to see Huntly benefitting materially.

However, it is possible that the battle of Brechin was rather less than a battle of national importance and should, perhaps, be interpreted as a baronial feud. Alexander earl of Huntly may have been the king's man insofar as he was not one of the Douglas faction, but his attitude may best be interpreted as self-seeking and opportunist. The destruction of the Douglases would have suited him well, as he would have anticipated rising on their ruins,
particularly in the north where there is evidence that the Gordons tried to gain the earldom of Moray following the death and forfeiture of Archibald Douglas in 1455. It was not part of the king's plan to see the end of one potentially threatening faction only to witness a new one appearing in the north, and the king's attitude to Huntly is best explained in these terms. If Huntly had been marching south to join the king, then he evidently abandoned the idea because he does not appear at court as a charter witness in 1452 nor was he present in the parliament held in Edinburgh in June, although his son, George Setoun was there.

The sixteenth-century chroniclers portray the king's position in the aftermath of the murder as very precarious and state that James actually considered fleeing to France, but was dissuaded from this course by the wise counsel of James Kennedy, bishop of St. Andrews. Kennedy certainly seems to have been involved in government at this time as he appears as a witness to a number of charters and on 14 June 1452 he received the 'Golden Charter' of regality rights for the church of St. Andrews. This was given 'specially for the birth of the King's eldest son which occurred in the place and principal messuage of the said patron saint (Andrew), and further for kindly services rendered by James Kennedy Bishop of St. Andrews'. Far from considering flight from Scotland, James established himself in Edinburgh from 24 March and a parliament was convened there on 12 June which must have been summoned not later than 4 May if the
statutory forty days notice was given. The three estates proceeded formally to exonerate the king from blame for the murder of the Earl of Douglas but, not surprisingly, there was no representation of the Douglases and the parliament appears to have been composed of royalists.\textsuperscript{16} The Auchinleck chronicler states that the Earl of Crawford was forfeited in this parliament, but no official record of this survives and it is the chronicler who furnishes the fullest description of the proceedings of the parliament. He writes:

'Item thair was maid in the forsaid parliament three erllis viz Sir James Crichton son and heir to Sir William Crichton that spousit the eldest sister of Moray was beltit erll of Moray. Item the Lord Hay and constable of Scotland was beltit erll of Erroll. Item Sir George of Crichton was beltit erll of Caithness'.\textsuperscript{17}

The bestowal of the earldom of Moray on James Crichton was founded on a strong legal claim as he had married Janet, the elder heiress to the Earldom of Moray, although Archibald Douglas, married to the younger co-heiress, Elizabeth, had secured the earldom through the intervention of his father. Thus, with Crichton and Huntly holding earldoms in the north, and William Hay as the newly created Earl of Erroll, the Earl of Crawford was surrounded, to all appearances, by men loyal to the king. 'The same principle of rewarding
loyal service and building up a network of inter-related baronial families is evident in the creation of lords of parliament, with lords Hailes, Cathcart, Fleming of Cumbernauld and Home - men who had been connected with Douglas but had chosen allegiance to the king - being prominent among those receiving the new dignity. Also rewarded were John lord Darnley, Robert lord Boyd, William lord Borthwick and Alexander lord Lyle of Duchal. The Auchinleck chronicler wrote that, in addition to these grants,

'thair was sundry landis gevin to sundry men in this parliament by the king's secret counsall that is to say the Lord Cambell to Sir Colin Cambell to Sir Alexander Home to Sir David Home, to Sir James Keyre and till uther sundry war rewardit be the said secret counsall the quhilk men demyt wald nocht stand'.

The furious acts of defiance by the Douglas faction described by the Auchinleck chronicler - dragging the safe-conduct through the streets of Stirling behind a horse and fixing a letter on the parliament door by night which set out Douglas's withdrawal of allegiance from the king - furnished James II with the excuse to present a formal show of strength. A general levy was summoned to appear at Pentland Muir and the Auchinleck chronicler assessed the size of the host as 30,000. The army, led by the king in
person, raided in the south to Peebles, Selkirk and Dumfries. On 18 July 1452, James was encamped at Corhead with the Scots army, as were the new Crichton earls of Moray and Caithness. The financing of this campaign had been assisted by William Turnbull, bishop of Glasgow who diverted 800 marks from the Jubilee offerings at Glasgow Cathedral, and James Kennedy bishop of St. Andrews made a loan of £50 to the king.

The numbers quoted by the Auchinleck chronicler - 600 men in the 9th Earl of Douglas's party and 30,000 in the King's army - are unlikely to be accurate, but the inference is clear; the king had far more support than Douglas notwithstanding the heinous nature of his crime. However, having secured the support of parliament and rewarded loyal supporters, the king then committed acts of depredation which may have alienated much of the support which he had so carefully built up. Certainly, the one contemporary note of censure for the king's actions comes as the direct result of the raids in the south in July 1452 when the Auchinleck chronicler wrote that James II

'did na gud bot distroyit the cuntre richt fellonly baith of cornes medowis and wittalis and heriit mony bath gentillmen and utheris that war with him self'.

The importance of this alienation of support may be seen in
the eventual terms with which the king received the 9th Earl of Douglas back into favour.

Following the murder of his brother, James earl of Douglas evidently decided that his best hope of support lay with the English king with whom he had already had dealings the previous year. On 3 June 1452 English commissioners were appointed to treat with the Earl of Douglas concerning certain articles communicated by Douglas through Garter and to receive his homage, and on 2 June the earl's mother, Countess Beatrice, and his sister-in-law Margaret, obtained an English safe-conduct for one year to go to the shrine of St. Thomas at Canterbury. It was probably in response to this that James II sent ambassadors to England on 5 June 'in al gudely haste upon....secret matiris'.

The Scottish ambassadors petitioned the English chancellor for a safe-conduct for Alexander Nairn of Sandfurd, Nicholas Otterburn and others for a year, and they also asked for a renewal of the safe-conduct for the bishops of Glasgow, Moray and Galloway who were to confer 'upon the secret matiris the qwylks yhour lordeship knawys'. An ambassador sent by Douglas to England received a gift by royal grant of £40 dated 14 July which was probably connected with the offer of homage. In the meantime however, Douglas was still in Scotland trying to win support and while James II led the raid in the south, Douglas was encouraging Donald Balloch, cousin of the late Alexander lord of the Isles, to
lead a raid in July 1452 in which he devastated Arran, Inverkip and the Cumbraes. The Exchequer rolls show that the capture of Brodick castle on Arran took place between 10 July 1451 and 4 June 1453. These lands were crown patrimony but on 14 April 1452 their revenues had been pledged to William Turnbull, bishop of Glasgow as surety for the jubilee loan which financed the anti-Douglas campaign, therefore the attack was aimed, almost certainly, at the royalist bishop.

The king was back in Edinburgh by 2 August and he remained there until shortly before 28 August on which date he was at Douglas castle where he came to terms with the earl. The document which was drawn up between the two men is known as the Appoyntement and in it, Douglas promised to forgive the king for the murder of his brother, to renounce all treasonable leagues, to carry out his duties as Warden of the Marches faithfully, and to give the king such 'honour and worship' as he could render safely. Above all, Douglas undertook not to seek 'any entrie in the lands of the earldome of Wigtone' without the queen's consent and not to obtain the lordship of Stewarton without the king's leave.

The most interesting points to emerge from the Appoyntement are that the earldom of Wigtown was obviously still a contentious issue, as it had been in 1451; and it also offers some support for the Auchinleck chronicler's claim.
that William earl of Douglas was murdered because the king objected to his having a league or bond with other earls - 'treasonable leagues'. The earldom of Wigtown, by this time, appears to have been in the hands of the queen and the problem with Stewarton was that part of the lands had been bestowed upon Sir Gilbert Kennedy of Dunure on 30 June 1452. Stewarton was part of the patrimony of the Stewards of Scotland, and on 21 January 1426, James I had granted the lands to James Douglas of Balveny and his wife Beatrice. Some of the lands had been bestowed on Sir Alexander Home by William 8th earl of Douglas on 24 August 1444 and this grant was confirmed by James II on 20 July 1451. Queen Mary and Sir Gilbert Kennedy would have been reluctant to surrender their acquisitions, but the king's position had been eroded badly by the discontent generated by his indiscriminate raids in the south and he must have been under considerable pressure to back down from his aggressive stance. The three estates had been prepared to support the king to the extent of absolving him of guilt for the murder of Douglas, but this does not mean that they were in favour of waging outright war on the Douglas faction.

It is in the light of this dilemma facing the king that the bond of manrent made between the king and Douglas at Lanark on 16 January 1453 should be seen. In this bond, the king promised to restore the earldom of Wigtown to the earl, and he also undertook to promote the marriage of the 9th Earl of Douglas to his brother's widow, Margaret of Galloway. The
dispensation for this marriage was dated 27 February 1453 at the petition of James and Margaret and of 'James King of Scots, whose kindred they are'. William earl of Douglas died without heirs and his brother James would not have inherited those Douglas lands which were part of the patrimony of Margaret of Galloway. In order to keep the Douglas possessions together, therefore, the 9th Earl had to marry his brother's widow although dispensation was needed as they were within the degrees of consanguinity which forbade marriage under church law. It seems incredible that James II should sanction such a marriage willingly as it strengthened the Douglas position at a time when he clearly desired the exact opposite, and one historian observed the Lanark bond as 'the gauge of his (James II's) impotence'.

It is at this stage, following the Lanark agreement, that Pitscottie recounts the story of the submission of the Earl of Crawford to the king. His account is long and full of details which are picturesque rather than factual, and there is no contemporary evidence - neither Auchinleck nor the official records mention it. Whatever the truth of the matter, the rebel earls of Douglas, Moray and Crawford were restored to favour insofar as their names appeared as conservators of a new truce with England on 23 May 1453. However, before this, on 3 January 1453, an English safe-conduct for nine months was issued to James lord Hamilton along with James Livingston and Archibald and Duncan Dundas. They appear to have availed themselves of
the safe-conduct as, on 19 February, payment was made to Garter 'lately sent by the King to the Marches of Scotland, there to ask certain appointments with the Earl of Douglas and also attending on the Lord of Hamelton at London and elsewhere for five weeks and more'.

As the king's commissioner, Douglas sealed the new truce with England at Westminster on 23 May 1453, but another item of personal business was his plan to secure the release of Malise Graham earl of Menteith, who was still serving as a hostage for the ransom of James I. This has been interpreted as an action with sinister overtones as Malise Graham had the best hereditary claim to the Scottish crown after the young prince James. However, a plot to overthrow the Stewart dynasty was not attributed to Douglas at the time and Malise Graham was present in the parliament of 1455 which formally forfeited the Douglases. Graham was the brother of James Lord Hamilton's wife, Euphemia, and it was probably largely a family concern to seek his release. However, the prevailing mood of suspicion and unease may have prompted the Douglas faction to obtain safe-conducts on 22 May to visit the 'apostolic thresholds' thus ensuring for themselves an escape route, should they need it.

Alexander earl of Crawford died in September 1453 and the Auchinleck chronicler registered the event in the following terms:
Alexander earl of Crawford was succeeded by his son, David, who was only thirteen years old and this effectively dashed any hopes Douglas may have had of reviving Lindsay support for his cause.

Following the apparent rehabilitation of the Douglases as evinced in the Lanark bond of January 1453, there seems to have been some strife and discomfiture within the royalist party, and there is some justification for the Auchinleck chronicler's remark that the hasty settlements of lands and titles granted in the immediate wake of the murder of Douglas were such that 'men demyt wald nocht stand'. The earldoms of Caithness and Moray were such grants. There are no extant charters of erection to show that the earldoms were legally conveyed and a marginal note was added to John Law's manuscript that

'neither the said James nor George ever had the earldom or possessed the lands of Douglass but they were only called earls'. 42
James Crichton, whose claim to the earldom of Moray came through his wife as elder heiress of Moray, certainly styled himself Earl of Moray: for example, in the exchequer audit of July 1454 and the parliament of the same month.\(^43\) However, it appears that Archibald Douglas, married to the younger Dunbar co-heiress, had not been ousted from the earldom as he continued to be styled Earl of Moray and there is no evidence that James Crichton ever received revenue from the earldom. This must have been resented deeply by Crichton, and the entry in the Auchinleck chronicle which noted the death of James Crichton in August 1454 supports this. Robert Liddale had been appointed keeper of Dunbar castle between 7 July 1451 and 9 December 1452, but was replaced before 14 July 1453 by James Crichton. In the audit of 5 July 1454, a fee was paid to James earl of Moray and lord Crichton as keeper of Dunbar, and after his death, according to the Auchinleck chronicler, Dunbar castle 'was haldin fra the king a litill quhile and syne gevin till him'.\(^44\)

Admiral George Crichton appears to have been more compliant with the king's wishes over the earldom of Caithness. On 8 July 1452, a charter incorporating George Crichton's southern lands into the earldom of Caithness was granted, but no mention was made of George Crichton's son and heir, James.\(^45\) The Auchinleck chronicler wrote that

'within vi days James of Crichton, sone and aire
to the said George of Crichton take the castell of blakness and his fader in contrar of the king and Incontinent the king in proper persoun put ane sege to the blakness and lay at it ix or x dayis and than it was gevin oure be trety and Sir George was put to Methven and gaf him the landis of Strathurd for the landis that he had conquest in Lothian'.

The chronicler assigned these events to May 1454. This is supported by the evidence of a royal charter issued from Blackness on 23 May 1454; and the Exchequer Rolls show that the siege took place within the audit June 1453 to July 1454 and that a herald of the Emperor, Frederick III, visited James during the hostilities. The reason why James II regarded the castle of Blackness as so important was that it occupied an excellent strategic position on the Forth as a counterpoise to the Douglas strongholds of Inveravon and Abercorn. As George Crichton's heir, the king obtained Strathbrock, but he recognised the need to offer some compensation to James Crichton and therefore he granted to him the royal lands of Strathord, and James Crichton also succeeded to the ancestral estate of Cairns. This settlement was made in parliament on 18 July 1454.

The ranks of royalist supporters who had encouraged the king to attack the Douglases were seriously depleted by the end of 1454. The chancellor, Sir William Crichton, was dead
before July 1454 and his son James and cousin George did not long survive him, as they died, according to the Auchinleck chronicler, in August. With the death of Bishop Turnbull of Glasgow in September, the hard core of opponents who had helped to initiate the fall of the Douglases was gone. William Sinclair, earl of Orkney succeeded William Crichton as chancellor and James Livingston re-appeared in his former post of chamberlain.

James earl of Douglas had, in the meantime, been busy trying to win the support of the remaining member of the 1452 bond, John earl of Ross and lord of the Isles. The Auchinleck chronicler stated that Douglas went to Knapdale

'and spak thar with the erll of Ros and lord of Ilis, and maid thaim all richt gret rewardis of wyne clathis silver silk and Ynglis clath and thai gaf thaim mantillis agane and quhat was thar amangis thaim wes counsall to commounis and thai demyt ill all'.

The atmosphere of suspicion noted in the Auchinleck chronicle may have been intensified by the actions of the Douglas faction who were fortifying their strongholds of Lochindorb, Darnaway, Threave, Douglas, Strathaven and Abercorn. In the process of forfeiture against the Douglases in 1455 they were accused of burning Dalkeith, abetting Robert Douglas 'in his efforts to deprive the king
of the succession to Strathbrock and burning the queen's dower lands of Kinclaven and Bonnytoun. In addition to these charges, James earl of Douglas was accused of harrying the grange of the justiciar, Laurence lord Abernethy, who had held a justice court at Lochmaben in 1454 which Douglas apparently regarded as an encroachment upon his authority and interests, although no proceedings from the court have survived to offer specific details.
The royal castle of Lochmaben was in the keepership of the laird of Mouswald and the Auchinleck chronicler recorded that, in August 1454

'the lard of Johnstonis twa sonnis tuk the castall of Lochmaben apon the lard of Mouswald callit carudderis and his ii sons and other ii or iii men / and all throu treasson of the portar And syne the king gaf tham the keping of the hous to his prophet and how that was men ferleit'.55

It is possible that the action of the Johnstones was the result of some private feud with Carruthers, and the fact that the king condoned the seizure may indicate that he did not regard the Johnstones as opponents or, more specifically, Douglas men, and acceptance of the fait accompli would have been less troublesome than diverting attention and resources from the larger issue of the moment - the ultimate defeat of the Douglases. The Johnstones had been minor tenants of Douglas for the lands of Drumgrey in Dumfriesshire and the laird of Johnstone rode with the Douglas force under the command of Hugh earl of Ormond in 1448 when an English invasion was repulsed at Sark. When the conflict arose between the king and the Black Douglases, however, the Johnstones abandoned their patrons and were instrumental in their defeat at Arkinholm. The laird of Johnstone also took part in the siege of Threave castle in 1455 for which the king granted him the lands of Buittle and
Sannoch in Galloway, and he was also excused £183 of ward, relief and non-entry for his lands of Johnstone, Kirkpatrick and Drumgrey. 56

While the struggle against the Douglases was progressing in Scotland, it was fortunate for James II that the English were in no position to capitalise on the situation in Scotland, as the civil strife between the opposing parties of York and Lancaster was absorbing English attention. James II's uncle, the Lancastrian Duke of Somerset, was imprisoned in 1454 and the king sent his step-father, James Stewart of Lorne with an offer of help in that year, although exactly what he proposed to do is not clear. Thomas Spens, bishop of Galloway was sent to France to inform Charles VII of the Scottish king's position regarding the Douglases, and he was received at Bourges on 19 and 20 May 1455. 57

While this diplomatic activity was taking place, the king launched an attack on the lands of Douglas and Hamilton at the beginning of March 1455. The Auchinleck chronicler writes that James

'kest òoune the castell of Inverawyne and syne Incontinent past till glasgw and gaderit the westland men with part of the ereschery and passit to lanerik and to douglas and syne brynt all douglasdale and all awendale and all the lord
hamilton's lands and heriit thaim clerlie and syne passit till Edinburgh and fra thin till the forest with ane ost of lawland men and all that wald nocht cum till him furthwith he tuke thair gudis and brynt thair placis and tuke faith of all the gentillis clerlie'. 58

This decisive action on the part of the king cut the ground from under the feet of the Douglases. James lord Hamilton was in England trying to raise support, although the price asked by Henry VI was, apparently, that Douglas and Hamilton should swear an oath of allegiance to him. 59 By the time Hamilton returned to Scotland the Douglas castle of Abercorn was under siege. James earl of Douglas seems to have been unable to decide on a course of action and his vacillation cost him the support of Hamilton, hitherto his most energetic adherent, who plainly saw no future in the Douglas cause and offered his submission to the king

'throw the menys of his eme James of Livingston...and the king Resavit him till grace and send him on Incontinent with the erll of Orkney that tyme chancellor of Scotland till remane in warde In the castell of Roslyne at the kingis will'. 60

Hamilton's defection was crucial. Abercorn was besieged with artillery and eventually captured and destroyed.
Douglas did not appear to defend it, as the Auchinleck chronicler remarks caustically that 'men wist nocht grathlie quhar the Douglas was all this tyme'.

On 24 April the Douglases and their adherents were summoned to appear before the king to answer charges of treason on 10 June and parliament convened at Edinburgh on 9 June to proceed with the formal forfeiture of the Douglases. Not surprisingly, they did not appear to answer the charges. James earl of Douglas had fled to England whence his mother, Countess Beatrice and Countess Margaret, who may at this stage have been his wife, had already escaped. The three remaining Douglas brothers, Archibald, Hugh and John, contented themselves with plundering raids on the borders and on 1 May 1455 they were routed at Arkinholm by a party of southern lairds who included Johnstones, Maxwells and Scotts. Archibald earl of Moray was slain, Hugh earl of Ormond was captured and subsequently executed, and John lord Balveny managed to escape to England.

The June parliament was prorogued until August to enable the king to take part in the siege of Threave, the last Douglas castle to hold out against the king, and on this occasion the Earl of Douglas did make a last desperate effort to save it by offering it to Henry VI who made a payment of £100 to Douglas on 15 July 1455 'for succour, victualling, relief and rescue of the castle of Treve'. This was to no avail, however, as the castle eventually surrendered and was given into the keeping of Sir Alexander Boyd for a short while.
before being handed over to the custody of William Edmonston of Culloden. 65

The men who benefited most from the downfall of the Douglases were, for the most part, southern lairds who had been tenants on Douglas lands. Prior to 1455, the Scotts had held lands from Douglas which included Branxholm and the barony of Hawick, and in February 1451, Walter Scott of Kirkurd gained the lands of Eckfurd, the grant being confirmed in June 1451. 66 In March 1452, following the murder of Douglas, David Scott, son and heir of Walter, received part of the lands of Drumcors in the sheriffdom of Linlithgow, and the Scotts were to show their loyalty to the king against their erstwhile patrons by opposing the Douglases at Arkinholm. David Scott received a charter from the king of the lands of Whitchester, on 10 September 1455, as a reward for his services at the battle of Arkinholm, and in 1459, Walter Scott received lands in the former Douglas barony of Crawfordjohn. 67 Similarly, the Johnstones had been minor tenants of Douglas for the lands of Drumgrey in Dumfriesshire and the laird of Johnstone had taken part in the battle of Sark under the leadership of Hugh Douglas earl of Ormond in 1448. However, on 1 May 1455, Johnstone fought against the Douglases at Arkinholm and he also assisted in the siege of Threave castle for which James II granted him the lands of Buittle and Sannoch in Galloway. 68 The Maxwells had also held lands from the Earl of Douglas in addition to the important hereditary office of Steward of
Annandale granted by the 4th Earl of Douglas, but they supported the king in the 1450's and on 7 February 1455, Robert lord Maxwell resigned the office of the Stewartry of Annandale, which the king immediately re-granted to Maxwell's son, John. Lord Maxwell was also a member of the June parliament of 1455 which forfeited the Douglases. 69

The Kerrs held the lands of Smailholm and Primside of Douglas, and Andrew Kerr of Altonburn (later of Cessford) was associated with the Earl of Douglas in the early 1450's while his sons, James and Thomas, received safe-conducts to accompany the 8th Earl of Douglas to England in April 1451. 70 However, the Kerrs do not appear to have abandoned their patron as, in June 1453, Andrew Kerr and Sir Robert Colvillè made an indenture in which they agreed to be 'lele and trew' to each other, reserving allegiance to the king and the Earl of Douglas. 71 The king certainly seems to have courted their support as, in July 1450, Andrew Kerr received the lands of Catscleuch from the forfeited estates of Alexander Livingston and on 6 February 1452, he obtained a crown charter of the lands of Old Roxburgh, while James Kerr received 20 merklands of Bonyngton in Linlithgowshire on 12 April 1452. 72 It is worth noting, however, that Andrew Kerr was tried at the warden court of Selkirk in April 1456 for 'art and parte' in the treasonable inbringing of Englishmen, and there may have been some suspicion that he had not completely renounced support for the exiled Earl of Douglas. However, the court found Kerr 'qwhite and unwemyt' of these
crimes and in 1457 he became bailie of Jedburgh forest under the Earl of Angus. 73

Another Douglas supporter who may have wavered in his allegiance to the king was Mark Haliburton. On 23 May 1455, James II confirmed a charter of James earl of Douglas to his secretary Mark Haliburton, dated 28 March 1453 at the castle of Douglas, of the lands of Glengennet and Bennan in the earldom of Carrick. 74 On 3 October 1455, another charter was issued to Mark Haliburton by James II at Tongland of half of the barony of Trabeath called Glengennet and Bennan, and a further charter was issued on 22 April 1456 of the same lands, but proceeding on the forfeiture of James earl of Douglas. 75 However, on 31 March 1457, James Stewart, the king's half-brother, was granted the lands of Bedshiel within the sheriffdom of Berwick, in the king's hands through the forfeiture of the late Mark Haliburton. Less than one month later, on 19 April, James Stewart also received the half of the barony of Trabeath forfeited by Haliburton. 76 The death and forfeiture of Mark Haliburton may indicate that he was still in contact with, and prepared to offer support to, the Earl of Douglas, or he may have come to grief in a feud or conflict with someone else in the south-west in the power vacuum which followed the Douglas downfall.

