

Thesis  
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**The Political Ambitions and Influences of the  
Balliol Dynasty, c. 1210 – 1364**

A thesis submitted in fulfilment of the requirements for the degree of  
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## **Abstract**

This study examines the importance of the Balliol dynasty in the thirteenth and fourteenth centuries through their political ambitions and influences in the three realms of Scotland, England and France. The generally accepted opinion in previous historiography that John (II), king of Scots from 1292-96 (d. 1314) and Edward Balliol (d. 1364) were politically weak men and unsuccessful kings has not been challenged until recently, when historians began evaluating the family from a British approach. Despite this, challenges have remained and it has been necessary to re-examine the life of John (I) (d. 1268) in order to bring a new perspective to the Balliol family. During the eleventh and twelfth centuries, the Balliols had slowly increased their power and influence in English politics, acquiring a significant landed wealth, which, by the early thirteenth century, propelled the family into a class of leading nobles. At this point in 1229, John (I) inherited his father's wealth and position and would substantially increase the family's influence in England and Scotland over the next four decades, while retaining their French links.

The influence that John (I) had in the three realms and his relationships with kings Alexander II and Alexander III of Scotland and Henry III of England have been thoroughly examined in this study and have uncovered John (I)'s power and ambition as an independent lord, who remained wholly English in identity. With this evidence, a new perspective has developed. In reassessing John (I), the Balliols are revealed as committed English lords and loyal servants of the kings of England. This has thrown new light on the political roles of John (II) and Edward Balliol and underlines how the family has been unfairly judged through centuries by both chroniclers and historians who have assessed them as Scottish kings rather than as English lords.

With this new perspective, the political roles of King John (1292-96) and King Edward (1332-56), before, during and after their respective kingships have been re-examined and re-evaluated. Admittedly, both men lacked the power which John (I) possessed in his lifetime under Henry III, and although John (I) had laid the foundations for a great baronial dynasty