One of James 9th earl of Douglas's staunchest supporters was James lord Hamilton, and his defection from the side of the
earl was rewarded by the king. On 1 July 1455, Hamilton and his wife Euphemia were given a royal charter of the lands of the barony of Drumsergert (Cambuslang) and Carmunnock in the sheriffdom of Lanark and thus he benefited considerably from his change of allegiance. George Douglas, earl of Angus was also a principal beneficiary of the downfall of the Black Douglases. Prior to their forfeiture, he already possessed the lordship of Liddesdale and Hermitage castle, and in 1457, he was rewarded for repelling the Douglas incursion on the East March with the lordship of Douglasdale. In May 1457 he was styled George earl of Angus, lord Douglas and warden of the east and middle Marches. William Sinclair, earl of Orkney, was granted the sum of £300 sterling, payable from the great customs of certain burghs in recompense for the offices of keeper of the Marches, sheriff of Dumfries and judge of chamberlain courts which he held through right of his wife Elizabeth Douglas.

On 8 March 1455, a bond of maintenance was given by the king, under the privy seal, to James Tweedie of Drumelzier. In this bond, the king promised

'that we sal mainteine, supple and defend him (Tweedie) and his said house as we walde do oure castellis and housis, and supple and defend him in al his actionis, causes and querellis lauchful, leiful ande honest as oure avun speciale familier
In return, Tweedie's house of Drumelzier should be at the disposal of the king or his nominated lieutenant at any time, and Tweedie himself offered 'speciale manrent ande service for al the dayis of his lyve'. Dr. Wormald has pointed out that Tweedie, although an important southern laird, must have been only one of many with whom the king made such agreements in order to ensure the strength of his position in the south. 82

Throughout the conflict with the Douglases, James II was aware of the need to court support, reward allegiance and punish disloyalty. He must have learned that the indiscriminate raids made in the south during the campaign of late summer 1452 had damaged his position and forced him to compromise, and the final onslaught against the Douglases was prefaced with shrewd political manoeuvring to lay a foundation of support in the south which would effectively block any Douglas resurgence.
Notes, Chapter 5.

1. Chron. Auchinleck, f.115r
2. Ibid.
3. Fraser, Buccleuch, ii, 49
4. Macdougall, James III
5. R.M.S, ii, 532
6. Chron. Auchinleck, f.123v
7. Ibid, f.111v
9. Chron. Auchinleck, f.123v
10. Lesley, History, 23
11. R.M.S, ii, 442
12. Spalding Club Miscellany, iv, 128-30
13. A.P.S, ii, 73
14. Lesley, History, 25; Buchanan, History, f.xl; Pitscottie, Historie, 117
Somerville, George lord Setoun, George lord Leslie, John lord Lindesay of Byres, Andrew lord Gray, John Arous, George Schoriswood: A.P.S, ii, 73

17 Chron. Auchinleck, f.115v

18 Ibid. Patrick Hepburn of Hailes, Alan Cathcart, Robert Fleming of Cumbernauld and Alexander and David Hume had all appeared as witnesses on Douglas charters or on safe-conducts issued to the Earls of Douglas and their entourages. Fraser, Douglas, iii, 306,81,415; Rot.Scot., ii, 340,341,343,346

19 Laing Chrs., 134. The Corhead referred to in the charter is probably to be identified with Corehead at the head of Moffatdale, Map reference - NT 072 125, Sheet 78, Ordnance Survey 1st series. I am indebted to Norma Philpott for this suggestion.

20 R.M.S., ii, 542; E.R., v, 604

21 Chron. Auchinleck, f.115v

22 Foedera, xi, 310-11; Rot.Scot., ii, 357

23 C.D.S., iv, 1243 app.22.

24 Rot.Scot., ii, 358; C.D.S., iv, 1245

25 Chron. Auchinleck f.117

26 E.R., v, 571,577,578

27 R.M.S., ii, 542; Book of Arran, ii, 46

28 Tytler, P.F, History, ii, 386-7

29 R.M.S., ii, 583

30 Ibid., 77

31 Ibid., 484,485; Fraser, Douglas, iii, 426

32 Ibid, i, 483-4
Alexander earl of Huntly also appears on this document.

Strathbrock is the modern Broxburn in West Lothian, the lands of Strathord are north west of Scone, and the estate of Cairns is in Midcalder parish, Lothian.

Ibid Kinclaven is in Tayside parish in the district of Stormont, Perthshire. Bonnytown was an estate in
Forfarshire. Groome, *Gazeteer*, passim

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<td>Chron. Auchinleck</td>
<td>f.112v-113r for highlanders.</td>
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<td>Fraser, <em>Douglas</em>, iii</td>
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<td>58</td>
<td>Chron. Auchinleck, f.116r</td>
<td>'ereschery' was a lowland term for highlanders.</td>
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<td>59</td>
<td>Ibid, f.116v</td>
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<td>60</td>
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<td>61</td>
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<td>67</td>
<td>Ibid, 49,57; R.M.S., ii</td>
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<td>Fraser, <em>Douglas</em>, iii</td>
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<td>Fraser, <em>Carlaverock</em>, i</td>
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<td>75</td>
<td>Ibid, GD 25/1/64; GD 25/1/69</td>
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<td>77</td>
<td>Fraser, <em>Douglas</em>, iii</td>
<td>429,430; H.M.C., Hamilton i, 17</td>
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<td>78</td>
<td>Fraser, <em>op cit.</em></td>
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79 *Ibid*, 437. The office of warden of the Marches was a coveted one because it was highly remunerative. Angus could expect to receive approximately £200 per annum from the east and middle March wardenships.

80 NRA(S), 161, Borthwick - Misc. Writings, 15. Elizabeth Douglas was the sister of Archibald 5th earl of Douglas. See chapter 6, p. 204

81 H.M.C, Various Collections, v, Tweedy 14

82 Wormald, J, *Lords and Men*, 152
Chapter 6 - Policy and Patronage 1455-1460

The forfeiture of the Douglases brought a considerable amount of landed wealth into Crown hands and the business transacted in the parliament which met on 4 August 1455 reflected a desire for the consolidation of the king's position. Nicholson has suggested that the Act of Annexation passed by this parliament showed that James II was anxious to ensure that such rich and hard won acquisitions would not be wasted by grants and alienations made by his successors, and the tenor of the act revives the well-worn tradition that the king should 'live of his own.' A certain measure of financial security for the monarchy was considered desirable judging by the preamble to the statute:

'Forsamekill as the poverte of the crowne is oftymis the cause of the poverte of the realme'.

The three estates evidently hoped to avoid the spectre of systematic taxation or attempts by the king to encroach on the wealth of the nobility. The annexations outlined in the statute included forfeited Douglas lands: Ettrick forest, the lordship of Galloway, Redcastle in Ross with other lands north of the Spey 'pertenyng tharto', and Threave castle. The major castles of Edinburgh, Stirling and Dumbarton were set aside 'for the kingis residence' and the royal domains of Ballincrief and Gosford were annexed to the crown. Also
included in the Act were annexations of the preceding reign: Inverness and Urquhart castles, the earldoms of Fife and Strathearn and the lordship of Brechin.

The newly acquired lands of Galloway were administered for the king by William abbot of Dundrennan as chamberlain of Galloway; George Burnett, editor of the *Exchequer Rolls*, calculated that in 1456 the gross money revenue from the farmed lands of east and west Galloway was £751 3s 4d. Following the forfeiture of the Douglases, Douglas vassals held their lands directly of the crown, and Wigtown and Kirkcudbright - burghs of regality whose revenues had been received by the Earl of Douglas - became royal burghs.

Ettrick forest, which consisted of the three wards of Ettrick, Tweed and Yarrow, was administered by the crown for a gross money rent of £519 13s 4d, and the queen benefited from this acquisition with two holdings in Yarrow, while James Lord Hamilton's wife (widow of the 5th Earl of Douglas) collected a terce from Ettrick forest. The forest's principal messuage was Newark castle and there are references to courts being held there by James lord Hamilton and Ninian Spot, and to a visit by the king to Newark in the accounts submitted on 13 September 1456.  

The 'other lands north of the Spey' referred to in the Act of Annexation would have been those forfeited by Hugh Douglas earl of Ormond and his younger brother John lord
Balveny. The lands of Ardmannoch (referred to in the accounts as Avoch and Edirdale) which lay between the Moray and Cromarty firths, fell to the crown. The Earl of Ormond derived his title from the castle of Avoch which stood on the ancient moot hill of Ormond overlooking the bay of Munlochy and the gross rent of these lands, which included Edirdale's fortress, Redcastle, was calculated at £172 15s 8d in 1460. Ormond also forfeited one third of Duffus in the sheriffdom of Elgin and his brother John forfeited Petty and Brachly, south of the Beauly Firth and Strathdearn (or the valley of Findhorn).

These lands were administered by the crown although other forfeited Douglas lands in the north were used as patronage. For example, Crimond in Buchan, north-east Aberdeenshire, was forfeited by Ormond, and half of this possession was bestowed on John Dunbar of Westfield and half on Sir William Monypenny. Similarly, the castle of Balveny in Mortlach parish, Banffshire, and Boharm and Botriphnie (south-east of Elgin) were forfeited by John lord Balveny, and the castle was placed initially in the keepership of Patrick lord Glamis, but was later bestowed on John Stewart, earl of Atholl on the occasion of his marriage to Margaret Douglas, widow of the 8th Earl of Douglas, in addition to the lands of Boharm and Botriphnie. These lands were not mentioned specifically in the Act of Annexation and, for the most part, lands annexed to the crown were held and administered for the king and queen in keeping with the tenor of the
acts, although the notable exception to this was the bestowal of the barony and castle of Urquhart with Glenmoriston on John earl of Ross and lord of the Isles, to be held in life-rent. This was official recognition of the seizure of Urquhart castle by the Earl of Ross in 1451 and James II obviously considered that it would be the less troublesome course to accept the fait accompli and by doing so, hopefully secure the co-operation of a magnate who was in a position to cause considerable trouble if antagonised. In fact, the Earl of Ross appears to have been loyal to the king for the remaining years of the reign, and by granting the castle and lands only in life-rent, James was ensuring that this was not a permanent alienation.

The annexed land of Brechin and Cortachy (near Kirriemuir, Forfarshire) were granted to the queen in security of her dower and the royal lands of Ballincrieff (north of Bathgate, Linlithgowshire) and Gosford (in Aberlady parish near Haddington) which had been held in 1454 by James Kennedy bishop of St.Andrews, were annexed firmly to the crown.

Lands were not the only concern of the three estates when drawing up the Act of Annexation, as it also included the revocation of all grants of heritable offices made since the death of James I, hereditary wardenships were forbidden and the warden courts were stripped of jurisdiction outside their own particular sphere. In addition, the parliament
enacted that all regalities then in crown hands were to be merged with the sheriffdoms, a matter which had been raised previously in the parliament of January 1450. No new regalities were to be erected 'without deliverance of the parliament', and this part of the act appears to relate directly to the Douglases who had held many of their offices heritably and much of their land in regality. Such legislation was bound to be interpreted as contrary to many people's interests and in recognition of this, compensation was promised to those who had suffered the revocation of their customs or offices.

Following the period of strife with the Douglases, the king was well aware of the necessity for rewarding loyal supporters of the crown and he used his right of patronage liberally in 1455. James lord Hamilton benefited from the disgrace of his erstwhile patron and ally with the lands of the barony of Drumsergert (Cambuslang) and Carmunnock within the sheriffdom of Lanark, which had been forfeited by Douglas, and he also received the office of sheriff of Lanark and the lands of Finnart in the sheriffdom of Renfrew, forfeited by James 9th earl of Douglas. Walter and David Scott of Strathurd were also rewarded for their part in the struggle against the Douglases with a royal charter dated 10 September 1455 of lands lying in the barony of Hawick, and the Bishop of Moray, John Winchester, was permitted to retain grants of lands in the sheriffdom of Inverness and Banff made to him by Hugh earl of Ormond and
John Douglas of Balveny. The Earl of Angus also benefited from the downfall of the Black Douglases as, on 7 December 1456, he received a grant of the lands of Ewesdale in Roxburgh and on 8 April 1457 he was granted the lands of the lordship of Douglas. Also, on 28 January 1459, Angus received a royal charter conveying to him the lands of Eskdale including the chief messuage of Dalblane. A royal grant of the lands of Dalbeth (east of Glasgow, on the banks of the river Clyde) was made to John and Nicholas Batyson in consideration of the slaying of their brother by the Douglases on the night before the battle of Arkinholm and for their services at that battle. A kinsman, Robert Batyson, received the lands of Whiteshiels in Eskdale for similar services, all of which grants were bestowed prior to the account rendered by Simon Glendinning on 14 July 1459.

The king was also concerned to enrich the crown, and on the attainment of his perfect majority on 16 October 1455, he issued an Act of Revocation in which he revoked alienations made during his minority which were deemed to be 'to the prejudice of the Crown'. Exactly who was affected, in practice, is not clear, and the act allows for a number of exceptions: that is, grants conferred on the queen and their second son Alexander (including the earldom of March and lordships of Annandale and Man), the grant of the earldom of Caithness made to William Sinclair earl of Orkney, and certain grants made to John Winchester, bishop of Moray.
Apart from looking to the future prosperity of the crown, the August 1455 parliament was concerned to emphasise the strength of the king's position at that time, as although the Douglas threat had been reduced greatly, the 9th Earl was still alive and being harboured in England and the last act recorded by this parliament forbade all the king's subjects, under pain of forfeiture, from yielding any support to the Douglases, proscribed traitors and adherents of the English. 18

Relations between Scotland and England, never entirely cordial, were put under greater strain by the maintenance of the Douglases in England, Henry VI having granted James Douglas a pension. In November 1455, during one of Henry's bouts of insanity, Richard duke of York was appointed Protector and James II decided to exploit the situation by going on the offensive, with the recovery of Berwick as his over-riding goal. On 20 November, in an effort to gain support, James sent instructions to his envoys in France to urge Charles VII to help the Scots against the English and he advocated a simultaneous attack by the French on Calais and the Scots on Berwick. 19

The parliament which met at Stirling on 15 October 1455 was intensely anti-English in outlook and much legislation was passed which prohibited the movement of people between the two countries. This problem had been dealt with previously by the warden courts, but these courts had been reduced in
influence and power by the legislation enacted in the August parliament. One of the October statutes ordained 'that na Scottisman bring in the realme ony Inglisman' and another that 'na Scottisman sit apon speciale assouerance of any Inglisman'. Not only were the Scots concerned about invasion from England, but there was also concern that Scottish incursions into England should not be placed in jeopardy, and the failure of the surprise attack on Berwick in June was obviously very much on James II's mind when the statute was passed which concerned 'the punicione of thame that warnys of the riding of ane host in Inglande'. Robert Lindsay of Pitscottie's Historie contains the story of the interception of the Scottish army by Englishmen pretending to be papal nuncios, who persuaded the king to abandon his planned attack. A letter sent by James II to Charles VII on 8 July 1455 shows that there is some substance to this story and indicates that the attack was abandoned as the result of an English trick. Charles VII replied to James' request for a simultaneous invasion of English territory pleading that he had problems of his own in France and felt unable to contemplate direct action against the English, and early in 1456, William Monypenny was sent by the French king with proposals for peace between the three kingdoms of France, Scotland and England.

William Monypenny was a member of James II's household and he was employed as a diplomat and served both the French and the Scottish courts. From 1439, he was attached to the
Dauphin Louis who had married Princess Margaret Stewart, and he served Charles VII as chamberlain. He travelled principally between France, Scotland and England and was involved in the marriage negotiations between Isabella Stewart and the eldest son of the Duke of Brittany in 1442 and Eleanor Stewart to Sigismund of Austria in 1447. In that year, on 14 July, Monypenny is styled 'natif d'Escoce, escuier d'escuieres' of the king of France. On 16 October 1449, Monypenny was knighted by the Comte de Dunois at the siege of Rouen, he received a reward in 1450 from Charles VII following the recovery of Normandy from the English, and the grant of Conpressault in Berry followed between 1451 and 1458. From James II, Monypenny received a grant of the lands of Halls of Airth in Stirlingshire which were incorporated into the free barony of Monypenny on 1 May 1450, and on 26 June, he received a grant of the lands of Lethbertshiels, Stirling. Monypenny also benefited from the forfeiture of the Douglases to the extent that on 7 October 1458 he received a charter of the lands of Bordland of Rattray in Aberdeenshire which had been forfeited by Hugh earl of Ormond, but these lands were resigned in November in favour of St. Salvator's college, St. Andrews. His elevation to lord of parliament as William lord Monypenny probably occurred towards the end of the reign of James II, and he continued to serve the crown into the following reign.

The protectorate of Richard duke of York ended on 25 February 1456 and this provided the excuse for a temporary
check on hostilities. James II, outwardly compliant with the wishes of Charles VII, sent an embassy to England under the leadership of James-Kennedy, bishop of St. Andrews and George Schoriswood, bishop of Brechin, but on 10 May, before the embassy could accomplish anything, James wrote to Henry VI renouncing the truce of 1453 on the grounds that it had been violated continually by the English. 27 Undoubtedly there had been devastating raids across the east border, as in the account of Patrick lord Hailes, sheriff of Berwick, rendered on 4 October 1456, the fermes of Longformacus and Rachburn (in Lammermuir district, north Berwickshire) were remitted 'propter vastitatem earundem tempore guerre'. Sir Archibald Douglas of Cavers, sheriff of Roxburgh found nothing to distrain on the castle wards of his sheriffdom and the fermes of Fallinche and Stitchell 'propter guerras Anglicorum', and in the accounts of the earldom of March, the fermes of Cockburnspath and Graden (in Berwickshire) were remitted due to the pillaging of these lands by the English. 28

Following a period of aggressive exchanges between the Duke of York and James, the latter mustered an army and took the field, and on 12 July 1456 he was at Peebles, his forces having been 'lately at the water of Calne'. 29 James made a series of raids into Northumberland and then returned home, according to Auchinleck, 'with gret worship and tynt nocht a man of valour', 30 and on 24 August, the Duke of York sent Garter King to complain to James for 'makyng dayly foreis'
into England. Such border skirmishing clearly suited James better than a major confrontation with the English forces and he seems to have been well satisfied with the progress of hostilities, as he took the time to go hunting at Loch Freuchie and Halymill (in Strathbraan, Perthshire) from 26 September to 1 October 1456. 31

James II's aggressive attitude towards England appears, at least initially, to have had the support of the three estates. A General Council which met in Edinburgh on 19 October 1456 showed a great deal of concern for the defence of the borders and on 20 October the three estates added their voice to the plea for assistance from Charles VII and sent a letter to which the seals of Bishop Kennedy of St. Andrews, William Sinclair earl of Orkney and the common seal of Edinburgh were appended. 32 The hostilities of 1456 had evidently been seen as a national campaign in which the whole realm was required to play a part, and the Acts of Parliament contain numerous references to measures intended to train men in warlike pursuits and to establish regular 'wappinschaws'. Football and golf were to be 'cryit doune and nocht usyt' in order to encourage the practice of archery. 33 Also, in 1457, probably as the result of a provision of the General Council which met on 19 October 1456, direct taxation was revived, with the burghs being stented and loans being exacted from merchants. 34 The tax from the burghs and a loan from the burgesses was rendered by Andrew Crawford on 25 July 1457, chiefly in Flemish
money. Crawford had been sent to Flanders to raise money for the tax on the security of the Scottish burghs, and on the security of individual merchants for the loan. The money raised was put to use immediately to buy materials for war, including 800lbs of iron, 988lbs of saltpetre and 1500 arrows and arrow heads.

James spent the Christmas of 1456 at St. Andrews and he continued to make plans for the recapture of Berwick. In February 1457, he prepared to attack the town, but his intentions were not followed through and negotiations for a truce were opened up, indicating that the Scottish campaign was beginning to run out of steam and that enthusiasm was waning as the three estates favoured a more cautious (and less costly) approach. On 20 June, a two-year truce was made which was ratified by James at Stirling on 6 August. There are a number of possible reasons for this change of attitude. In October 1456, the Yorkists fell from power and Richard duke of York was appointed Lieutenant of Ireland - a post which may be interpreted as virtual banishment. D'Escouchy suggests that Margaret of Anjou had proposed a marriage alliance between the two sons of the Duke of Somerset and James II's sisters Joanna and Annabella, and this would have put a halt to hostilities, at least for the period of negotiation. However, it was the failure of Charles VII to offer tangible assistance which seems to have robbed the campaign of most of its impetus, as the amount of correspondence between the two courts indicates that a great
deal of importance was attached to such hopes for aid. Charles excused himself from sending help on the grounds that he did not know the nature of the country and that the internal affairs of France and the necessity of defending the coastline absorbed all his troops and revenue, although he did promise to send artillery.

Another area in which James II came into conflict with the English was in the dispute over the Isle of Man where, by investing his second son Alexander in the political lordship, he revived claims to its suzerainty which had lapsed for more than 100 years. In 1266, the King of Norway had ceded the Sudreys, including Man, to Scotland, but the history of the Scots' possession of Man was fraught and turbulent, and there were numerous struggles with the English over possession. In 1313, Robert Bruce attacked Man, then in English hands, and on 20 December, he granted the island to Thomas Randolph earl of Moray, in free regality, retaining the patronage of the bishopric. The Scottish supremacy was short-lived, however, and sporadic conflict with the English in Man continued, although after the fiasco of Neville's cross in 1346, the Scots made little serious effort to reclaim Man. Henry VI granted the island to Sir John Stanley, giving him also the patronage of the bishopric, and Man was still in the hands of the Stanley family when James II embarked on his attempt to re-establish Scots domination. The excuse for intervention came when an English bishop was provided to the see of Man in 1455 and
James, claiming that Man was part of the diocese of Sodor and therefore a Scottish bishopric, sent an expedition from Kirkcudbright, following which, he invested his second son, Alexander, in the lordship. The Galloway accounts of 1456 record the disbursement of 36s for a ship that was sent to Man to explore when the king's army was there, and in the following financial year, £5 compensation was paid to Patrick Callander for the wreck of his ship while at the island of Man on the king's service, and a courier received five shillings for carrying letters from Dundrennan to the king at Falkland 'with news of the ships'. The Stanleys appear to have reacted to this provocation by erecting a curtain wall at Peel castle in Man. The expeditionary force does not appear to have accomplished very much except to antagonise the Stanleys who, in 1457, joined forces with the exiled 9th Earl of Douglas and invaded Kirkcudbright by sea, burning the town and plundering the Marches. However, James II did not succeed in re-conquering the island as his attention was necessarily distracted by other areas of diplomatic activity.

1458 saw James involved in discussions with France, Castile and Denmark. The parliament which met in Perth on 6 November 1458 appointed commissioners to travel to France: William Monypenny, John Kennedy, provost of St. Andrews, Patrick Folkart, captain of the Scots Guards, and Robert Pattilok. These commissioners were instructed to negotiate in the dispute between James II and King Christian
of Denmark, which had been referred to the arbitration of Charles VII. This dispute arose from the terms of a treaty made between James I and Eric of Norway in 1426 by which it was agreed that Orkney, Shetland and the Hebrides should pay a tribute to the Norwegian king. This tribute was a renewal of a pledge dating from 1266 when the Scots had agreed to pay 100 marks each year for the transfer of the western isles to Scotland. The agreement had been renewed in 1312, but payments lapsed until 1426 when James I promised to pay the annual, although his promise was not fulfilled and the tribute fell into arrears once more. King Christian of Denmark had established himself in Norway in 1451 and in 1457 he was recognised as King of Sweden. Charles VII wished to make an alliance with Christian I in May 1456, but Christian was anxious to settle the matter of the annual with the Scots and asked for Charles' help to that end.49

A convention was ordered to be held in Paris at Whitsuntide 1457, but in the winter of 1456/7, Bjarn Thorleifsson, governor of Iceland, along with his wife and companions, were attacked and robbed while seeking shelter from a storm in an Orkney port. King Christian wrote to Charles VII in April 1457 complaining about the outrage, and he stated that Thorleifsson had been taken to James' presence and all his goods and furnishings seized, in addition to the royal tribute and ecclesiastical rents from Iceland which the governor was accompanying to Denmark.50 The attack on Thorleifsson was an insult to Christian I, having been
perpetrated on Norwegian territory, as feudally the Earl of Orkney was a vassal of the king of Norway, and the dioceses of Orkney and the Isles were suffragans of Trondheim. The name of William Sinclair earl of Orkney is nowhere expressly mentioned, but as Dr. Crawford points out, it is very unlikely that such an attack could have been carried out within his earldom without his knowledge. The motive for such an attack is not entirely clear, but a number of facts pieced together are certainly suggestive. William earl of Orkney had held the office of Chancellor of Scotland from 1454, but his last recorded act in that office was on 20 October 1456 and he was subsequently replaced by George Schoriswood, bishop of Brechin. The attack on Thorleifsson took place in the following winter and the immediate effect was to postpone the meeting scheduled for Whitsun 1457, for upon hearing the news of what had taken place, Christian I had requested that the meeting be deferred until after the feast of St. Martin, on 11 November. William earl of Orkney may have believed that the outcome of negotiations between James II and Christian I would affect adversely his interests in Orkney. James' intention to achieve possession of Orkney and Shetland was not formally articulated until 1460, but it is probable that his plans were drawn up much earlier, and were known to the Earl of Orkney. Dr. Crawford has drawn attention to the fact that the earl had embarked on a long-term programme of land acquisition, buying randomly in Orkney what were termed 'conquest lands'. These were mostly outlying odal lands and such a policy was
probably a form of insurance, as the earl would have foreseen a drop in his revenue if Orkney were ceded to Scotland,

'if only because he would be unable to resist the Scottish crown's rights to rents and skatts from the earldom, as he was able to resist the Danish king's'.

Christian I's complaints to Charles VII that his repeated demands for redress had received no response may indicate that James II was unable to compel the Earl of Orkney to make amends, but Charles wrote to Christian on 18 May 1457, informing him that the Scottish king had agreed to send envoys on 1 October. This meeting did not take place and Christian, understandably furious, wrote a belligerent letter to James in which he threatened to take the matter to the Pope. This appears to have had some effect, because ambassadors were appointed to go to France which they may have done, eventually, in July 1459 when Danish ambassadors were certainly present at Chinon. Although no firm agreement was made, this may have been the first occasion on which the prospect of a marriage settlement as a solution to the problem was mooted. In December 1459, transumpts of the 1426 treaty were made at Copenhagen in readiness for the next meeting between the representatives of Scotland and Denmark, which took place in the summer of 1460 at Bourges. The Scots' demands were audacious in the
extreme. Hardly a mention was made of the annual except to state that in return for a marriage alliance all claims to the arrears of the annual must be remitted. In addition, the Danish king's right to Orkney and Shetland was to be given to Scotland, and the bride was to bring 100,000 crowns with her for her dowry. The Danish ambassadors were obviously in no position to reach an agreement on such terms, and the Scots for their part seem to have been unwilling to have the negotiations continue. They asked for a postponement of four months because Bishop Kennedy, who had set out for the meeting in the spring of 1460 in the company of Alexander duke of Albany, was lying ill at Bruges, and he had in his possession the original documents of the 1266 and 1426 treaties, which were deemed necessary for the negotiations. The death of James II on 3 August 1460 did not, apparently, cause the immediate breakdown of negotiations, but it removed the impetus for the time being.

The parliament which met in Edinburgh on 6 March 1458 gave its attention to social and economic matters and to the more effective administration of justice. This emphasis on the prosperity and effective husbanding of the resources of the realm indicates that the three estates were concerned to see the king working towards the restoration of normality within the kingdom following the turbulent years of the Douglas conflict, and James was exhorted to direct his energies 'to the quiet and commoune profett of the Realme'.
James certainly turned his attention to domestic matters but his overriding concern was to build up the royal house of Stewart to a position of unrivalled wealth and power, and this involved him in considerable conflict with members of his nobility. It has been suggested already that a divergence of interests caused the break between the king and the Earl of Orkney and it is worth examining the reasons for this in greater detail.

Orkney's first recorded marriage was to Elizabeth Douglas, the daughter of Archibald 4th earl of Douglas. He was her third husband, as she had been married first in 1413 to John Stewart earl of Buchan (killed at Verneuil in 1424) and secondly to Sir Thomas Stewart, the illegitimate son of Alexander Stewart earl of Mar. The dispute over the earldom of Mar dragged on for most of the first half of the fifteenth century, and although Alexander Stewart had only been granted the life-rent of the lands of Mar by Robert III, a charter by James I, dated 28 May 1426, gave them to the earl for life and to his son Thomas in fee. Thomas predeceased his father without issue, therefore Elizabeth never had anything but the most tenuous claim to the earldom of Mar; however, she does appear to have had some right to the lands of Garioch and in 1437, shortly after the murder of James I, she was given a grant of the fruits of the earldom of Garioch. It is interesting to note that the grant was made 'notwithstanding any restriction or
proclamation made in the contrair, be quhilum our fader of nobile mind', and this attests to the strong position of Orkney and his wife in the minority government, no doubt due to the fact that Archibald 5th earl of Douglas, lieutenant-general, was Elizabeth's brother. When Countess Elizabeth died in 1451, the king bestowed the earldom of Garioch upon Mary of Gueldres, which he was at perfect liberty to do without appeasing Orkney, as the Countess had held the lands only in life-rent, even though the 1437 charter stated that the tenants were to obey her and her spouse. Orkney apparently felt that he had some claim on the estates, as he forcibly uplifted a debt owing to him from a lease of his late wife's terce of the earldom of Mar, although there is no evidence that he had uplifted the terce at any other time since her death. On 29 April 1456, Orkney received a charter from James II bestowing upon him the office of keeper of the marches of the lordship of Nithsdale and the offices of sheriff of Dumfries and justiciar and chamberlain within the lordship in addition to the right of a pension of £300 sterling from the great customs of certain burghs. These offers were not entirely gratis, however, but were made in compensation for the waiving of Orkney's claim to the lordship of Nithsdale, and the charter also provided Orkney with the earldom of Caithness. This earldom had been in Orkney's family until 1375 when it was resigned by Alexander of Ard, after which, apart from a temporary grant of the title to the Atholl Stewarts in the reign of James I, it remained in the hands
In 1452, the lands of Brathwele (Berridale?), Dunbeath, Latheron and Watten, in the earldom of Caithness, were granted to George Crichton. These lands had belonged to Janet Dunbar whose husband, James Crichton, was George's second cousin. There is no record of George Crichton being granted the earldom of Caithness except in the Auchinleck chronicle where the chronicler writes that in the June parliament of 1452 'Sir George Crichton was beltit erll of Caithness'. This is probably accurate as, on 8 July 1452, a charter was issued by James II to George Crichton, annexing all his lands throughout Scotland to the earldom of Caithness and incorporating them into the regality of that earldom. However, in 1454, shortly before he died, Crichton 'resignit all his conquest landis in the kingis handis and maid him his air'. Between Crichton's death and the re-grant of the earldom to Orkney, the crown administered the lands, and it is likely that Orkney received the earldom of Caithness as a reward for his efforts at the siege of Threave, which fell in August 1455,
Dr. Dunlop has argued that James was concerned to appease and conciliate Orkney for the loss of his right to the lordship of Nithsdale, and any claim he may have felt entitled to in Mar and Garioch. She observes that James' efforts to have his sister, Isabella, return from Brittany to be married in Scotland coincide with the period when he would be concerned to appease Orkney. But Isabella's forthright refusal to comply with her brother's wishes can hardly have led to the office of chancellor being conferred on Orkney in recompense, because he ceased to be chancellor at approximately the same time that Isabella's desire to remain in Brittany was accepted. Orkney's fall from favour was bound up with his lack of sympathy with certain policies being pursued by the king. It has been suggested earlier that James II's attitude to Orkney and Shetland was not entirely to the Earl of Orkney's liking, and it appears that the final stage in the long-running dispute over the earldom of Mar was another area of grievance.

On 5 November 1457, in the Tolbooth of Aberdeen, an Assize of Error rejected finally the claim of Thomas lord Erskine to the earldom of Mar and found that the lands of Mar were of right vested in the crown. The Earl of Orkney had supported the Erskines previously, as in April 1449 when Sir Thomas Erskine had delivered a protest on behalf of himself and his father, being accompanied by the earls of Douglas,
Crawford and Orkney as witnesses. The earls of Crawford and Douglas were both dead and the king felt, no doubt, that such a record of pro-Erskine sympathy from his chancellor would not suit his plans for the earldom of Mar and therefore it was the new chancellor, George Schoriswood, bishop of Brechin, who acted as King's Advocate at the assize. The king was himself present, as he had come north on a justice ayre in October/November 1457, and this may attest to the importance placed by James on the earldom. The equity of the decision is open to question. George lord Leslie, who held some of his lands of the Earl of Mar, supported the king, and following the favourable result of the case, he became automatically a tenant-in-chief, and three months later, he had been elevated to the earldom of Rothes and had his lands of Ballinbreich erected into a barony and his town of Leslie Green made into a burgh of barony. The earldom of Mar was settled upon the king's son John, who was infeft during the financial year ending June 1459, although the king took advantage of his possession immediately and on 12 November 1457 he granted lands in the earldom of Mar and sheriffdom of Aberdeen to Edmund Mortimer.

James II showed great interest in the north following the forfeiture of the Douglases, and the accounts in the Exchequer rolls, in addition to a number of royal charters, show that James came north in 1456 and 1457, staying at Inverness, Elgin, Spynie castle (the seat of the Bishop of
Moray), the monastery of Kinloss and Aberdeen.\textsuperscript{81} The king caused extensive repairs to be carried out at Inverness castle under the direction of John Winchester, bishop of Moray, and he sanctioned the continuation of building work which had been initiated by Archibald Douglas, at the Moray castle of Darnaway.\textsuperscript{82} The island fortalice of Lochindorb, which had been fortified by Archibald Douglas against the king in 1455, did not fare so well however, and a warrant was issued to the Thane of Cawdor in March 1456 ordering its demolition.\textsuperscript{83}

This action by the king, and his general attitude towards the earldom of Moray, brought him into conflict with Alexander earl of Huntly and his son George master of Huntly. The forfeiture of Archibald Douglas earl of Moray in 1455 had resulted in the earldom of Moray falling to the crown. James Crichton, who was married to the elder Dunbar heiress of Moray and who had been 'beltit erll' briefly in 1452,\textsuperscript{84} died in 1454, and the king appears to have encountered no opposition to his claim to the earldom from Crichton's family. However, the Earl of Huntly's son George entered into a contract to marry Countess Elizabeth Dunbar shortly after the death of her husband, Archibald Douglas, at the battle of Arkinholm, and he clearly hoped by this to acquire the earldom of Moray in Elizabeth's dowry.\textsuperscript{85} Alexander earl of Huntly's wife was Elizabeth Crichton, the sister of the late 'beltit erll' and the Gordons may have felt that the earldom of Moray was a suitable reward for
their loyal service to the crown, but the king was not noticeably lavish in his rewards to the Gordons and he appeared reluctant to encourage the increase of Gordon power and influence in the north. Consequently, the earldom of Moray was settled on David, the king's youngest son, and the estates continued to be administered by the crown even after the death of the young prince before 18 July 1457. James tried to increase the profits of the earldom of Moray by leasing some of the lands of Darnaway and by appointing four commissioners to revise the rentals of Moray: the Thane of Cawdor, Master Thomas Carmichael, canon of Moray, Patrick lord Glamis and John Winchester, bishop of Moray.86

The king's antipathy towards the Gordons is apparent in the destruction of Lochindorb, which was to have been delivered to Huntly when George married Elizabeth Dunbar, and a further slight occurred when Patrick lord Glamis replaced the Earl of Huntly as keeper of Kildrummy castle.87 This was not an amicable arrangement, apparently, as on 7 March 1457, the Earl of Huntly, George master of Huntly and their heirs were granted a remission for their devastation of the lands of Mar.88

In contrast to his attitude in the north-east, James II's policy towards John earl of Ross and lord of the Isles was placatory. The Exchequer Rolls show that Ross was allowed entry to some of his lands at the age of only sixteen, and his seizure of the castles of Inverness, Urquhart and
Ruthven in March 1451 was condoned. Further than this, Ross was invested with the liferent of Urquhart and Glenmoriston (annexed to the crown in 1455) and he was made keeper of Urquhart castle. His half-brother Celestine (or Gillespic) also found favour with James II; in 1456 he was presented with a silver collar and chain worth £20 and shortly afterwards he was given the keepership of Redcastle. These actions demonstrate James' ability to tread a fine line between firm action and measures which would invoke dangerous reaction. He carefully endeavoured not to leave himself devoid of support and would act against certain members of the nobility whom he deemed to be threatening his interests while simultaneously rewarding or advancing others.

One important criterion of good mediaeval kingship which James II certainly exhibited was that of travelling extensively throughout the realm and being seen in the localities. In February and March 1457, James travelled to the south-west of Scotland on a justice ayre, and charters were issued from Wigtown, Kirkcudbright and Dumfries. On 23 May 1455, James II had confirmed a charter by James earl of Douglas to his secretary Mark Haliburton, dated Castle of Douglas 28 March 1453, of the lands of Glengennet and Bennan lying in the earldom of Carrick. On 3 October 1455, while he was visiting Tongland, James II issued a charter to Mark Haliburton of that ilk of the half of the barony of Trabeath called Glengennet, proceeding on the forfeiture of James 9th
earl of Douglas and this grant was repeated on 22 April 1456. However on 31 March 1457, the king granted to his half-brother James Stewart the lands of Bedshiel within the sheriffdom of Berwick, which were in the king's hands by the forfeiture of the late Mark Haliburton, and on 19 April, Stewart was given a royal grant of the barony of Trabeath, alias Glengennet, formerly belonging to the forfeited Haliburton. The death and forfeiture of Mark Haliburton may have coincided with the king's visit to the southwest and it is possible that Haliburton had been in contact with his erstwhile patron, James Douglas. The purpose of the king's visit was undoubtedly to show a strong royal presence in an area only recently deprived of its baronial overlord and perhaps to crush any lingering support for the exiled earl. It is also significant that on 24 February 1457, Andrew Stewart, who had received the Douglas title, lord Avandale, witnessed a charter as Warden of the West Marches and on 20 March and 28 April he was styled 'King's Guardian' which seems to be a position directly related to the personal protection of the king.

In 1458, the lands of Drumblade (north-west Aberdeenshire) and Towie (Aberdeenshire, near Kildrummy) fell into the hands of the crown through the forfeiture of the wife of Sir James Douglas of Ralston. James Douglas (who is also styled as of Lochleven or Lugton) was the brother of Sir Henry Douglas of Lochleven and he had taken part in the tournament at Stirling in February 1449, where he josted with knights...
of Burgundy in the company of James master of Douglas. Douglas of Ralston was a supporter of the Earl of Douglas, and he is named on an English safe-conduct obtained by William earl of Douglas on 12 May 1451, but he did not share in the 1455 disgrace of the Douglasses as he was despatched by James II on an embassy to the French court in 1456. It is possible that, under cover of this embassy, James Douglas of Ralston was able to intrigue with the exiled Earl of Douglas, or was at least suspected of having done so, and he and his wife fled to England and were forfeited by 1458 for complicity in the treason of the Black Douglasses.

One person who managed to escape the worst consequences of his association with the Douglasses was James Lindsay of Covington. On 14 July 1434, James Lindsay was served heir to his father, John Lindsay 'quondam Domini de Cowantoun', and his career in the 1440's was inextricably bound up with the earls of Douglas. Lindsay witnessed a number of Douglas charters and, in a supplication to the Pope for a dispensation to hold two parish churches, dated 3 October 1444, he is styled 'first secretary and counsellor of the earl of Douglas'. On 11 March 1448, an instrument was taken upon James Lindsay's admission to the collegiate church of Lincluden, and he appears as a witness on a number of royal charters under the designation, provost of Lincluden. On 12 January 1453, Lindsay was given the office of keeper of the privy seal, and he witnessed charters in that office until 14 April 1454 after which he disappears
from official records, with the exception of a charter issued to him by James II on 3 June 1456. James Lindsay was evidently also a kinsman of the earls of Crawford, and on 18 June 1449, he witnessed a charter by Alexander 4th earl of Crawford to John, 'brother-german' of James lord Hamilton, and he received, from the 4th earl, the keepership of Crawford castle in Lanarkshire, the bailiary of Crawford-Lindsay and a tenancy in the lordship of Crawford-Lindsay. Such strong connections with two members of the bond which precipitated the murder of William earl of Douglas in 1452 must have placed James Lindsay in a precarious position in the period of strife against the Douglases, although he held the office of keeper of the privy seal throughout 1453 (the year in which Alexander earl of Crawford died) and the temporary compromise with the 9th earl of Douglas. The final collapse of the Douglases in 1455 seems to have heralded James Lindsay's disappearance from active court service and he may have retired to Lincluden to live down his Douglas/Crawford associations. An intriguing entry concerning James Lindsay exists in the Auchinleck chronicle, and reads:

'Item the said quene (Mary of Gueldres) efter the deid of king James the secund tuke master James lyndesay for principale counsalour and gart him kepe the preve sele nochtwithstanding that the said master James was excludit fra the counsall of the forsaid king and fra the court and for his
werray helynes and had bene slane for his demeritis had nocht bene he was redemit with gold'. 107

Lindsay's exclusion from the king's council and court agrees with the available record evidence, although the exact meaning of 'helynes' in this context is not clear. It has been suggested that the word has its roots in the teutonic 'hael' and conveys a meaning of subtlety or duplicity. 108 A sarcastic reference to Lindsay's 'holiness' in the sense of false piety may be intended and in order to escape the penalty of his duplicity (which may be little more than his recorded association with Douglas) Lindsay must at least have been reputed to have given money to the king, although there is no record of this in the exchequer accounts. James II was not prepared, evidently, to re-instate Lindsay to a position of trust, and he had to wait until the king was dead before he could return to court in the service of the queen.

James II was clearly selective in his use of patronage, but his awareness of the importance of consolidating loyal support extended to making use of his sisters as instruments of appeasement, and when the two princesses, Annabella and Joanna returned to Scotland from Europe in the spring of 1458, Annabella was married to George master of Huntly, and Joanna, who was deaf and dumb, was married to James Douglas of Dalkeith, recently created Earl of Morton. 109 The king
also provided endowments for his family, as witnessed by the revival of the dukedom of Albany in 1458 for his second son, Alexander earl of March, although this was an honorary title rather than one conveying much wealth and power. Sir John Stewart, half-brother to the king, was created Earl of Atholl before 20 June 1457, and when Margaret Douglas, 'Fair Maid' of Galloway, returned to Scotland and placed herself under James' protection, she was given in marriage to the Earl of Atholl with the forfeited Douglas lands of Balveny as her portion. This marriage had taken place by 25 March 1460, when the king granted a charter to John earl of Atholl and Margaret, his spouse, of the lordship of Balveny and other lands in the sheriffdom of Banff.

The elevation of James Douglas 3rd lord of Dalkeith to the earldom of Morton was probably intended to give stability to a family which had been involved in a complex internal struggle for more than a decade. James lord Dalkeith was in possession of the regality of Morton in Nithsdale when the crown proposed to erect it, along with his other lands, into the earldom of Morton. Lord Dalkeith's great-grandfather, Sir James Douglas, had acquired Morton originally from his brother-in-law, George earl of March. The son of the first lord Dalkeith had become insane during his father's life-time and his step-mother and younger brothers used the opportunity to acquire rights prejudicial to the third lord Dalkeith, then a minor. Shortly before his death, the 1st lord Dalkeith obtained a new charter of the barony of Morton.
as a regality and he took the investiture to himself and his wife, Janet Borthwick, with remainder to her son, William. Janet viewed her step-grandson's new earldom as a usurpation of her rights, and on 14 March 1458, when the king's intention to create the earldom was announced in parliament, Janet's brother, lord Borthwick, raised the objection that his sister and nephew had the legal right to Morton, not the lord of Dalkeith. The reply of chancellor Schoriswood was that the earldom was not for Morton in Nithsdale, but for Morton in Calderclere, Midlothian. This suggests that some people still thought in terms of land in connection with titles, even though dignities which were essentially of an honorific nature were becoming more common.

Such a title was the one conferred on William lord Keith who became Earl Marischal in 1458. This earldom did not carry with it any landed wealth, but it raised William lord Keith, hitherto a lord of parliament, above his peers and may be regarded as a gesture of gratitude for loyal support in the past which the king hoped would continue, without having given away very much at all in any tangible sense. Keith's title derived from his judicial office rather than his estates.

Another lord of parliament who was given an earldom in 1458 was Colin lord Campbell, who became Earl of Argyll; this is the only creation of James II's which was based on
Colin Campbell was the grandson of Sir Duncan Campbell of Lochawe who became a lord of parliament as lord Campbell in 1445. Duncan's son, Archibald, pre-deceased him, therefore when Duncan died in 1453, Colin succeeded him as the second lord Campbell. His marriage to Isabel Stewart, one of the three co-heiresses of John lord of Lorne, brought him that lordship in the following reign and his creation as Earl of Argyll in 1458 appears to have been the result of loyal and diligent crown service as his name appears as a witness on a number of royal charters. James II would have been keen to have a loyal crown supporter established in the west, if only to form a buffer and act as the king's agent against any possible trouble coming from the lord of the Isles. Thus, James repleted the diminished ranks of the higher nobility, although at little cost to himself, and he prepared, from this enhanced power base, to involve himself on the wider stage of diplomacy and military aggression.

The truce with England, which had been made on 10 June 1457, was disrupted continually by border raids and acts of piracy, one of which resulted in a vessel, dispatched by the bishop of Galloway with a cargo of wine and iron, being captured by the English and delivered to the Yorkist Earl of Warwick at Calais, and as a result of this, James II sent Rothesay Herald to the English court in October 1457 to demand redress. Breaches of the truce were settled, as far as possible, by commissions, and an indenture was signed
at Riddenburn on 29 September 1458, at which the Scots commissioners were Ninian Spot, bishop of Galloway and keeper of the privy seal, the abbots of Holyrood and Melrose, lords Hailes and Borthwick, Patrick Young, Nicholas Otterburn, clerk register, Sir Alexander Home of Dunglass and Andrew Kerr of Altonburn. Also present were the Earl of Angus, Sir Simon Glendinning and the chancellor, George Schoriswood, bishop of Brechin. This indenture demanded the extradition of all the Scots king's rebels who had not renounced their fealty and taken their oath as Englishmen (thus excluding Douglas, who had formally renounced his fealty) and the English commissioners promised to given an answer on 15 January 1459. However, on 23 February 1459, Andrew Hunter abbot of Melrose and Rothesay Herald were sent to England again to seek redress for truce violations and for the restitution of £1000 stolen during the talks at Riddenburn.

The making and repairing of the terms of the truce continued to be carried out sporadically and a treaty, signed at Newcastle on 12 September 1459 and ratified at Westminster on 20 February 1460, dealt with an extension of five years to a truce already prolonged until 1463. Such negotiations and extensions have every appearance of being cynical stalling devices while both sides prepared themselves for conflict. On 10 May 1459, the abbot of Melrose and Rothesay Herald were in England on business for James II, the nature of which is not revealed in the records, but their trip
coincided with a gathering of supporters of the Lancastrian cause at Leicester. On 13 July 1459, a safe-conduct was issued for an embassy which included the bishops of Glasgow and Galloway, the Earl of Orkney (obviously restored to some measure of favour) and the abbot of Melrose, to travel to England to treat for the preservation of the truce. On 15 March, George Schoriswood bishop of Brechin had received a safe-conduct to go on pilgrimage to Durham where he was able, no doubt, to discuss with Bishop Booth, the Lancastrian keeper of the privy seal, the 'secret matiris' already broached by the abbot of Melrose. However, James was clearly keeping his options open by negotiating with both political factions in England, and the Duke of York, still serving as the king's lieutenant in Ireland, sent an envoy to the Scottish court and in return, James sent Archibald Whitelaw, his son's tutor, to conclude a treaty with the duke. Richard duke of York's staunch supporter, the Duke of Burgundy, was also approached and James sent his young half-brother, James Stewart, as negotiator. On 27 March 1459, Stewart and his associates received safe-conducts to pass through England to Calais. He was accompanied by John Ross of Hawkhead, the knight who had fought against the Burgundians in the lists at Stirling in 1449. A few months later, Stewart was being entertained by the Count of Veere, ally of the Duke of Burgundy and the father-in-law of Princess Mary Stewart, lady of Buchan. By this time, the political affiliations of the king of
Scots appear to have swung in the direction of York and just prior to the Yorkist invasion of England from Calais in July 1460, it was rumoured in Bruges that the Scottish king intended to make a simultaneous attack with an army numbering 30,000, and that one of his daughters had been married to a son of York. Preparations for war were certainly under way in Scotland as may be seen by the importation of bombards from Burgundy, (one of which was Mons Meg) the employment of a German gunner and a French armourer, and the expenditure of large sums of money on armaments.

The office of chancellor changed hands once more, it seems, to suit the political wind. Andrew Stewart lord Avandale was chancellor by July 1460, thus depriving George Schoriswood bishop of Brechin who had been in charge of negotiations with the Lancastrians. James also contemplated the advantage of support from Ireland being brought in from the west, and in July 1460, Andrew Agnew, sheriff of Wigtown was sent as an envoy to the chieftain O'Neill in Ulster.

The Lancastrian dynasty was overthrown at Northampton on 10 July 1460 and James took immediate advantage of the resulting turmoil to launch his attack. In England it was reported that James II 'with all his power is expected to lay siege to the town and castle of Berwick-on-Tweed'. However, the object of attack was actually the castle of
Roxburgh, although James may have intended to move on to Berwick following its recapture. Thus, at the end of July 1460, James laid siege to the castle of Roxburgh. The preparations for war which had been going on for some time enabled James to bring an army into the field with great speed. Roxburgh was an important stronghold both to the English and the Scots. To the English, their possession of Roxburgh was a tremendous psychological advantage, held as it was on Scottish soil, and the garrison was maintained at the cost of £1000 per annum in time of truce, and double that amount in wartime. To the Scots, it was an intolerable symbol of English occupation and over it hung the spectre of James I's ignominious failure to recapture it in 1436. James II eagerly put to use the artillery which he had been accruing busily for a number of years, but unfortunately, it was this very passion for guns and the king's determination to watch his artillery in action which led to his untimely death just two months short of his thirtieth birthday. The only contemporary account of the king's death occurs in the Auchinleck chronicle:

'The zere of god 1460 the thrid sonday of august king James the secund with ane gret ost was at the sege of Roxburgh and unhappely was slane with ane gwn the quhilk brak in the fyring/for the quhilk was gret dolour throu all scotland and nevertheless all the lordis that war thar remanit still with the oist and on the fryday after richt
Bishop Lesley adds the details that a wedge breaking from a gun slew the king and grievously wounded the Earl of Angus, and Pitscottie states that James was so heartened with the arrival of the Earl of Huntly with his company that he ordered the gunners to discharge a volley, whereupon a fragment from a broken gun severed the king's thigh bone and he died shortly afterwards. The *Extracta* states that the fatal salvo was fired in honour of the arrival of the queen at the siege, but the Auchinleck chronicle gives the impression that the queen and the young prince James were in Edinburgh and were sent for by 'the lordis', the names of whom are unfortunately not recorded. The Auchinleck chronicler states that the prince came to Kelso 'with his moder the quene & bischopis & uther nobillis...on the fryday efter the deid of the king'. If the king had been killed on Sunday 3 August, then the prince must have arrived in Kelso on 8 August, on the same day that Roxburgh was taken, and his coronation followed on Sunday 10 August, exactly one week after the death of his father.

The 1460 campaign to recapture Roxburgh from the English appears to have been executed with far more enthusiasm than the 1436 campaign which broke up amid internal squabbling within the host and between James I and his nobles. In 1460, the Scots were able to capitalise on the chaos in England brought about by the conflict between the Yorkists
and Lancastrians, and the impetus of the campaign continued even after the death of James II as, following the crowning of James III at Kelso, 'the forsaid lordis passit to the castell of werk & sone thai wan that castell and Incontinent kest It doune to the erd and distroyit It for ever'. The English border castle of Wark stood on the banks of the river Tweed, a few miles north-east of Roxburgh and its destruction removed an important English stronghold. However, the Scots did not, apparently, press home their advantage by attempting to recapture Berwick as the most important task to be faced was the establishment of the minority government for the eight year old king.
Notes, Chapter 6.


2. A.P.S., ii, 42.

3. Dr. Nicholson has calculated that the former Black Douglas possessions contributed £1450 besides payments in victuals, and the annexed lands plus the customs should have given the crown a permanent endowment that was worth approximately £6050 per annum in cash. Nicholson, *op cit.* 379; E.R., vi, 113-32.


5. Ibid., cxi-cxliii.

6. Ibid., 265,360,514.

7. Ibid., 217,221,376.

8. Ibid., xc.


10. Fraser, *Douglas*, iii, 429,430.

11. H.M.C. Report xi, Hamilton 17 (1 July 1455), Hamilton 18 (6 August 1457).


15. R.M.S., v, 54; E.R., vi, 556.


18. A.P.S., ii, 43-44.

20 A.P.S., ii, 44
21 Pitscottie, Historie, 138
22 This letter is printed in Pinkerton, History, i, 486
23 Stevenson, op cit.
24 S.P., vi, 276; Complete Peerage, ix, 161
25 R.M.S., ii, 344, 625, 647, 653
26 S.P., vi, 277
27 Off.Corr. of Thos. Beckynton, ii, 139-141
28 E.R., vi, 184, 187, 261
29 The river Kale, a tributary of the Teviot. S.R.O;
   Calendar of Charters, ii, 344.; E.R., vi, 226-7, 258
30 Chron. Auchinleck, f.119r
31 E.R., vi, 243
32 Stevenson, Wars, i, 330-1
33 A.P.S., ii, 45, 48
34 E.R., vi, xlv-xlvi; 305-7, 384
35 This worked out at approximately three times the value
   of Scots money.
36 E.R., vi, xlv-xlvi, 305
37 Ibid., 308-10. These materials were delivered to John
   Dunbar who had held Threave against the king in 1455,
   but had since been received into favour and employed as
   a supervisor of military materials.
38 E.R., vi, 205
39 Rot.Scot., ii, 378-83
40 D'Escouchy, Chronique, ii, 352
41 C.P.R., vi, 346, 356
42 Stevenson, Wars, i, 332-51
Thomas Burton was provided to the bishopric on 25 September 1455. The previous bishop, John Seyre, had been consecrated on 11 November 1435, but it is not known when he ceased to be bishop. The Scottish bishop of Sodor or the Isles was John Hector Macgilleon who was provided on 2 October 1441. H.B.C, 255


A similar incident took place in the winter of 1466-7 at a time when the Danish negotiations had been revived. On this occasion, it was the bishop of Orkney who was attacked, and this led to the postponement of the marriage negotiations until 1468. Crawford, B, 'William Sinclair, Earl of Orkney, and his Family: a study in the Politics of Survival' in Essays on the Nobility of Medieval Scotland, ed. K.J Stringer (Edinburgh 1985) 235-37

Crawford, B, 'The Earls of Orkney - Caithness', 292-295

Ibid., 303

Ibid., 304
This was a new prospect, occasioned by the birth of a daughter to Christian I on 23 June 1457. Ibid.

Charles VII drew up a document summing up the negotiations on 8 October 1460, therefore the discussions must have taken place a short time before.

This was clearly a stalling device, because the documents could have been fetched by other members of the embassy. Crawford, B., op cit., 305

Torfaeus, 'Orcades', 185-6

A.P.S., ii, 52

S.P., iii, 167

E.R., vi, cxix

Ibid., v, 55

Hay, Sainteclaires, 91

E.R., v, 516

Hay, Sainteclaires, op cit.

A.A.B., iv, 204-05; E.R., vi, 267-8. Orkney leased the terce to Alexander Seton of Gordon.

Fraser, Douglas, iii, 85


R.M.S., ii, 549

Chron. Auchinleck, f.115v - 116r

R.M.S., ii, 587

Chron. Auchinleck, f.117r

E.R., vi, 70

Dunlop, Kennedy, 185

Isabella had been widowed in 1450 and her
brother-in-law, Duke Peter, succeeded to the Duchy to
the exclusion of her children who were girls. Isabella
resented her brother's attempts to interfere in Brittany
and resisted all attempts to bring her home.

76 Crawford, B, 'The Earls of Orkney - Caithness', 297
77 A.B.W. iv, 205-13; Spalding Miscellany, v, 275-6
78 A.P.S., ii, 61
79 H.M.C. Report iv, 495-503; S.P., vii, 274
80 A.B. Coll., 606. The exact identity of this Edmund
Mortimer is not known. He may have been related to
Edmund Mortimer earl of March, who died without
legitimate issue on 18 January 1425 in Ireland. Richard
duke of York succeeded his uncle, Mortimer, as Earl of
March, and it is possible that Edmund Mortimer was
connected with the Yorkist cause which James II was
courting at that point. Chrimes, S.B, Henry VII, 73
81 E.R., vi, 380, 468, 475-6
82 Ibid., 221, 469, 482, 521, 220, 380
83 Ibid., 486. The 1458 accounts show that Lochindorb was
destroyed by the Thane of Cawdor at a cost to him of
£24. A letter of warrant for Lochindorb's destruction
had been issued to the Thane by James II as early as 5
March 1456: Cawdor Book, 21-2
84 Chron. Auchinleck, f. 115v
85 Spalding Club Miscellany, iv, 128-30. The indenture was
made at Forres on 20 May 1455.
86 Cawdor Book, 19; Dowden, Bishops, 159-60
87 E.R., vi, 269
88 A.B.E.L., iv, 203
89 E.R., vi, 221,376,514,650
90 Ibid., 124,518
91 Wigt. Chr., 143: 24 February 1457; Ibid 144; 8 March 1457; S.R.O., RH 1/1/2; 9 March 1457; Fraser, Carlaverock, ii, 42; 20 March 1457.
92 S.R.O., GD 25/1/62
93 Ibid., 64,65
94 H.M.C., Home, 64
95 S.R.O., GD 25/1/72
96 Wigt. Chr., 143
97 Fraser, Carlaverock, ii, 42; Wigt. Chr., 89. Avandale was also the keeper of Lochmaben castle in 1456, and his title 'gardianus rex' may have a parallel in the office held by David Guthrie in the following reign, of Captain of the royal guard.
98 S.P., vi, 365-66
99 Stevenson, Wars, i, 243
100 E.R., vi, 435,514
101 Lord Lindsay, Lives of the Lindsays (London, 1849), i, 152
102 C.S.S.R., iv, 1071
103 Lives of the Lindsays, i, 452
104 R.M.S., ii, 594,595; NLS, Acc. 5976, Box 6, 14
106 NLS, Acc. 5474, bundle 58
107 Chron.Auchinleck, f. 120v
109 R.M.S., ii, 745, 699; E.R., vi, lviii
110 E.R., vi, 441, 516
111 Rot.Scot., ii, 383; C.D.S., iv, 498
112 H.M.C., Report vii, 708
113 Reg.Honor.de Morton, i, 77-79. The charter was confirmed by David II in 1370.
114 R.M.S., ii, 135: 28 February 1440. In her widowhood, Janet obtained two confirmations - R.M.S., iv, 6, 192: 7 March 1450, 22 March 1451.
115 A.P.S., ii, 78; E.R., vi, lvii - lviii
116 S.P., vi, 40; R.M.S., ii, 62
117 S.P., i, 331-2
118 C.P.R., vi, 400, 405
119 C.D.S., iv, 1257
120 R.M.S., ii, 677. At the same time, Marchmont Herald was despatched to the Earl of Northumberland 'about the truce and his answer respecting the security of ships and merchants'. E.R., vi, 498
121 Ramsay, Lanc. and York, ii, 213
122 C.D.S., iv, 1301
123 Rot.Scot., ii, 390-1
124 E.R., vii, 33; Gairdner, Letters of Richard III, i, 63
125 James Stewart can have been little older than seventeen in 1459.
126 Foedera, xi, 420
127 Manuscript Accounts of Veere, 213 - 17 November 1459; Dunlop, Kennedy 206. The Buchan title was conferred on Mary on her marriage. James Stewart was created Earl of
Buchan in 1469—after the death of his half-sister: S.P., ii, 266

128 Milan Papers, i, 27

129 E.R., vi, 385-6, 456, 495-99. The exchequer accounts show numerous entries concerning expenditure on the transportation and repair of bombards with brass, copper and iron, canvas for the king's tent and money spent on making arrows and lances in Edinburgh castle. Mons Meg was imported in 1458. Caldwell, D., Scottish Weapons and Fortifications 1100-1800 (Edinburgh, 1981), 90, n.12

130 H.M.C., Home, 278 - 6 July 1460.


132 E.R., vii, 9; Agnew, A, Hereditary Sheriffs, 276-7

133 C.D.S., iv, 1307

134 If James II's attack on Roxburgh was a reaction to news of the battle of Northampton, then he had mustered an army in approximately a fortnight and he may, therefore, have been carrying out plans which were made in advance of the battle.

135 Rot.Scot., ii, 360-1 - Indenture, 12 February 1453.

136 Chron.Auchinleck, f.119v

137 Lesley, History, 31

138 Pitscottie, Historie, 143

139 Extracta, 243-4

140 Chron.Auchinleck, op.cit.
141 Ibid. The Auchinleck chronicler is guilty of some exaggeration when he states that Wark castle was destroyed for ever, as James IV laid siege to it in 1513. Nicholson, The Later Middle Ages, 607
Chapter 7 - The King and his Chroniclers, 1

The lack of comprehensive official documentation for the reign of James II has led writers to place a heavy reliance on chronicle sources. Such sources are inherently unsatisfactory as the only contemporary chronicle is fragmented and not totally comprehensive, and the chronicles which deal more fully with the reign and provide the greatest detail about events and personalities were written in the following century and are not concerned with an objective analysis of the reign but rather the exposition of a particular political or constitutional principle. The major problem posed by the sixteenth century chroniclers is the uncertainty about their sources of information and many stories which became incorporated into the standard view of the reign are unverifiable, although it is possible to trace the growth of particular myths or distortions and, to a certain extent, to analyse the motivation behind the writing of the 'Histories'.

In the late fourteenth century, John of Fordun, a chantry priest in the cathedral church of Aberdeen, established an historiographical tradition with an intense patriotic bias, based on a long and largely mythical pedigree of Scottish kings, which emphasised the antiquity and independence of the Scots and attacked the British historical tradition based on the legend of Brutus espoused in Geoffrey of Monmouth's *History of the Kings of Britain*. Fordun's work
inspired Walter Bower, abbot of Inchcolm, to write a continuation, which became known as the 'Scotichronicon' and which Bower began sometime before 1441. The Scotichronicon is much more than a chronicle in the strict sense of a continuous register of events in order of time, as it deals with religion and philosophy in addition to history, with frequent homiletic digressions. The Scotichronicon set the trend, various copies and abridgements were made, and many subsequent histories were largely derivative.

An anonymous poem known as 'The Harp' occurs at the end of certain manuscripts of the Liber Pluscardensis, a work founded mainly on Bower's Scotichronicon. Liber Pluscardensis stops, effectively in 1437, with the death of James I, although it does contain occasional brief references to events up to 1453 and mentions the death of James II in 1460. 'The Harp' was not composed as an intrinsic part of the chronicle and was added, it appears, for the purpose of instruction. Dr. Lyall, who has studied the various extant manuscripts, argues that the poem was introduced in the context of the minority of James II, although it was written later than 1449, when James assumed full royal authority, according to the evidence of the final stanza

'My soverane Lord, sen thow hes gevin me leif
to fy(nd) faltis that forfaltis to thy crown,
Quhilkis to thi majestie may gane stand or greve,
Thow-mak thairfoir gude reformatioun;
Heir I protest be my salvatioun,
It that I say tuichand thy majestie
Is for the proffitt of thy realme and the'

It is unlikely that 'The Harp' was written any later than 1461 (the last date referred to in Liber Pluscardensis) and F.J.H. Skene, who edited the text in the late 1870s, considered that the poem could be dated to the 1450s.

The poem is concerned with the conventional problems and criticisms of mediaeval kingship – the effective administration of justice, the importance of employing wise counsellors of suitable stature and punishing those officials who transgress their authority – but the author of the poem does become more specific in his condemnations and roundly criticises the king on the subject of remissions. In cases where a crime had been committed for which the law demanded rigorous punishment, but the king granted a remission, he had offended against both God and his royal office or, as the poet puts it:

'Bot of a thing all guòd men mervalis mare:  
Quhen gret console, with thin awyn consent  
Has ordand strayt Justice, na man to spare  
Within schort tym thou changis thin entent  
Sendand a contre letter in continent,
This certainly provides proof that the liberal use of remissions was a source of discontent at least as early as the reign of James II, and this is supported by evidence from official records. In the March parliament of 1458 an act was passed 'Anentis the contentascione of parteis plenyeande of personis quhilkis has remissionis of the king', and the Exchequer Rolls, in the account registered on 19 June 1458, provide some evidence of the scale of remissions. Adam Abell, in his 'Roit or Quheill of Tyme', referred to James II's reputation for good justice, but this is evidently not an entirely accurate view, although Dr. Macdougall has pointed out that the evils of which the author of 'The Harp' complains were endemic in society, that all kings were guilty to some extent of abusing the system, and James II clearly was no exception. 4

The earliest 16th century chronicle is the Extracta E Variis Cronicis Scocie, 5 the bulk of which is based on Bower's own abridgement of the Scotichronicon, although the information for the reign of James II is clearly derived from another source. The author of the Extracta was probably Alexander Myln, the author of the Lives of the Bishops of Dunkeld. 6 Myln was educated at St. Andrews University and he became a prebendary of the cathedral of Dunkeld and official of the diocese, and when the diocese was divided into the four
deaneries of Atholl, Angus, Fife and Strathearn, he was appointed Dean of Angus. On 28 October 1516, John duke of Albany, regent of Scotland, petitioned Pope Leo X to present Alexander Myln to the abbacy of Cambuskenneth and this appointment took place officially in 1517. Myln was deeply interested in the study of literature and the furtherance of learning, and was well aware of the importance and value of collections of early muniments, and he had found many of the records and charters of Cambuskenneth (some of them dating from the middle of the twelfth century) in a state of decay. For this reason, he procured a warrant from the king for the transcription of the Cambuskenneth records and the Register of the Abbey of Cambuskenneth was made in 1535. There appears to have been at least one previous register of the abbey's charters, as certain extracts and transsumpts found elsewhere make reference to having been taken 'De libris Registri Cambuskynneth', although they do not appear in the 1535 register. The disappearance of certain records may be attributed to neglect after their incorporation into the register in transcription and some material must undoubtedly have been destroyed in 1559 when a great part of the abbey was pulled down.

Myln's Latin history of the lives of the bishops of Dunkeld from 1127 to 1515 was dedicated to Gavin Douglas, who had been provided to the bishopric of Dunkeld in 1515 and of whose life there is a short narrative with which the work ends. Gavin Douglas died in September 1522, but Myln wrote
of him in the present tense, therefore the Lives must have been written before Myln's move to Cambuskenneth in 1517. It is probable that the Extracta was written at Cambuskenneth as it seems, apart from the Scotichronicon derivation, to have been a collection of material found in Cambuskenneth which dealt with events of church and state in the reign of James II. The identification of Myln as the author of the Extracta is further indicated by the attention given in the work to the bishops of Dunkeld and also to events and personalities in Angus. The section of the Extracta relating to Bishop Kennedy, who was translated from Dunkeld to St. Andrews, follows the text of the Lives exactly, and the bulk of the section covering the years of James II's reign deals with church affairs with largely annalistic entries for the political events. The Extracta provides some original material in the account of the battle of Arbroath, the details of which must have come from a local tradition in Angus, and it is in the Extracta that the motive for the battle of Arbroath is first explained in terms of the dispute over the bailiary of Arbroath abbey between Alexander Lindsay, master of Crawford, and Walter Ogilvy. The date is not strictly in accordance with the Auchinleck chronicle, which dates the battle very specifically as having taken place on Sunday 26 January 1446, whereas the Extracta gives the date 20 January 1447. David Lindsay, earl of Crawford, was fatally wounded in the conflict and the Extracta is the first source to relate the story of the Countess of Crawford smothering the wounded
Walter Ogilvy after the battle as revenge for the death of her husband, notwithstanding the fact that Ogilvy was her brother.

There are a number of original components in the Extracta's account of the fall of the Black Douglases. When William earl of Douglas went to Stirling during Lent, on the king's summons, he was charged by James II with having assisted Alexander earl of Crawford in his rebellion and urged to break the bond which he had made with Crawford. No mention is made of the Earl of Ross in the Extracta's account of the Douglas bond, and it is not clear to what rebellion of Crawford's the author is referring. The only murderers named in the Extracta are Patrick master of Gray and William Cranston, and these are certainly two of the men named by Auchinleck, but where the Extracta departs radically from all other accounts of the murder of Douglas is with the story that the earl, having been laid out in a coffin, could not give up his spirit until a certain serving girl, following Douglas's instructions, took a cross from his neck, whereupon his spirit immediately departed. Douglas was then buried—quietly in the place of the Dominicans of Stirling. The author was clearly using a source or oral tradition which was not widely known or was ignored by other writers as this is the only place where the account appears. The Extracta also has the story that the king found himself in such a weak position following the murder of Douglas that he considered fleeing to France, but was dissuaded from this
course by the wise counsel of Bishop Kennedy of St. Andrews. This became a popular theme, and is repeated in most of the later chronicles; for example, Lesley, Pitscottie, and Chalmers of Ormond all ascribe a major counselling role to Kennedy immediately after the murder of Douglas, as does Buchanan, although he does not suggest that James considered fleeing to France. Douglas was murdered in February 1452 and Queen Mary gave birth to the future James III in May in St. Andrews castle. There must have been sufficient anxiety about the safety of Stirling castle, following the murder of Douglas, to merit moving the pregnant queen to St. Andrews and although the legend that the king considered fleeing to France does not accord with his actions following the murder, it is almost certain that the Bishop of St. Andrews was involved in offering support to the king and council for which he was rewarded with the 'Golden Charter' which confirmed to the bishop and church of St. Andrews all their ancient privileges and conferred regality rights over specified lands in Fife.

There are a number of errors to be found in the Extracta. For example, the entry recording the death of the Earl of Douglas's brothers states that the youngest brother, John of Balveny, was put to death, although he actually managed to escape and fled to England and only the Earl of Ormond was executed, Archibald earl of Moray having been killed in battle. There is also some confusion between two of the king's English campaigns, as the writer states that the king
was at the river Kale with a great host making for the north of England when he was intercepted by a false English legate who persuaded him to turn back. However, when the king discovered the trick, he invaded Northumberland and carried out depredations 'with fire and sword'. The campaign which saw the Scottish host at the river Kale in Teviotdale took place in July 1456, but the campaign which was thwarted by a false English legate took place in 1455. The Extracta entry is dated 1456, therefore the two campaigns have clearly been run into one.

The death of the king at the siege of Roxburgh is described in an entry which states that a salvo was fired at the castle to celebrate the queen's arrival at the siege, and a piece of metal broke from one of the guns as it was being fired, piercing the king's leg and fatally wounding him. The Earl of Angus, who was in close proximity to the king, was also wounded. Following the death of the king, the castle of Roxburgh was won and then destroyed, and although the Extracta contains more details than the Auchinleck chronicle, the accounts of the king's death and the winning of Roxburgh are substantially the same.

The last entry in the Extracta which relates to the reign of James II is a curious one. It reads:

'the misfortune of the king's death, if it may be told, was long before, as is said, foreshown to
the king by the late John Templeman who was the 
father of lord William Templeman, superior of the 
monastery of Cambuskenneth. Who, whilst 
(tending?) his flock in the Ochil hills...

This is obviously a local Cambuskenneth tradition, only one 
generation old, and was probably transmitted by word of 
mouth. It is an incomplete entry and the reason for this is 
not entirely clear. If it was a copy of a chronicle 
fragment, one might expect Myln, or a monk compiling the 
Extracta under his direction, to have completed it from 
their own knowledge of the local tradition. It is possible 
that the manuscript was damaged and the rest of the entry 
lost, and this seems the more likely explanation. It is 
unlikely that the Extracta was ever seen or widely used in 
the sixteenth century as the original elements are not 
repeated by later writers, and the manuscript has, even up 
to this century, been seen simply as an abridgement of the 
Scotichronicon.

Another chronicle which was derived largely from the 
Scotichronicon is 'De Cronicis Scotorum brevia' which was 
written by John Law before 1521. Law was a canon of 
St. Andrews and he was later incorporated into the 
university, which accounts for the attention given in his 
chronicle to the history of the churchmen of St. Andrews.

It is apparent that Law made use of a number of short 
chronicle sources for the section of his chronicle which
deals with the reign of James II, and although he wrote in Latin, it is clear that some of the entries are derived from the fragmentary sources later brought together as the Auchinleck chronicle. For example, on folio 127v, against the year 1439, Law describes the dearth and pestilence which afflicted Scotland in that year in exactly the same terms as the Auchinleck chronicler. The figures given for the prices of wheat and meal are exactly the same in both chronicles, and Law also echoes Auchinleck's statement that the plague which affected Scotland in that year was so virulent that those who contracted it died within twenty-four hours. Perhaps even stronger evidence for Law's familiarity with at least part of the Auchinleck chronicle is the fact that he repeats some of the mistakes and inaccuracies found in Auchinleck. For example, one entry reads that in 1454, Gilbert Hay earl of Erroll died, although the Earl of Erroll was called William and he did not die in 1454. Law must have had access to one or more of the sources which were incorporated into the Auchinleck chronicle by John Asloan, but judging by the selective nature of the similar entries, Law did not use Asloan's collection, as he makes a number of errors which he would not have done had he used the Asloán Manuscript. For example, the Auchinleck chronicle is quite precise about the date of the fall of the Livingstons, but Law confuses this event with the fall of the Boyds in 1469.

However, Law does use some alternative sources and these
involve digressions, for the most part into papal and European history, although his chronicle does contain some interesting details which do not appear in the earlier sources still extant. Law states that William 8th earl of Douglas returned to Scotland on 7 April 1451 from his journey to Rome for the papal jubilee, and this is the first time that such a precise date for his return has been given. Law also writes that, when in Rome, Douglas was commended by the pontiff above all other pilgrims and he makes the very interesting statement that in Douglas's absence, William Turnbull, bishop of Glasgow, William Crichton and George Crichton, conspired together and sought to bring about the death of Douglas. It was by their counsel, according to Law, that the Douglas lands and castles were attacked by James II. This seems to be a highly credible suggestion as the Crichtons certainly had no cause to love the Douglases, having come into conflict with them on a number of occasions. Similarly, Bishop Turnbull may well have had cause to disagree with this most powerful Scottish magnate, some of whose territory lay within the bounds of his diocese.

Law's account of the murder of Douglas is not as full as that found in the Auchinleck chronicle, but the details are substantially the same. Both chronicles relate that the murder took place on 21 February 1452 and that Douglas's body had twenty-six wounds. The account of the response of the Douglas faction after the murder also shows agreement
of detail between Law and Auchinleck, both of whom relate the arrival of James Douglas in Stirling on St. Patrick's day, proclaiming the king's counsellors to be traitors and sounding twenty-four horns. Law's account of the June parliament of 1452 is substantially the same as the Auchinleck chronicler's account, but he breaks off his narration of events in Scotland with his following entry, which records the sack of Constantinople in 1453.30

Returning to Scottish politics, Law records the death of Alexander 4th earl of Crawford in 1453 and he appears to be the first writer to attach the epithet 'Tiger Earl' to Crawford.31 He also echoes the Auchinleck chronicler's statement that Crawford held the whole of Angus in subjection and was inobedient to the King. Law does not simply supply additional details to the Auchinleck chronicler's account, but also deals with events for which there is no reference whatsoever in Auchinleck. The most notable example of this is Law's account of the events of 1455. There is an entry concerning the battle of Arkinholm where Archibald earl of Moray was killed and Hugh earl of Ormond was captured and subsequently executed, and Law notes that the border family of Johnston took part in the battle.32 This battle is not mentioned by the Auchinleck chronicler, nor is the Act of Annexation, passed in the October parliament of 1455, which is mentioned by Law in a brief entry.33 Thereafter, there is some confusion of detail. Law describes the battle of Lochmaben under the
year 1458, but he apparently realised his mistake later and corrected the date to 1448 with the note 'bellum de Lochmaben' under the correction. Entries on papal, European and English history follow, and he returns to Scottish history with a short, annalistic entry describing the king's death. He writes, '1460. This year king James the second of Scotland died at Roxburgh on 2 August'. Law is one day out, as the date given by the Auchinleck chronicler, and subsequent chroniclers who mention a date, is 3 August.

John Law also relates a story in which Mary of Gueldres is confused with Joan Beaufort. The entry is an accusation against Queen Mary that she formed an 'irregular attachment' with Adam Hepburn of Hailes shortly after the burial of her husband at Holyrood. Adam Hepburn of Hailes was the keeper of Dunbar castle, where Joan Beaufort died in 1445, and was, it seems, a member of the queen's party at that time. Law's entry appears to be a confusion of the tradition of Hepburn's support for the former queen, and there is no evidence to suggest that Mary of Gueldres formed any such liaison. The Auchinleck chronicler, who writes of the queen in rather scathing terms, does not accuse her of any crime other than that of being a woman.

The purpose of writing both the Extracta and Law's chronicle appears to have been to abridge and then continue the Scotichronicon, using chronicle sources and local
traditions. There is no recognisable bias towards James II to indicate a political motive behind the writing of the chronicles, and both writers appear to have been concerned simply with an essentially annalistic outline of the reign.

Other brief chronicle sources which deal with the reign of James II, but do not add much which is new or illuminating, are the short chronicle appended to Andrew of Wyntoun's 'Orygynale Cronykyl of Scotland' and 'The Roit and Quheill of Tyme' by Adam Abell. The short chronicle contains only six entries which deal with the reign of James II. The red mark on the king's face is mentioned and the dearth of 1439 is described, although the figures quoted differ from those given by Auchinleck. The next entry concerns the 'Black Dinner' of 1440 when William 6th earl of Douglas, his brother David and their adherent Malcolm Fleming of Cumbernauld were put to death. The author of the short chronicle states that this was done, 'James the secund beand Justice', but the king was only ten years old in 1440 and could not possibly have instigated the execution of the Douglas brothers. The following two entries concern Glasgow, mentioning the founding of the University of Glasgow by Bishop Turnbull in 1451, and also the papal indulgence given to Glasgow in the same year. Under 1454, the chronicler recorded the death of William Turnbull and named his successor in the bishopric as Andrew Durisdeer.

The final entry, under 1460, describes the death of James II
at the siege of Roxburgh, which the chronicler calls 'the secund sege of Roxburgh'. This is a reference, presumably, to the disastrous first siege undertaken by James I in 1436. The crowning of James III took place, according the short chronicle, on 'the sanct Laurence day'. This was 10 August, exactly one week after the death of James II on 3 August, and it agrees with the information given by Auchinleck. The short chronicle is anonymous and as the writer stops abruptly in 1482, it seems likely that the chronicle was written at that time.40

Adam Abell was a friar of the Observant Franciscan order at Jedburgh and he wrote most of 'The Roit and Quheill of Tyme' in 1533, with a continuation down to 1537. His work is a short history of Scotland from its legendary origins to Abell's own day and is a part of the historiographical tradition established by Fordun. Abell's account of the reign of James II, the 103rd king on his list, does not add much of interest to the established picture of the reign, except the statement that James was noted for his attention to justice. There is a considerable amount of confusion in Abell's account and he clearly had no reliable source for the reign. The 8th and 9th Earls of Douglas are confused by Abell when he writes;

'the erll of Dowglace brint Stirling and made ane band with the erll of Crawford. Quharfore eftirwart he was slane...'41
The earl responsible for burning Stirling was James 9th earl of Douglas, not William, 8th earl, who made a bond with the Earl of Crawford and was slain at Stirling. In common with the Extracta, only Crawford is mentioned when describing the Douglas bond. Further confusion arises with Abell's reference to Mary of Gueldres. He writes of her that:

'she marret eftir ane knight of the kingis surname and to him had James erll of buchan and other barnis'.

This is another example of confusion between Mary of Gueldres and Joan Beaufort and is further evidence that Abell was not working from any reliable written source for the reign of James II.

The first chronicler who effectively broke from the dominance of Bower's Scotichronicon and wrote an independent latin history was John Major, whose Historia Majoris Brittaniae tam Angliae quam Scotia was published in Paris in 1521. Major was born around 1467 and he studied and taught abroad at the University of Paris before returning to Scotland in 1518 to teach, initially at Glasgow University and subsequently at St. Andrews. Major was a theologian—rather than an historian and his history was written, primarily, to combat the belligerent ideologies of the rival English and Scottish historiographical traditions. Major
was a strong advocate of union between the two countries which he hoped would be achieved peacefully through marriage between the royal houses. The History is not, however, a unified history of Britain, but has the character of two chronicles written in harness. The legendary origins of both the Scottish and the English nations as espoused in their rival histories were dismissed by Major, and his history was intended to serve a didactic purpose. He was not concerned simply with compiling a chronicle of past events, but wished to show 'not only the thing that was done, but also how it ought to have been done'.

Major was concerned about the balance of power between the crown and the nobility and his History demonstrates a horror of the over-mighty subject who instigated feuds which were exacerbated through the involvement of the principal protagonists' vassals and retainers. The monarchy, he believed, ought to rule strongly and effectively, but Major saw the king ultimately as a constitutional monarch who was accountable to his subjects. This was not, however, an advocacy of popular sovereignty in the broadest sense of the concurrence of the whole population with the king's actions, but rather that the prominent members of the community in both church and state ought to advise the king and, if necessary, resist him if he abused his power. There is nothing radically new in this view of government by the king and the three estates, but Major felt that Scottish kings were not dependent enough on parliament, largely
through their failure to tax regularly which would force a greater reliance on parliament and help to consolidate its role as a consultative assembly. 47

It is important to recognise these general principles which underly Major's History before assessing the section of his work which deals with the reign of James II. The first political event of the reign mentioned by Major is the 'Black Dinner' of 1440, when William 6th earl of Douglas, his brother David and Malcolm Fleming of Cumbernauld were entertained in Edinburgh castle by James II who, according to Major, 'laid hands' on them and 'caused them to be beheaded'. 48 As James was only ten years old in 1440 he would not have made the decision personally to have the Douglases killed, and Major adds that he has read 'in the chronicles' that the instigation for the deed came from William Crichton. It is not clear to which chronicles Major is referring, as Auchinleck, the Extracta and John Law's chronicle all deal with the Black Dinner in a very short, annalistic manner and offer no opinion concerning motivation or personalities involved. The fact that the dinner took place in Edinburgh castle, the keeper of which was William Crichton, may have been sufficient to found the very credible tradition of Crichton's involvement. The following entry concerns the siege of William Crichton in Edinburgh castle in 1445, but no context, reason or outcome is advanced. Major then jumps to the year 1450 and states that William earl of Douglas travelled to Rome, 'with a large
number of noble Lords'. In his account of the murder of Douglas, Major writes that James II, in a private audience with the earl, asked him to abandon the league he had made with the Earl of Crawford, and he also states that 'A rumour went abroad among many that Douglas was aiming to usurp the royal crown'. This is the first time that such an accusation against Douglas is made, and Major advances a number of reasons to support this fear. The Earl of Douglas had two brothers, Archibald and Hugh, who also held earldoms, thus strengthening the power of the Douglas family. In addition to the 8th earl's immediate family, the earls of Angus and Morton were also Douglases. However, Major fails to note that both of these men were Red Douglases and therefore were unlikely to have considered supporting the rival Black Douglases and they appear to have been loyal to James II throughout the reign. Major names only the Earl of Crawford as having made a league with Douglas, but he does add the vague statement that Douglas had made 'a wide-spreading league with other lords'. The wealth and ambition of the Douglases, according to Major, gave the king cause to fear both for himself and his kingdom, and Major perpetuates the myth that the king considered deserting his kingdom and was dissuaded only by the wise counsel of Bishop Kennedy. Major goes so far as to state that 'Kennedy so carried things that the earl of Angus, a Douglas by name ... and most of the other brothers of earl Douglas, were brought over to the side of the king'. There is no evidence to suggest that the Earl of
Angus had ever been anywhere else, and the statement concerning the Earl of Douglas's brothers appears to be a somewhat confused reference to the hollow peace which was made between the king and the Douglases in 1453.

The point which Major is evidently trying to make is that the Douglas faction had grown far too strong and was able to pose a serious threat to the king. He writes:

'For Scotland, as I see, the earl of Douglas was too powerful: he had thirty or forty thousand fighting men ever ready to answer to his call'.

This hardly compares with the Auchinleck chronicler's remark that the Douglas faction, at the time of the Stirling raid, 'excedit nocht of gud men vi' and although this may be an under-estimate, it is likely to be nearer the truth than the figures quoted by Major. However, Major is now launched well and truly into his theme, and there follows a long discourse on the dangers of exalting great magnate houses,
especially if 'their territory happens to lie in the extremities of the kingdom'. Powerful lords had no trouble inducing men to follow them because 'the Britons are so kindly affected to their lords', and the men of the borders were used to fighting and accepted it as a way of life. The answer, according to Major, was to reduce the power of the marcher lords, which would make men less inclined to follow them. 55

In Major's account, it was the irresolution of James 9th earl of Douglas and his reluctance to fight against the king which resolved the matter without a battle, and not any inferiority of the forces mustered by the Douglases. Had the Douglases chosen to pursue the conflict they would, necessarily, according to Major, 'have been fighting for kingship'. 56 It was not until the Douglas threat had been removed, in fact, that James II 'began in truth to reign, and could impose laws upon his people as he would'. 57

Major's account of the events of the reign continues with a description of the 1456 campaign against the English which is a version of the story mentioned in the Extracta concerning the tricking of the Scottish army by false English legates who convinced James to abandon his invasion. 58 Major states that the English king sent an embassy to James II, 'which made many promises; but when James was returned home and saw no fulfilment of these promises, he again gathered a great army and laid England waste with fire and sword'. 59
The death of the king at the siege of Roxburgh is described by Major in a paragraph in which he states that the king was killed by the charge from a cannon, although all the other accounts of the accident say that the gun itself broke and killed the king. Major mentions the wounding of the Earl of Angus at the same time and goes on to relate the taking of the castle by the besiegers. No mention is made of the queen's arrival at the siege. Major is unable to resist the opportunity to deliver an admonitory caution concerning the manner of James II's death, that it ought to be

'a lesson to future kings that they should not stand too close to instruments of this sort when these are in the act of being discharged'.

Major is the first chronicler to offer, at any length, an assessment of the character of the king. He describes James II as strong and valiant with a great interest in warlike enterprises, and he emphasises the king's 'common touch' with his soldiers, stating that

'in time of war he used in the field so great humanity, without distinction of person, that he was not so much feared as revered as a king and loved as a father'.

However, Major believed that the king was guilty of carrying
this attitude too far, and when he writes that James rode among his soldiers, accepting their offers of food and drink without taking the precaution of having it tasted, confident that none of his men would try to poison him, Major adds: 'his confidence was justified; yet in this matter I will not say that I deem him prudent'. Major states a preference for James I, as he seems to have regarded James II as rather too fond of warlike activities, although he admits, grudgingly

'For vigorous kingship, most writers give the first place to this monarch, seeing that he gave himself with all zeal to the things of war and to naught else'.
Notes, Chapter 7

1 Mason, R. 'Scotching the Brut', History Today, 35
2 Chron. Bower
5 Extracta E Variis Cronicis Scocie, Abbotsford Club, 1842 p. 237-244
6 Myln, A. Vitae Dunkeldensis Ecclesiae Episcoporum. Bannatyne Club, 1831
7 Cartulary of Cambuskenneth 1147-1585. Grampian Club. (Edinburgh 1872)
8 Myln, Vitae, 18-24
9 Extracta, 242
10 Lesley, History, 23.
12 Chalmers of Ormond, G., - N.L.S Adv.MS. 16/2/20
13 Buchanan, History, f. x1
14 See chapter 4 p. 142
15 A.P.S., ii, 73-4
16 Extracta, 243
17 Ibid.
18 See chapter 6, p. 192
19 Chron. Auchinleck, f. 119v
20 Extracta, 244
22 Law, J, 'De Cronicis Scotorum brevia', Edin. Univ. Lib. DC 763 f. 128v
24 Chron. Auchinleck, f. 109v; Law, f. 128v
25 op. cit., f. 112v; op. cit., f. 130r
26 Law, op. cit., f. 132r
27 Ibid., f. 129r
28 See chapter 3, p. 77 and chapter 4, p. 118
29 Chron. Auchinleck, f. 115r
30 Law, f. 130r
31 Ibid.
32 Ibid.
33 Ibid, f. 130v
34 Ibid.
35 Ibid, f. 131r
36 Ibid.
37 Chron. Auchinleck, f. 120v
38 Short Chronicle appended to Wyntoun, B.M Royal MS 17 DXX, f. 3p7r
40 Macdougall, N, James III, 276
41 Abell, op. cit, f. 110r
42 Ibid.
44 Ibid
46 Major, History, cxxxiv.
47 Mason, 'Kingship and Commonweal', op. cit.
48 Major, History, 382
49 Ibid.
50 Ibid.
51 Ibid.
52 Ibid, 383
53 Ibid.
54 Chron. Auchinleck, f. 115r
55 Major, History, 384
56 Ibid, 385
57 Ibid.
58 Extracta, 243
59 Major, History, 385
60 Ibid, 386
61 Ibid.
62 Ibid.
63 Ibid.
64 Ibid.
Chapter 8 - The King and his Chroniclers, II.

The Scottish historiographical tradition established by Fordun and developed by Walter Bower received further expatiation at the hands of Hector Boece who, in the early 1520's, composed a general history of Scotland entitled Scotorum Historiae, a prima gentis origine, cum aliarum et rerum et gentium, illustratione non vulgari. This work was published in Paris in 1527 and it dealt with Scotland's past from its legendary origins down to the death of James I in 1437.

Hector Boece was born in Dundee around 1465 and educated at Aberdeen and then Paris where, in 1497, he became a Professor of Philosophy in the college of Montacute. In 1500, Boece was invited by Bishop William Elphinstone of Aberdeen to become the Principal of King's College and after the death of the bishop in 1514, Boece wrote his Vitae Episcoporum Murthlacensium et Aberdonensium which was published in Paris in 1522. Subsequently, Boece devoted his time to writing his Historiae. This work was in keeping with the established tradition in that it portrayed Scotland as an ancient kingdom, never subdued by invasion and ruled over by its own independent kings since the mid-fourth century B.C. Boece further embellished the tradition of the mythical kings by naming the first forty of them and describing in detail their deeds and reigns, although the sources from which Boece reputedly drew his information, for
example, the Spaniard Veremundus, are highly suspect. However, the work should not be expected to adhere to factual accuracy which was always subordinate to the didactic element in the Historiae and Boece's approach was very much in keeping with the essentially rhetorical aims of a great deal of humanist historiography and the nationalistic spirit of the Scottish mediaeval chronicle tradition. The most striking element of Boece's embellishment of the history of the mythical kings is the fact that a number of them were 'arraigned or deposed, or punished, or put to death by their subjects'. The numerous precedents offered by Boece for the dangerous principles of resistance and tyrannicide could be interpreted as the advocation of a general constitutional principle stemming from the Scottish academic tradition of radical political thought, but although Boece was familiar with the work of John Major, there is no evidence that he was influenced by it or that his Historiae embraced in any way, Major's sophisticated constitutional theory. It is much more likely that Boece was outlining a moral rather than a constitutional principle in his Historiae and was not advocating seriously the active policy of resistance and tyrannicide to his contemporaries. Had this been Boece's intention, James V is unlikely to have taken the interest he did in Boece's work. The Historiae embodied a 'polity of manners' which emphasised the importance of the king's own example for the freedom of the country and the satisfactory administration of justice, and this was a more conventional
and conservative theory which would have posed no threat to the monarch or the higher nobility. Shortly after the Historiae was published, James V bestowed an annual pension of fifty pounds Scots upon Boece, and in 1530 and 1531, he employed John Bellenden in translating Boece's Latin Historiae into the vernacular.

John Bellenden was educated initially at St. Andrews and then at the University of Paris where he took the degree of Doctor of Divinity. During the minority of James V, Bellenden returned to Scotland and by 1528 he appears to have been employed as secretary to the Earl of Angus. If Bellenden was included in the disgrace and forfeiture of the Douglases, he was soon restored to favour as witnessed by his commission in 1530 to translate Boece's Historiae. A manuscript copy of Bellenden's work was delivered to James V in 1533 and he was rewarded by the king with the archdeaconry of Moray. The purpose of the translation was to instruct the king and members of the higher nobility in the art of good government. In Bellenden's letter to James V, attached to the translation, he exhorts the king to govern well, and to take heed of the downfall of tyrants.

Boece's Historiae and Bellenden's translation of it end, apparently, in 1437 with the death of James I. However, in 1574, a second Latin edition, with a continuation to 1488, was printed in Paris and edited by Giovanni Ferreri. Ferreri was a Piedmontese monk who had come to Scotland in
1528 and had spent some time at the court of the young James V. Between 1531 and 1537, he taught at the monastery of Kinloss, and it is in this period that he may have become familiar with the work of Hector Boece. The seventeen books of Boece's Historiae contained in the 1527 edition are extended in Ferreri's edition by two books. The eighteenth book deals with the reign of James II and was translated, for the most part very closely, by Robert Lindsay of Pitscottie in his Chronicles of Scotland written in the late 1570's. It is a continuation of Boece in the same style as the previous seventeen books and contains a number of passages of set speech and homiletic digressions. By contrast, Ferreri's nineteenth book, which deals with the reign of James III, does not have the same character, as it is shorter and more annalistic in form.

The authorship of the eighteenth book is uncertain. It is possible that Boece wrote it himself, or a continuator with a strikingly similar style. Boece did not die until 1536 and he may have written the eighteenth book after the appearance of Bellenden's translation in 1533. The difference between the eighteenth and the nineteenth books in terms of length, detail and style would indicate that the latter was an addition, probably by Ferreri himself. Bellenden is unlikely to have been the author of the eighteenth book, as it was written in Latin and, having translated Boece's Historiae, he would almost certainly have written any continuation in the vernacular. For the
nineteenth book, Ferreri follows Bishop Lesley's *History* fairly closely, but the eighteenth book, while there are similarities with Lesley, differs in a number of details and is a fuller and more detailed account of the reign. The eighteenth book espouses the instructive purpose of Boece's *Historiae* and many of the stories which were adopted and used by later writers were almost certainly invented or embellished to fit these rhetorical aims. The theme of the over-mighty magnate occurs in the eighteenth book, and the Douglases are portrayed in a very bad light for failing to keep in check large numbers of thieves and murderers who lived within the bounds of Douglas territory. The problems of James II's minority are explained solely in terms of the conflict between Sir Alexander Livingston (styled as the 'governor' throughout the text) and Chancellor Crichton. Arising from this conflict appear a number of stories, for example, that of the queen smuggling her young son out of Edinburgh castle (the keeper of which was William Crichton) in a bundle of clothes and escaping with him to Stirling castle which was held by Livingston. The abduction of the young king while hunting in Torwood near Stirling, by Crichton and his men, and the removal of the king back to Edinburgh is another example of the Crichton/Livingston hostility, and these stories endure, becoming incorporated firmly in the view of the reign put forward by later writers. 10

Although Pitscottie follows the text of the 1574 edition of
the eighteenth book of Boece very closely, there are a number of slight divergences and one passage which is definitely from another source. The Scottish Text Society edition of Pitscottie's Historie, edited by Aeneas Mackay in 1899, made use of a number of different manuscripts of the work, none of which was Pitscottie's original. The oldest of these is designated MS. A by Mackay and provides the bulk of the text for the S.T.S. edition. However, MS. A contained a number of gaps and was supplemented by the much fuller, but later MS. 1. The passage of interest in the eighteenth book, which is not to be found in the Ferreri edition of Boece, concerns the execution of Maclellan, tutor of Bombie by William 8th earl of Douglas. Briefly, the story is that Maclellan, tutor of Bombie, who was the nephew of Patrick, master of Gray, refused to give his assistance to the Earl of Douglas in ravaging the countryside or in any way opposing the king's authority. Douglas, furious at Maclellan's refusal to ride with him, took him from his house and held him in the castle of Douglas as a prisoner. On hearing of this, Patrick Gray obtained a written supplication from the king that Maclellan be released, and Gray delivered the supplication to Douglas personally. Douglas received Gray and gave him dinner before attending to the king's letter, and during the dinner, Maclellan was beheaded in another part of the castle. When Patrick Gray enquired after his nephew, he was met with the callous retort; 'Schir patrick ze ar come a litill to leit bot zondar is zour sistir sone lyand bot he wantis the heid, tak
his body and do with it quhat ze will'. Patrick Gray, fearful for his own position, waited until he had mounted his horse and was outside the castle wall before he rebuked Douglas, and he was pursued by Douglas men almost to Edinburgh, although his horse proved swifter and he reached the king in safety.12

This story provides the principal motive in Pitscottie's text for the summons of Douglas to Stirling, although there are a number of problems inherent in the account, not least of which is whether or not Pitscottie was the author of the story. The oldest manuscript of Pitscottie's Historie used by Mackay (MS.A) does not contain the story of the tutor of Bombie, which is taken from MS.1, a later manuscript with a number of additions which were probably made by a writer other than Pitscottie. The absence of the story from the earlier manuscripts of Pitscottie's Historie may indicate that he was not the author and it is worth noting that the story is the only digression of any appreciable length from the text of Ferreri's edition of Boece. Had Pitscottie wished to make additions and insert extra stories into the text of the eighteenth book, he would surely have done so on more than one occasion.

Contemporary evidence for Maclellans of Bombie has already been discussed in chapter 4, but on 25 June 1526, a respite for nineteen years was issued under the privy seal to Douglas of Drumlanrig, Gordon of Lochinvar and others,
for assistance given by them to Alexander Forrester and his accomplices, and for the slaughter of Maclellan of Bombie in Edinburgh. It is possible that this slaying of a Maclellan of Bombie by a Douglas was a fresher tradition known to Pitscottie or a transcriber of his work and applied to an earlier Douglas and Maclellan. The contemporary Auchinleck chronicle does not mention the incident and nor do any of the earlier chronicles.

Ferreri's edition of Boece does not seem to have been widely available, as Bishop John Lesley, when writing his History, commences with the reign of James II, thus continuing Boece from the point where the 1527 edition ended. John Lesley was bishop of Ross and a supporter of Mary Queen of Scots. He wrote his vernacular history in the late 1560's while living abroad as a Marian exile, as his support for the ill-fated queen had cost him his position in Scotland, and it is understandable, therefore, that his royalist sentiments are very apparent in his writings. The parliamentary records of Scotland had been published in 1566 and Lesley used these as the framework for his narrative. He also had access to a copy of John Major's History as there are a number of similarities between the two accounts and he follows Major's line in his approach to the Crown/Douglas conflict, stressing the evils of too much power vested in great magnates who could raise armies of friends and retainers of a size to challenge any force which the king might muster. Lesley had good reason to portray
James II favourably, but the Douglases, although they are described as powerful, are not shown as the lawless opponents of the king's authority who appear in the eighteenth book of Boece, but rather as co-operating with the king until they were attacked in 1450-51. However, once the Douglases, following the murder of the 8th earl, rose in opposition to the king, Lesley's line is clear and the conflict is greatly exaggerated. Lesley follows Major in reporting that the king considered fleeing to France, but was dissuaded by James Kennedy, bishop of St. Andrews. Lesley also credits Douglas with raising an army of 30000 men and states that the king's army was considerably smaller. However, encouraged by Alexander earl of Huntly's recent victory at Brechin and by the wise counsel of the Bishop of St. Andrews, the king ordered Douglas to submit or give battle. There is a considerable amount of confusion in Lesley's account, but the dilemma was resolved by the defection of James lord Hamilton from Douglas's side and the consequent capitulation of the 9th earl. In common with Major, Lesley takes this opportunity to deliver a homily on the preservation of the true line of the kings of Scotland, by God's grace, without bloodshed.

In addition to Major's History and the parliamentary records, Lesley describes a number of events which are drawn from other recognisable sources. For example, when praising James I for his efficient administration of justice, Lesley echoes Adam Abell when he writes: 'he causit the rashe bushe
A similar remark is made by Walter Bower about James I, and it is possible that it was a well-known colloquialism which Abell and Lesley ascribed to James II, although it does not accord with the sentiments expressed in the poem 'The Harp'.

Lesley's History also contains similarities to entries in the Auchinleck chronicle. The feud between the Stewarts of Darnley and the Boyds is described, and also the slaying of John Colquhoun of Luss. Feuds which were of local rather than national importance were incorporated into the over-view of the reign simply because of the availability of the chronicle sources in which they were mentioned. A number of mistakes which occur in the Auchinleck chronicle are also repeated in Lesley, in particular, the statement that James Livingston was executed in the Livingston downfall. However, Lesley mis-dates the Livingston forfeitures which happened in 1450, to 1448, and he does not appear to have had access to anything more than a brief section of the Auchinleck chronicle as incorporated in the Asloan MS.

The parliamentary framework of Lesley's History may be checked with existing parliamentary records and, where this is possible, the dates, places and items of business generally correspond, although Lesley does not associate the January 1450 parliament with the disgrace of the Livingstons because the Livingstons are not mentioned expressly in the
records. However, much of the legislation enacted in this parliament is particularly pointed in view of the Livingston disgrace, for example, the statute 'of rebellione ageynis the kingis persone or his autorite' and 'of punicione of officaris that wilfully trespassis the ministracion of thar office'.

Lesley also pays some attention to English history, and he describes the conflict between the factions of York and Lancaster. He states that James II received a letter from Henry VI asking him to raise an army and take the castles of Roxburgh and Wark which were being held by the supporters of Edward earl of March. According to Lesley, James responded, 'partlie moved at King Henries desire partlie also becaus the said twa castells were lyand with the landis and shires promeisit him be King Henry'. Lesley's account of the death of the king at the siege of Roxburgh does not add anything new to the conventional view, and he ends this section of his History with a character assessment of the king which portrays James II very favourably. He writes;

'of harte he was courageous, politique in counsell, in adversite nothing abashed, in prosperiteitie rather joyfull nor proude in peace just and mercyfull, in warre sharpe and feirce, in the fielde bolde and hardie...he had greit trubles in civil and intestine warres in his youthedde; bot in the tyme of his later daies, his realme was
The first writer to supersede Boece's History rather than simply attempt a continuation or abridgement of it, was George Buchanan, whose Rerum Scoticarum Historia was published in 1582. Buchanan was born in 1506 and spent most of his life, prior to 1561, on the continent. He had studied as a pupil of John Major, but had abandoned 'the theologian's arid scholasticism in favour of the Erasmian brand of evangelical humanism current in Paris in the 1520's'. Sometime around 1560, for reasons which are not clear, Buchanan rejected Catholicism and France and returned to Scotland where he became involved, in a lay capacity, with the Reformation Kirk's General Assembly. By that time, Buchanan was a staunch Calvinist and humanist, was placed in charge of the formal schooling of the young James VI between 1570 and 1582, and his History was a work written primarily as a justification of the deposition of Mary Stuart in 1567 and as an instructive manual of political guidance for the young king. Buchanan was concerned with the moral influence of the king over his subjects, and to illustrate this, he used a history of good and bad kings - virtue versus tyranny. The tenor of his argument was that the king was accountable for his actions to the nobility who had the right to restrain or even depose him if he acted tyrannously. Given this point of view, one might expect to find a different picture of the reign of James II emerging in Buchanan's account from that found in Lesley,
who was a staunch royalist and a despiser of the over-mighty magnate. James II had murdered personally his most powerful earl, having first assured his safety by issuing a safe-conduct, and this was undoubtedly ideal material for Buchanan's anti-tyrannical views. However, in his assessment of the character of James II, Buchanan writes that the king

'engaged almost from infancy in foreign or domestic war...had displayed such self-command in adversity and in prosperity, such bravery against his enemies and such mercy towards his suppliants, that his death was universally lamented by all ranks; and it appeared the more severe because, after having overcome so many misfortunes and raised expectation to the highest pitch by his virtue, he was suddenly cut off'.

This almost rhapsodic appraisal of James II is counter-balanced by Buchanan's view of the Douglases, as chief representatives of the nobility, to whom Buchanan devotes considerable attention. The five earls of Douglas who were active during the reign of James II are each dealt with in turn. Archibald 5th earl of Douglas is censured immediately on the grounds that he failed to restrain the men of Annandale who ravaged and wasted all the neighbouring counties, and his son William, the young 6th earl, is also criticised for being at the root of the disorder and
breakdown of justice in the localities. James 7th earl of Douglas escapes quite lightly, as Buchanan admits that he did not actually retain the Annandale robbers supported by the preceding earls of Douglas, although he is criticised for failing to suppress them with sufficient energy. The accession of William 8th earl witnessed the Douglas power, in terms of land and possessions acquired, stronger than it had ever been, and Buchanan is quick to point out that 'insolence accompanied this wealth and bands of robbers pillaged everywhere, whose leaders, it was believed, were not unconnected with the projects of Douglas'.

The censoriousness of Buchanan's attitude towards the Douglasses becomes more pronounced in the lead-up to the murder of the 8th earl, and reaches its height with the statement that oppressions under Douglas and his adherents increased as they

'indulged in every species of licentiousness, respecting nothing either sacred or profane, murdering whoever was obnoxious to them, and sometimes, with wanton and gratuitous cruelty, torturing those who had never offended them, lest their souls, softened by the disuse of crime, should become humanized'.

Such exaggerated language is hardly useful for gaining a historical perspective on the reign of James II, but it does
offer an insight into Buchanan's view of the reign. The portraits of virtuous kings and vicious tyrants in Buchanan's History are far from original, and although he wished to see the restriction of the judicial and administrative responsibilities of kings, he did believe in the moral influence, good or bad, which a king had over his subjects. The ideal of popular sovereignty advanced by Buchanan was not as radical as it may appear, because a closer analysis of his line of argument reveals that checks and limitations on the power and actions of the king were to be exercised, not by the people as a whole, but by the nobility, the king's 'natural counsellors'. Because of this, Buchanan looked for the same standards of virtue in a nobleman as he did in a king. A magnate who rose to a position of power and then abused that power was equally guilty and worthy of condemnation as a tyrannical king, and Buchanan must have seen the pre-eminently powerful Earl of Douglas as a superb illustration of this point.

Buchanan is not the first writer to condemn the Douglases for supporting lawless bands in their territory, as the same accusation is made; although less vehemently, in the eighteenth book of Boece, but Buchanan extends and embellishes the story. There are a number of similarities between Buchanan's History and the eighteenth book of Boece; for example, Buchanan writes that John Innes, bishop of Moray and Henry Lichton, bishop of Aberdeen, acted as mediators between Livingston and Crichton. Boece gives
exactly the same names although John Innes never held the bishopric of Moray and is clearly being confused with John Winchester. A number of incidents described by Buchanan also appear in the Auchinleck chronicle, such as the Boyd/Darnley blood-feud and the fight at St. Johnston on midsummer day between Sir William Ruthven and John Gorme Stewart of Atholl. The latter is described only in Buchanan and the Auchinleck chronicle, although many of the other stories common to both writers appear also in the eighteenth book of Boece and Lesley's History. There are also some original entries in Buchanan's History which do not appear in any previous account; for example, on folio 23, Buchanan writes that John Lyon was put to death in the market place of Dundee by Alexander earl of Crawford. This incident is not dated, but it appears immediately after the recording of the death of Queen Joan in Dunbar, and it may be assumed from this that Buchanan was referring to an incident which took place in 1445, although there is no corroborating evidence for it. Buchanan also makes some consistent mistakes with proper names; for example, he calls Hugh earl of Ormond, George, and refers to Margaret of Galloway as Beatrix, which is probably a confusion with the mother of the 8th earl of Douglas, who was called Beatrice. The accuracy of such details would hardly have been considered important by Buchanan and the major effect of his History for the reign of James II was to entrench the view of the lawlessness of the Douglases to such an extent that later writers had little option but to be influenced by it, even
when it conflicted with their personal bias.

David Hume of Godscroft experienced this dilemma when he wrote his *History of the Houses of Douglas and Angus* which was published in Edinburgh in 1644. His account is very obviously pro-Douglas and he endeavours to provide more favourable interpretations for the actions of the earls of Douglas who had been condemned by previous writers. Archibald 5th earl of Douglas, despising Crichton and Livingston as 'new' men but unwilling to oppose them forcibly for fear of causing civil commotion, retired to his own lands. Of his actions there, Godscroft explains that he was concerned that his own privileges and liberties, which had been conferred upon him by royal grants, should not be infringed upon, and under his regality rights, all those living on his lands were answerable only to his courts. The men of Annandale, so roundly condemned by Buchanan, felt free to spurn the authority of the upstarts Crichton and Livingston, having respect only for the Earl of Douglas. Godscroft could not entirely condone the ravages of the men of Annandale, however, and he conceded that Douglas should have taken firmer measures to restrain them. When describing the career of William 6th earl of Douglas, Godscroft considered that the repeated complaints lodged at court concerning the ravages of the adherents of Douglas were biased and exaggerated, and he questioned why the spoliations of the islesmen and the various other episodes of violence and bloodshed should not have caused equal
condemnation. Godscroft not surprisingly, made no connection between the execution of the 6th earl and his brother and the succession of their great-uncle James to the earldom, and James 7th earl of Douglas is dealt with very briefly, Godscroft confining himself to a description of the earl's family. A fuller account is provided of the career of William 8th earl of Douglas, although it is largely derived from Buchanan. Godscroft tries to explain the murder of Douglas by the king by arguing that it was premeditated and at the instigation of William's enemies, especially Patrick Gray, seeking revenge for the execution of his nephew by Douglas. The reasons for the murder are given by Godscroft as the private conference held by Douglas with the King and Queen of England on his return from Rome, Douglas's vehemence in revenge for the murder of his cousins and of his servant, John Auchinleck, his execution of Lord Herries and the tutor of Bombie and his support for thieves and robbers. In his analysis of the motives behind the murder of Douglas, Godscroft does not dwell on the league made with the earls of Crawford and Ross, although he does mention it in his account of Douglas's confrontation with the king prior to the murder, with Douglas expressing surprise that the bond should give offence. The picture of the scheming and brutality of William 8th earl of Douglas had been established so well that even Godscroft, who was concerned to portray the Douglases in as good a light as possible, was obliged to accept it. The Douglases, following the 8th earl's murder, were moved to rebellion and
the general reaction to the deed was that it 'incensed the whole common people'. This is the closest Godscroft comes to a condemnation of James II and he repeats the story of James Kennedy, bishop of St. Andrews dissuading the king from his intention to flee the realm. By the time Godscroft wrote his History, the magnitude of the king's peril following the murder had been exaggerated and incorporated firmly into the accepted view of the reign. David Chalmers of Ormond who had written a history of Scotland while in France as a Marian exile in the 1570's, went so far as to state that James actually went to France to renew 'the auld Lig and Band', but no later historian repeats this. Of the 9th earl of Douglas, Godscroft states that had he been 'as politicke as hee was powerfull, the King might have beene set beside his Throne'.

Another history which was written in the early 1640's was William Drummond of Hawthornden's History of the Five Jameses which was published in London in 1655, six years after Drummond's death. The work has the character of a collection of biographies, the structure of which is fairly uniform in each case: the king's accession, domestic and foreign policy, miscellaneous events of interest and the king's death, followed by a short character assessment. Drummond had access to the histories by Lesley, Buchanan and Ferreri, but does not appear to have drawn from any independent source for his assessment of James II and he adds little of interest. It is possible that his History
may have been intended for use as royalist propaganda for the cause of Charles I, and Drummond was certainly summoned to defend it before the Covenanters. 41

A contemporary of Drummond of Hawthornden, Sir James Balfour of Kinnaird, also wrote a history, part of which deals with the reign of James II. As the title Annales of Scotland in Historical Works suggests, the work is in chronological form. 42 Balfour used the printed Acts of the Parliaments of Scotland as the framework for the Annales, and he also appears to have read Lesley's and Buchanan's histories. Balfour's dating is extremely unreliable, he frequently describes events under the wrong year and gives precise dates which do not accord with earlier evidence and have the air of having been selected at random. Professor Donaldson has described Balfour as 'a student of antiquities and heraldry...best known as a collector - and forger - of medieval charters'. 43 For example, Balfour dates the execution of the 6th earl of Douglas and his brother in Edinburgh castle as 17 July 1439, whereas all the earlier writers who mention this event date it November 1440. The imprisonment of the Livingstons is dated 8 December 1448 by Balfour, although the attack on the family actually occurred in the autumn and winter of 1449-50, and he also mis-dates the king's marriage to Mary of Gueldres under 1448. Many of Balfour's errors are inexplicable if he had access to copies of Lesley's or Buchanan's histories as, although the events related in the Annales are clearly derived from the
sixteenth century histories, the mistakes indicate that Balfour did not have copies to hand when writing, but relied on his memory of what he had read. For example, no other writer makes the mistake that the 8th earl of Douglas was slain in Edinburgh rather than Stirling castle — Lesley and Buchanan certainly do not. Balfour is also the only writer to put a date on the bond made between the earls of Douglas, Crawford and Ross. He gives the date 7 March 1445, but in that year, the earls of Ross and Crawford were not the same men as in 1452 when the bond became an issue, both earls having died and been succeeded by their sons, and personal bonds do not appear to have been inherited. In the absence of the actual bond, it is impossible to know its contents, but Balfour's description of it as 'an offensive and defensive league and combination against all, none excepted (not the King himself)' is unlikely, as surviving bonds almost invariably carried the conventional rider placing allegiance to the king above any conditions laid down in the bond. The only notable exceptions are bonds involving the Earl of Ross in his capacity as Lord of the Isles and these follow the Irish practice of making no allusion to the king.
In 1445, with the king still a minor and the 8th earl of Douglas dominant at court, it is hard to understand why he would have felt any need to form such an alliance, and given Balfour's palpable inaccuracy, it is not possible to place too much reliance on either the date or the content of the bond given in the *Annales*.

The view of James II which emerges from the chronicles is one of an active king, concerned about justice and energetic in warlike pursuits. All these characteristics were standard criteria for good mediaeval kingship and the view is, to that extent, conventional. However, it is a view constructed by sixteenth century writers whose histories were intended to illustrate their own political or ideological views and their interpretation of events was distorted to fit these aims. The fact that James II had attacked the Black Douglases was used by later writers (such as Major and Buchanan) to illustrate their antipathy towards over-mighty magnates by exaggerating the threat posed by the Douglases and, in some cases, inventing enormities committed by them, simply to fuel the argument. The Douglases undoubtedly were regarded as a threat by the king, but the initial aggression was his - a fact which the later chroniclers successfully managed to turn on its head. Occasional criticisms of the king do appear in contemporary or near-contemporary sources, such as the rebuke by the
Auchinleck chronicler following the king's raid in the south after the murder of William 8th earl of Douglas that James II 'did na gud bot distroyit the cuntre richt fellonly...and heriit mony bath gentillmen and utheris that war with him self', and the chronicler also refers to the murder of Douglas as 'foule slauchter'. However, the idea of the guilt of the Douglases was so well established by the time that Hume of Godscroft came to write his pro-Douglas History that even he could not condemn James II for the murder. In the poem, 'The Harp', James is criticised for giving remissions and thus perverting the course of justice, and although he is hardly alone in this failing, it does not accord with Abell's praise of the king's high regard for justice.

More recent assessments of James II have also been influenced by the established view perpetuated by the eighteenth and nineteenth century histories of Pinkerton, Scott and Tytler. In The Life and Times of James Kennedy, Bishop of St. Andrews, Dr. Annie Dunlop described James II as having a strong and dominating personality and stated that he had

'the gift of forming and evoking warm attachments, winning the loyalty as well as extorting the obedience of his disaffected subjects, and of holding the hearts and retaining the services of men who disapproved of his actions or had suffered
However, Dunlop was concerned to extol the virtues of the wise Bishop Kennedy of St. Andrews to whom she attributed a major counselling role at the court of James II and the king, by implication, could not go far wrong. Indeed, Dunlop writes 'thanks to Kennedy, the Crown came to be identified with the cause of the common weal'. Recent study has shown that such a role for Kennedy has been grossly exaggerated and consequently, Dunlop's remarks about James II should be qualified. Nicholson introduces a censorious note when he questions Dunlop's assertion that 'subtle callousness and sustained duplicity' were foreign to the nature of James II, a comment which he supports with speculation about the king's appearance as shown in the contemporary portrait of James in the diary of Jörg von Ehingen.

Jörg von Ehingen was an Austrian adventurer who had served, as a youth, at the court of Duke Sigismund in Innsbruck. Sigismund was married to princess Eleanor of Scotland, and von Ehingen became one of her personal attendants. When he was older, von Ehingen left Austria and travelled extensively round Europe and the eastern Mediterranean, and during his travels he had sketches made of the ruling potentate at each court he visited, and these were painted as portraits on his return to Austria, the artist adding shields of arms and the names and descriptions of those
represented. The portrait of James II carries the legend 'Jacob von gots genaden konig von Schottland' and he is depicted in a wide-brimmed black hat and a black belted tunic with padded shoulders and a gold chain around his neck. He is wearing deep pink hose and shoes tapering to a long point, and his hands are resting on the hilt of his dagger. The left side of the king's face is coloured red, indicating the disfiguring birthmark which earned him the title, 'James of the fiery face'. From the evidence of von Ehingen's itinerary, outlined in his diary, it is clear that he must have visited Scotland towards the end of 1458, and he described his visit as follows:

'The King was my gracious Lady's brother, and he received me graciously and well. The Queen was a duchess of Gueldres and a Low German.

Item. The King presented me with two tents and a cloth of black satin, and to each of my pages he gave ten ducats, there being four pages.

Item. The Queen gave me a fine jewel worth 30 ducats, and a stallion worth quite 100 gulden, and much honour was shown me in hunting, dancing and feasting'.

No record of von Ehingen's visit survives unless he may be identified with the 'signiferi Austrie' accommodated in the house of Andrew Crawford in Edinburgh during the exchequer accounting period of June 1458 to July 1459.
James II has come down to posterity with a predominantly good press from historians, although these views, especially those enunciated this century, have been formed by comparing him with the demerits of his father and son. Dunlop states that James II had 'greater charm of manner than James I' and Professor Donaldson assessed James as having been more scrupulous than his father (apart from the murder of Douglas) and states that he had 'at no stage conducted anything like a reign of terror and he may have been trusted as his father had never been'. Donaldson ends his assessment of James II by stating, vaguely, that there is 'ample evidence of good intentions, and some of substantial achievement'. 51
Notes, Chapter 8.

1 Hector Boethius, *Scotorum Historiae*, (Paris, 1527)
2 Mason, R, 'Kingship and Commonweal', 98-101
3 Innes, T, Essay, 140-1
4 Mason, op cit., 102
5 Ibid, 106
6 *The Chronicles of Scotland* compiled by Hector Boece, translated into Scots by John Bellenden, 1531 (S.T.S, 1821)
7 Bellenden, *Chronicles*
10 Boece, *Historiae*, (1527)
11 Pitscottie, *Historie*
12 Ibid, 89-92. Patrick, master of Gray had two sisters, Margaret and Christian, who were married, respectively, to Robert 1st lord Lyle and James Crichton of Strathurd; therefore neither could have been the mother of Maclellan of Bombie.
13 Ibid
14 See p.140
15 Criminal Trials in Scotland from 1488 to 1624, ed. R. Pitcairn (Edinburgh, 1833), i, appendix. I am indebted to Ken Emond for this reference.
16 J. Lesley, *The History of Scotland from the Death of*
King James I in the Year 1436 to the Year 1561.
(Bannatyne Club, 1830), 11-32

17 Ibid, 23
18 Ibid, 24
19 Ibid, 25-26
20 Ibid, 27. Abell's exact words are 'he kepit justice sa
strait aganis thieves and reivers as he gart the reche
bush keip the pure wyffis kow'. Abell, 'Roit and
Quheill'. See Appendix B, 344
21 See chapter 7, 234
22 Lesley, op cit., 20
23 A.P.S. ii, 35
24 Lesley, op cit., 31
25 Ibid, 32
26 Buchanan, George, The History of Scotland, translated J.
Aikman (Glasgow and Edinburgh, 1827-29) vol. ii, book
xi, chapter iii, folios 1-50.
27 Mason, op cit.
28 Ibid.
29 Buchanan, History, f.l
30 Ibid., f.ii, ix, xviii, xxvii.
31 Mason, op cit.
32 Boece, Historiae, (1527) op cit.
33 Buchanan, op cit. f.xiii
34 Ibid. f.xxiii
35 Hume of Godscroft, The History of the Houses of Douglas
and Angus (Edinburgh, 1644), 139-209
36 Ibid
37 Chalmers of Ormond, *Ane Cronickill of the Kingis of Scotland* Maitland Club, 1830.

38 Hume of Godscroft, *op cit.*

39 Drummond of Hawthornden, *History of Scotland from 1423 Until 1572* (London 1681), 35-71

40 Rae, T.I., 'The Historical Writing of Drummond of Hawthornden' in *S.H.R.* 1975, 22-62 (vol. 11v)

41 Ibid


43 Donaldson, G., *Scotland: James V - James VII*, (Edinburgh 1965) 262

44 Pinkerton, J., *History from the Accession of the House of Stuart to that of Mary* (London, 1797), i; Scott, W., *Tales of a Grandfather* (1827); Tytler, P.F., *History of Scotland from the Accession of Alexander III to the Union* (Edinburgh, 1864-8), ii.

45 Dunlop, *Kennedy*, 208


47 Nicholson, *Later Middle Ages*, 348


49 E.R., vi, 499

50 Dunlop, *op cit.* 208

51 Donaldson, G., *Scottish Kings*, 95
Conclusion

The confusion surrounding the reign of James II, so eloquently described by Professor Donaldson in the quotation at the beginning of the thesis is considerable, but not insurmountable and there is sufficient evidence from which to draw some conclusions about the character of the king and his attitude to the influential members of the Scottish political community.

Mediaeval criteria of good kingship tended to centre on the royal justice, his role as a military leader and his ability to manage his resources and exercise patronage. That James II was active is undeniable, as shown by the royal itinerary (Appendix A), and he travelled extensively on justice ayres and visits to royal and magnatial strongholds (for example, Crichton, Castle of Morton and Spynie) around the country. He grasped fully the necessity of being seen in the localities and he understood the importance of using patronage to secure and reward loyalty. In a country where government was, necessarily, decentralised, James was concerned that the magnates to whom he delegated authority should be reliable, and he was anxious to prevent any noble family rising to a position of power and influence above the others. It was this aspect of the Douglas power to which the king took exception.

The extraordinary circumstance at the beginning of James II's reign of a power vacuum in the upper echelons of
society goes far towards explaining the subsequent problems of the reign. James I had effectively denuded the ranks of the higher nobility by his vindictive attacks on the Stewart family, and Walter earl of Atholl and his grandson Sir Robert Stewart were executed following the assassination of the king in 1437. Archibald 5th earl of Douglas became lieutenant-general at the start of the minority, but he died in 1439, thus removing the last influential magnate from government while the king was only eight years old. These peculiar circumstances explain the rise to prominence of William Crichton and Alexander Livingston, men of baronial rank who were able to rise to power simply because there was no-one to stop them doing so. The absence of a strong and united central government led to the faction fighting and turbulence which characterised the minority of James II and probably coloured his subsequent attitude to the nobility. At the basic administrative level, there was continuity from the reign of James I. Government continued to function with the major office holders - John Cameron, bishop of Glasgow, chancellor, John Forrester of Corstorphine, chamberlain, Walter Ogilvy, treasurer and William Crichton, master of the king's household - continuing in office, castles were garrisoned, charters were issued and councils were held, although it is possible to note some administrative disruption in the quantities of surviving documents. For example, in the year 1444, which has been noted as a turning point in the vicissitudes of the minority, very few official records of any description survive. This seems scarcely to
be an accident but rather it is indicative of the confusion at court in this period. The opportunities for self-seeking and ambitious men were manifold, and were seized on a number of occasions, perhaps most dramatically by the Douglases in 1440, when the execution of the young 6th Earl of Douglas and his brother moved the Douglas line over to another branch of the family, the head of which was their great-uncle, James, earl of Avandale, who immediately set about trying to gain those Black Douglas lands which did not go with the title to the earldom by negotiating for the marriage of his eldest son, William, with Margaret Douglas, the sister and heiress of the 6th Earl. It is scarcely conceivable that the execution of the Douglas brothers in Edinburgh castle in 1440, although carried out by William Crichton and Alexander Livingston, did not have the sanction of James earl of Avandale, for reasons outlined above, and the deliberate and assiduous efforts of the 7th Earl, and, after his death in 1443, his son William 8th earl of Douglas, to increase the family's position and gain territorial and political influence is undeniable. The apparent effortlessness of the transition of Black Douglas power from the 6th to the 7th Earl has tended to obscure the fact that the events of 1440 made a crucial difference to the power base on which the Black Douglas influence rested and reaction to the Black Dinner goes far towards explaining the subsequent fall of the family.

Against the desire of Douglas to set himself at the centre
of the political stage, Crichton and Livingston were powerless to resist, and of the two families, the Livingstons fared best for the remainder of the minority, as, with their network of offices, they were considered by Douglas to be useful in providing governmental administration. The Crichtons consequently found themselves out in the cold and the seeds of a very deep animosity to the 8th Earl were probably sown at this time, and Douglas must have found it expedient to take steps to legitimise his position against rival factions. The material evidence for the declaration of the king's majority in 1444 is flimsy as it rests upon the writ sent to Sir Alexander Home which refers to a decision made in a general council held in 1444, the proceedings of which have been lost. It is possible that such an assembly had been concerned solely with declaring the king's minority at an end in order to strengthen the hand of the faction who held the king and weaken the position of those who opposed them. The effect of this was that Douglas controlled the government and the Crichtons could be declared traitors if they opposed him. In practice, the king was far from being able to exercise power in his own right, and the declaration was little more than a cynical political gambit. The parliament of 1445 may have attempted to legalise the Douglas position still further by imposing a set of coronation oaths on the young king, the main import of which concerned law and order. Dr. Lyall has argued very convincingly that these oaths demonstrate an effort by
parliament to limit the power of the king and increase his
dependence on the three estates. There is a noticeable
lack of concern with the conventional assertion of church
privileges - the 'fredome of halikirk' - and the oaths
reflect a very real worry about the level of violence and
disorder in the country, evidence for which may be found,
for example, in Aberdeen burgh records. In this atmosphere,
certain members of the nobility, for example, David earl of
Crawford, were seizing the opportunity to increase their
power and a number of men were taking titles, a move
doubtless inspired by William Crichton who was styling
himself Lord Crichton by 1439, and men who considered
themselves to be, at least, his social equals were quick to
follow suit. For example, by 1440, Duncan, Lord Campbell,
and Alexander, Lord Montgomery, appear, and Dr. Grant has
identified the appearance of at least eighteen lordships of
parliament before the end of 1445 which cannot be attributed
directly to the influence of either the Earl of Douglas or
the king. Douglas himself was certainly concerned with
increasing the influence of his family, and his brothers
Archibald and Hugh were created earls of Moray and Ormond,
respectively, while his youngest brother, John, was infeft
in the Banffshire lordship of Balveny. It is significant
that Douglas was establishing his brothers in the north, as
this spread the territorial influence of the family into
areas which were notoriously difficult for central
government to control.
It was not until James II married Mary of Gueldres in July 1449 that his minority effectively came to an end, and he may be seen exercising personal control over the affairs of the kingdom. The irritation he may have felt for some years at his lack of control manifested itself in an attack on the Livingston family, and although only two members were executed, the entire family and their adherents were disgraced. It has been argued above that one of the principal motives for the attack was the king's desperate need for money, prompted by his marriage to Mary of Gueldres and his agreement to endow her with an annual income of 10000 crowns. It is possible that James held the Livingstons responsible for his lack of resources, but the attack was also an important display of the king's political muscle. The Douglases seemed content to watch the Livingstons fall and to benefit materially with possessions forfeited by Robert Livingston of Linlithgow and the Dundas family. The relationship between James II and William earl of Douglas appears to have been harmonious at this stage. The earl was not many years older than the king and would have come to court as a dynamic eighteen year old nobleman who must have impressed the fourteen year old king after the misery of being shunted from pillar to post under the tutelage of much older men against whose faction fighting he was powerless. It is possible that a real friendship existed between James II and Douglas and initially, the king may have been quite happy to see Douglas take control, but with James' marriage in 1449 and assumption of the reins of
government, the relationship may have grown progressively less harmonious as the older man was required to surrender his position to the younger, and friendship gave way to jealousy and suspicion. It was still comparatively recently that James I had demonstrated the unwillingness of Stewart kings to govern as primus inter pares, but Douglas appears to have been quite oblivious to such warnings and continued to seize what opportunities arose for the expansion of his power.

The acquisition of the earldom of Wigtown was the scheme which prompted the first open clash between Douglas and the king but, significantly, it was not in the form of a direct confrontation between the two men as Douglas had left Scotland to travel to Rome for the papal jubilee in the winter of 1450-51 and it was during his absence that the king moved to acquire the earldom to form part of his wife's endowment. The earldom of Wigtown had belonged, originally, to the Flemings, but as a result of their inability to control effectively the troubles arising from the collection of lordships which made up the earldom, they sold it in 1372 to Archibald 'the Grim', lord of Galloway, (from 1388, 3rd earl of Douglas). The Douglases, at this stage, enjoyed a major landed base in eastern Galloway and the purchase of the earldom of Wigtown spread their influence into the west. The Flemings continued to be associated with the Douglases although their landed base was in Biggar and Cumbernauld, and it was Malcolm Fleming who accompanied the 6th earl of
Douglas and his brother to Edinburgh castle in November 1440 and was forfeited and executed there. Malcolm Fleming's heir, Robert, complained bitterly against the sentence and was placated, not by Crichton or Livingston, but by James, the new 7th earl of Douglas, who had the sentence of forfeiture against Fleming rescinded and gave Robert his own daughter in marriage. This attempt to gloss over the events of 1440 may have been outwardly successful, but Fleming did not transfer his allegiance to his new father-in-law and his antipathy to the perpetrators of the 'Black Dinner' must have gone deep. It is worth noting that Robert lord Fleming held the position of Master of the King's Household in 1454 and was clearly a king's man by the 1450's if not before. Fleming's closeness to the king in 1454, before the final onslaught which led to the total disgrace of the Black Douglases in 1455, demonstrates that James 9th earl of Douglas could not expect Fleming's support notwithstanding the fact that he was his brother-in-law. The area which formed the base of the 7th Earl's power was around the stronghold of Abercorn on the Forth, Lanarkshire and lands in Banffshire. It is evident, therefore, that the roots of this branch of the Black Douglas family did not go very deep in Galloway, and they could scarcely count on the whole-hearted allegiance of the 6th earl of Douglas's affinity in the south-west. If Robert Fleming objected to the methods by which the 7th earl had acquired the Douglas earldom then so too must many of the men who formed the Black Douglas affinity in the south-west and this could
explain why the outwardly powerful Douglases should have crumbled as easily as they did in the face of determined royal opposition. In safe-conducts and charter witness lists issued for or by the Douglases, it is striking how few of the names which appear are Galwegian and the major Galloway families of McDowell, Vaus, Dunbar, Kennedy and Stewart of Garlies are rarely represented. The Douglas strongholds of Newark and Douglas castle in Lanarkshire were favoured residences by the 8th earl, and some of the areas from which the men who formed his affinity came were the middle march (for example, the Kerrs) of which he was warden, Perthshire (for example, the Haliburtons), Midlothian (for example, the Lauders of Hatton) and the south-east (for example, the Humes).

The earldom of Wigtown was held in life-rent by Margaret, widowed countess of the 4th earl of Douglas and when she died, towards the end of 1450, the earldom reverted, legally, to the crown. However, William earl of Douglas had taken over the administration of the earldom and evidently he felt that this arrangement would continue, as he left Scotland to travel to Rome for the papal jubilee in the winter of 1450-51, and it was during his absence that the king moved to re-possess the earldom. John Law's chronicle states that the attack, which was contrary to Douglas's interests whatever the legality of the king's position, was undertaken on the advice of the Crichtons and William Turnbull, bishop of Glasgow.
These were certainly the men at the heart of the king's council at this time and their animosity towards Douglas was deep-rooted. However, the king appears to have moved too impetuously, and with the return of Douglas in the spring of 1451, James had to back down. The importance of this episode was that William earl of Douglas received the message that he could no longer consider himself to be the king's principal counsellor and a different interpretation must be placed on his appearance at court after his return from Rome in 1451. Before he left, Douglas was at court, as were his brothers, who appear on a number of occasions in 1450, because they held positions of considerable influence there. After the attack on Wigtown, Douglas was at court to protect his interests - he was afraid not to be there. His brothers, Archibald earl of Moray and Hugh, earl of Ormond do not appear at court in this period and gone is the idea of a strong Douglas presence. It is possible that James II moved against Wigtown as he suspected that the 8th earl's roots did not go deep there, but he had not prepared his ground sufficiently and he learned from this experience.

In this uneasy atmosphere, Douglas must have felt sufficiently on the defensive to cast around for allies, and the bond which he made with the earls of Crawford and Ross almost certainly dates from this time. It angered the king, already deeply suspicious of Douglas, sufficiently to spark off the heated argument at Stirling castle in February.
1452 which culminated in the murder of Douglas. Even given the heinous nature of the king's crime - personally murdering his most powerful magnate while the latter was under safe-conduct - the Douglases were never in a position to challenge the king by threatening his deposition. Not only did they fail to command enough support to make this feasible, but it does not seem, at any time, to have been their intention. The 9th earl's renunciation of allegiance was understandable and conventional enough, but the position of the Douglas faction seems to have been untenable from the beginning and although the king was forced to back down, temporarily, in 1453, and come to terms with James 9th earl of Douglas, the Lanark agreement can scarcely be regarded as anything more than signifying a period of uneasy calm leaving both sides treading water before the final resolution of the conflict. It is clear, however, that James II was unable to have it all his own way. The contravention of the mediaeval code of honour involved in breaking the terms of the safe-conduct would have horrified contemporaries, and the king was aware that he had to offer some kind of explanation for having done so. The parliament which met in June 1452 issued a statement which sought to justify the king's action and face the accusations which were undoubtedly being made. The statement begins by acknowledging that certain of the king's 'rivals and rebels...were unjustly asserting that our said supreme lord king had killed William earl of Douglas while under special safe-conduct and certain other securities'. An inquiry had
been ordered by the king, it was asserted, the findings of
which were that 'if the late William earl of Douglas had any
safe conduct and other sureties from the lord king on the
day before his death, he had expressly renounced
these...before a multitude of barons, lords, knights and
nobles'. Douglas was accused of having made 'leagues and
conspiracies... with other magnates of the realm' and he and
his brothers were also accused of having frequently
perpetrated rebellions. The account of the two-day
conference at Stirling was that the king and 'several barons
and nobles' had tried to persuade Douglas to make peace, but
he had been obstinate and, 'by his deeds and acts procured
and gave occasion for his death'. It is hardly surprising
that an essentially royalist parliament, which included five
bishops, one earl (the Red Douglas Earl of Angus) and eleven
lords of parliament, at which no member of the Black Douglas
faction was present, should have found in the king's favour
and although the three estates need not unreservedly have
approved the king's action, the deed was done and dissension
and civil strife could hold little attraction. The position
of the Douglases may have been regarded by many, if not with
outright hostility, then at least with considerable unease
or envy and the curtailing of the Douglas influence was
undoubtedly welcomed by those who expected the consequent
enhancement of their own positions. The murder of Douglas
was almost certainly spontaneous and hot-blooded, but the
king's intention to undermine and diminish the earl's power
was clear for some time before the summons to Stirling. The
careful wooing by the king of men with demonstrable Douglas connections such as William Cranston, Simon Glendinning and Andrew Kerr meant that when the attack on Douglas was made, many of those whom the Douglas faction believed would support them had realised that the most profitable course lay in allegiance to the king. Those men named by the Auchinleck chronicler who were present at Stirling when the 8th earl of Douglas was murdered include men who had been linked with Douglas in charters and safe-conducts, such as Cranston and Glendinning, and they may actually have come to Stirling in Douglas's company, thus lulling him into a false sense of security. The lack of support for the Douglases even after the outrageous crime committed at Stirling can scarcely be explained solely in terms of a general fear of the king. The Douglases were clearly unpopular and even their own tenants were unwilling to espouse their cause if the consequence of doing so was to take arms against the king, particularly as many may have regarded the sons of James 7th earl of Douglas as usurpers of their titles for whom, although overlords in name, they felt little allegiance. The Auchinleck chronicler who, in this section of the chronicle, hardly portrays a strong pro-royalist bias, is nevertheless scathing in his comments on the Douglas response, stating that they 'excedit nocht of gud men viC'.

When the final assault on the Black Douglases was made in 1455, it is worth noting that the king was courting support
in areas where the Douglases were strongest, and the bond of manrent between James II and James Tweedie of Drumelzier, made on 8 March 1455, demonstrates this. Drumelzier lies 8 miles south-east of Biggar in Peeblesshire and, as Dr. Wormald has pointed out, Tweedie is unlikely to have been the only southern laird with whom James II made such an agreement. That the Douglases were so bereft of support may lend some weight to the picture of bad lordship presented in the sixteenth century chronicles, for example, Lesley, Buchanan and Pitscottie, who write of the Douglases' harsh and arbitrary treatment of their tenants. It is possible that, faced with an attitude of reluctance or refusal to follow Douglas, the earl resorted to coercion, although the chroniclers' tales are no doubt exaggerated and embellished. The lands held by the Douglases of Moray, Ormond and Balveny provided little in terms of tangible support. The Douglas hold on Moray was tenuous, based as it was on Archibald Douglas's marriage to Elizabeth Dunbar, the younger heiress of Moray and he could expect little allegiance from the men of Moray. The fact that Archibald, Hugh and John Douglas were in the south conducting border raids when they were defeated at Arkinholm in 1455 suggests that they did not set great store on defending their northern possessions.

James II displayed a political shrewdness throughout his adult reign which enabled him to survive the potentially disastrous mistake of pushing the Douglases into open
rebellion, and he forestalled the worst repercussions by taking the initiative and going on the offensive before the Douglasses had time to muster their strength. By choosing to go to the south-west almost immediately after the murder of Douglas, James II was probably making sure that those who had formed the 6th Earl's affinity and may have been wavering in their attitude to the new 9th Earl, would appreciate that allegiance to the king was the choice they must make. He did not attempt to venture into the real Douglas heartland of Lanarkshire and Lothian at this stage, and it may be significant that the pregnant queen was moved from Stirling to St. Andrews and not to Edinburgh or Linlithgow. 20

Having prepared his ground well, James II moved against the Black Douglasses in earnest when, at the beginning of March 1455, according to the Auchinleck chronicler, he 'kest doune' the Douglas castle of Inveravon and then marched to Glasgow, gathering to him an army formed principally of 'the westland men with part of the ereschery (highlanders)'. With this host, the king proceeded to Lanarkshire and 'brynt all douglasdale and all awendale' and raided in Ettrick. 21

These attacks were aimed at the very roots of Black Douglas power and included James lord Hamilton, the most powerful and consistent of the 9th earl of Douglas's supporters. At the beginning of April, the king had laid siege to Abercorn castle, a siege which lasted for approximately one month during which time use was made of the king's artillery and
particular mention is made by the Auchinleck chronicler of 'the gret gun the quhilk a franche man schot richt wele'. On the fall of the castle, the chief defenders were hanged and the castle was razed to the ground. James 9th earl of Douglas evidently did not appear to aid the defence of Abercorn and the Auchinleck chronicler remarks cryptically that 'men wist nocht grathlie quhar the Douglas was all this tyme'. The absence of Douglas and the apparent hopelessness of his position appears to have led James lord Hamilton to abandon his patron during the siege of Abercorn and place himself at the king's mercy. For his support of the Douglases, Hamilton suffered only temporary imprisonment in William Sinclair's castle of Roslin, and he was sufficiently restored to favour to benefit from the eventual collapse of the Douglases with lands and possessions.

The king's success is best explained by the fact that he was not launching a general attack on the nobility and had not alienated the political community in the way his father had done. It was not James II's intention to decimate the nobility; he pursued an active policy of creating earldoms and lordships, although many of these creations have every appearance of being tactical. For example, the position in the north of the Earl of Huntly caused the king some uneasiness. Huntly was a minority creation of 1445 - a time of strong Douglas influence at court. There is no evidence for Huntly ever having acted against the king, but James II seems to have regarded him with suspicion perhaps feeling
that Huntly's over-riding concern was the enhancement of his and his family's position in the north. This probably explains why the king blocked Huntly's plan to marry his son George to the widowed Countess of Moray in 1455. The creation of the earldoms of Rothes, Marischal and Erroll (the latter two titles being rewards for serving in the offices of marischal and constable, respectively) were intended, no doubt, to surround the principal Huntly estates and forestall any trouble from that direction. Rothes was in Moray, approximately nine miles south of Elgin, and west of Huntly and Keith, and although the Leslies had interests and lands in Fife, it is significant that the creation concentrated on their northern possessions, which appears as a deliberate attempt on the king's part to provide a buffer against Huntly. James II's attitude to the northern parts of his kingdom is well illustrated by his unwillingness to surrender the earldom of Mar to the Erskine claimants who had been pressing their case throughout the entire reign. The problem was resolved finally in 1457 with an assize held in Aberdeen, and attended by the king in person, which gives some indication of his interest in the matter. George lord Leslie supported the king's case for the earldom and his subsequent elevation to the earldom of Rothes was doubtless in recognition of this and other demonstrations of loyalty and support. The king granted the earldom of Mar, almost immediately, to his youngest son, David, and when he died in infancy, the crown continued to administer the earldom.
Similarly, the earldom of Moray was retained by the crown, and this must demonstrate a conscious policy of controlling areas of the north-east which were potential trouble spots - an attitude mirrored in the west with the creation of the Campbell earldom of Argyll in 1458, intended to counteract the influence of the lord of the Isles. There appears to have been no further problem with the lord of the Isles during the reign of James II, and having secured the keepership of Inverness and Urquhart castles, he does not seem to have considered intervening actively on behalf of the Earl of Douglas or challenging the authority of the king. Had he chosen to do so, he was in a position to cause considerable problems, therefore James II's policy of accepting the fait accompli of 1451 and sanctioning the actions of John earl of Ross and lord of the Isles was a sensible one, as it left him free to attend to other matters such as the final destruction of the Black Douglases. Despite references to the 9th earl of Douglas trying to secure support from the Earl of Ross, the latter seems to have decided that the Douglas cause was lost and that he could derive little benefit from opposition to the king.

Most of the peerage creations of James II were achieved without giving very much away in any tangible sense, as Argyll was the only earldom which may be described as territorial, the others being essentially honorific. The peerage titles assumed during the minority were accepted and recognised, and the king added to the ranks of lords of
parliament although, again, it cost him little to do so. Social distinction through title was a marked feature of the reign of James II and as Dr. Wormald has demonstrated, it was no accident that the practice of making bonds of manrent begins in his reign, as men with little to choose between them territorially would seek to emphasise their superior standing in written bonds of service and protection which were seldom linked to land tenure. 27

The power vacuum which occurred in the south and south-west after the fall of the Douglases was not filled immediately, by any one family, but it opened the way for the rise of a number of families. The Annandale and Nithsdale families of Johnston and Scott received rewards in direct recognition of loyal service rendered to the king in opposing Douglas incursions over the border - in particular, at the battle of Arkinholm in 1455. 28 In Galloway, the Vaus family, which had probably come to Galloway after 1422 when Alexander Vaus bishop of Caithness was translated to Whithorn, received confirmation from the king of their holding of the lands of Barnbarroch in the Machars. Alexander Muir, cousin of the Duchess of Touraine, was William 8th earl of Douglas's justiciar in 1448, but he does not appear to have supported Douglas after 1452 and retained possession of the lands of Bardrochat after the fall of his patron, and by 1498, Adam Muir was holding the position of chamberlain of Galloway. The Hannays, who were tenant farmers in Galloway and had held their lands of Douglas, became provosts of Wigtown by
the sixteenth century and the Agnews had the hereditary office of sheriff of Wigtown revived for their family. 29

The position of the Kennedies, already being built up in Carrick by James II in 1451 when he backed the Kennedies of Dunure against other branches of the family, expanded rapidly after the Douglas fall, and the family of Stewart of Garlies, long established in Galloway, eventually became earls of Galloway in 1623. 30

Such were the long-term developments, but in the immediate aftermath of the Douglas fall, a number of men with most definite Douglas connections were treated very favourably by the king. After the surrender of Threave in 1455, which was achieved, despite the array of artillery transported there by the king, through bribery, and possibly a feeling of betrayal amongst the besieged upon hearing that James 9th earl of Douglas had granted the fortress to Henry VI, King James made a number of grants. The custodian of the castle, Sir John Fraser, received £5 13s 6d and John Whiting was paid the sum of £5. More remarkably, John Dunbar 'and others with him in the castle at the time' received £50. All these men had their forfeited lands restored and in addition, John Dunbar received estates to the south of the island of Threave to augment his manor at Duchrae to the north. 31 James II did not display a universal vindictiveness towards Douglas adherents and very few men suffered the ultimate penalty for their support. Mark Haliburton and William Lauder of Hatton suffered forfeiture,
but in the case of Haliburton, this was some time after the Douglas fall, and the king had shown him some favour prior to this. 32 The staunchest supporter of the Douglases, James lord Hamilton, was imprisoned for only a short time and he actually benefited from the Douglas forfeitures and rose so far as to marry one of James II's daughters in the following reign. 33

James II's relationship with the three estates seems, on the whole, to have been one of reasonable co-operation. Parliament was held every year of the king's adult reign and although the assembly displayed, on occasions such as June 1452, a noticeable royalist bias, the king did not escape a measure of mild criticism in the statute of 1458 which declared that, as the rebels and breakers of justice had all been removed from the realm, the three estates

'with all humilite exhortis and requiris his hienes to be inclynit with sik diligence to the executione of the statutis actis and decretis abone writtyn that God may be emplesit of him and
all his lieges spirituale and temporale may pray for him to gode and gif thankyng to him that sende thame sik a prince to their governor and defender'.

However, this is no more than a mild rebuke and concern at the lack of implementation of statutes is not peculiar to this parliament or the reign of James II. Similarly, the 1455 Act of Annexation which exhorted the king, in effect, to 'live of his own' was demonstrating an attitude to the management of crown resources which was conventional rather than radical. The regular assemblies of the three estates and the attendance there of men who owed their positions as lords of parliament to the king, suggests that James II took account of the political community, although some voices were more influential than others; for example, the Crichtons, Bishop Turnbull, James Livingston and Bishop Schoriswood.

At the beginning of the reign of James II, the higher nobility in Scotland were virtually non-existent and it was possible for the Black Douglases to effect a meteoric rise between 1440 and 1452. However, the nature and speed of this rise was such that there was no real foundation to it, and the family went over like a house of cards in the face of concerted royal attack. It is also worth noting that the Black Douglas fall was permanent. The survivors went to England, but unlike other disgraced Scottish families who
went to England (for example, the Dunbars, Earls of March in the early 1400's) they did not ever make a comeback. A number of abortive raids across the border, such as the one which culminated in their defeat at Arkinholm in 1455, and the apparently vindictive raids such as John Douglas's burning of the lands of Covington, the possession of their former adherent, James Lindsay of Covington, seemed all that the Douglases could achieve. This is best explained by the fact that the areas of the marches most easily accessible to them in border forays, were the areas of their erstwhile possession where their roots had not been established, and their former tenants, secure in their lands and royal favour, would have felt far from inclined to countenance a Douglas return, far less support it actively. By the end of his reign, James II had effectively filled that power vacuum left by his father by tactical replenishing of the ranks of the nobility, particularly at the level of lord of parliament. When James II was killed, accidentally at the siege of Roxburgh in 1460, leaving a son who was only eight years old, the men who rose, during the minority, to political prominence were the Boyds and the Kennedies. Gilbert lord Kennedy of Dunure had been advanced in Carrick to counter Douglas influence in the west, and Sir Alexander Boyd was named by the Auchinleck chronicler as one of the men who participated in the murder of William 8th earl of Douglas. These families reinforced their positions by making bonds with other families (for example, the Hamiltons and Flemings) and it may be argued that James
II's political legacy for his son was to leave him a nobility whose influence was not, generally, based upon extensive territorial power but upon service and alliance.
Notes, Conclusion

1 See chapter 2, p. 58

2 The Livingstons held the castles of Stirling, Doune, Dunoon, Methven and Dumbarton and the offices of warden of the royal mint, comptroller and custumar of Linlithgow. In addition, James Livingston was custodian of the king's person and his father Alexander, was justiciar. See chapter 4, p. 103

3 See chapter 3, p. 74

4 Lyall, R. J., 'The Medieval Scottish Coronation Service', I.R., xxviii (1977), 3-21. Also, see chapter 3, p. 75

5 Ibid., p. 78


7 See chapter 4, p. 102

8 R.M.S., i, 114, no. 5

9 See chapter 2, p. 59

10 Cawdor Book, 20-1

11 Fraser, Douglas, iii, passim.

12 See chapter 4, p. 118

13 See chapter 4, p. 130

14 See chapter 5, p. 153

15 A.P.S., ii, 73. Also, see chapter 5, p. 158

16 See chapter 5, p. 175

17 Chron. Auchinleck, f. 115r

18 H.M.C., Various Collections, v, Tweedy, 14; Wormald, J., Lords and Men. Also see discussion in chapter 5.
19 See chapter 8.
20 See chapter 5, p. 154
21 Chron. Auchinleck, f. 116r
22 Ibid.
23 For details of lands and offices acquired by James lord Hamilton, see chapter 6, p. 189
24 See chapter 6, p. 208
25 Ibid., p. 207
26 See chapter 6, p. 209
27 Wormald, J., Lords and Men, passim.
28 See chapter 5, p. 175
29 Inq Chrs. passim
30 H.B.C., 477. Gilbert lord Kennedy married Katherine, the daughter of Herbert lord Maxwell. The Kennedies expanded into Galloway as heirs of George Douglas of Leswalt. Inq Chrs., 162
31 E.R., vi, 199, 202
32 See chapter 5, p. 177 and chapter 6, p. 210
33 See chapter 6, p. 189
34 A.P.S. ii, 52
35 Nicholson, R., The Later Middle Ages,
36 Justiciary Court Records, N.L.S., Acc. Adv. 6/1/4
37 Macdougall, N., James III, passim.
### Appendix A.

#### 1437

**James II - Itinerary**

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Appendix B

Adam Abell 'The Roit and Quheill of Tyme'. N.L.S. MS.1746. 126ff., small octavo.
A short history of Scotland from its legendary beginnings down to the year 1537. The work, dedicated to St. Francis of Assisi, was written by Adam Abell, an Observantine friar, at Jedburgh in 1533, with a continuation by him to 1537. The reign of James II is dealt with on ff. 109v - 110r:

f.109v
Scottis king 103 was James second son of forsaid James that he had adversite in his begynnyng nevertheless he prevalit eftir. He was terrible to his enemies of Ingland for the wyffis of Ingland in the morning would save them and theirs fra the king with the fire in his face - he had ane redness in his face. It was also ane proverb of him he kepit justice sa strait aganis thieves and reivers as he gart the reche bush keip the pure wyffis kow. For he zeid not to the pedderal thieves how they do now but ay to the chieftains he tuke advice and the fosteraris

f.110r
of thieves. In his tyme the erll of Douglas brint Stirling and made ane band with the erll of Crawford. Quharfore eftirwart he was slane (and onder trowis) in the castell of the same. Eftirwart sieging Roxburgh with the moving of ane
gun King James was slane with great mourning and dolour of all his lieges the 24 year of his reign of god 1460. Notwithstanding his deid the queen gart stufe the sege sayand quhom want we bot ane man. Sche passat not away quhill the castell was won and syne gart cast it down. Sche was the duke of gillers dochtir. Sche mareit eftir ane knyt of the Kings surname and to him had James erll of buchan John and othir barnis.

There is a note in the margin on f.109v which reads 'the secund zer of king James the gra friars of observance com in scotland'
Bibliography

The works cited in this bibliography follow the forms given in the 'List of Abbreviated Titles of the Printed Sources of Scottish History to 1560', S.H.R., supplement (October, 1963). Works which do not appear in this list are given an abbreviation in the left-hand column of the bibliography which is followed throughout the text.
A. Manuscript sources:

Scottish Record Office.

B 25 Falkland Burgh Records
B 34 Inverkeithing Burgh Records
B 65 St. Andrews Burgh Records

Calendar of Charters

GD 1 Misc. Accessions
GD 15 Cardross Writs
GD 20 Crawford Priory Collection
GD 25 Ailsa Muniments
GD 26 Leven and Melville Muniments
GD 38 Dalguise Muniments
GD 45 Dalhousie Muniments
GD 47 Ross Estate Muniments
GD 48 Rossie Priory Muniments
GD 52 Lord Forbes Collection
GD 63 Bell-Brander Muniments
GD 82 Makgill Charters
GD 97 Duntreath Muniments
GD 101 Wigtown Charters
GD 108 Pitcaple Charters
GD 109 Bargany Muniments
GD 132 Robertson of Lude
GD 150 Morton Papers
GD 157 Scott of Harden
GD 160 Drummond Castle Muniments
GD 172 Henderson of Fordell
GD 198 Haldane of Gleneagles
GD 205 Ogilvy of Inverquharity MSS.
GD 236 Dundas and Wilson, C.S., Collection
GD 267 Home of Wedderburn
GD 279 Comrie Writs
GD 297 J. and F. Anderson Collection
RH 1 Transcripts
RH 2 Transcripts and Photocopies
RH 6 Register House Charters (1st Series)
SP 7 Repertory of State Papers

Chancery Records C2/3 MS. Registrum Magni Sigilii.

West Register House

National Register of Archives (Scotland) - NRA(S)
5 Arbuthnott Writs
1100 Roxburgh
161 Borthwick
888 Hopetoun
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553 Stirling of Glorat
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Glamis

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Acc. 5976, Box 6, 10,11,13,14
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British Library
Harleian MSS. 4620 - charters and grants of the Kings of Scotland from James I to James VI.
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4628 - folio containing extracts from charters from Robert Bruce to James V.
712 - copy of Fordun - short chronicle entries pertaining to the reign of James II appended.

Additional MS. 8878 - book of the expenses of Jane and Eleanor, sisters of Margaret of Scotland, wife of the Dauphin Louis, from 1 October 1447 to 7 February 1448.

Royal MS. 18 B, vi - copy of the marriage treaty between James II and Mary of Gueldres

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Das Tagesbuch von Georg von Ehingen. Cod. his. 4° 141

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| Aberdeen-Banff Illustrations | Illustrations of the Topography and Antiquities of the Shires |</p>
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Addenda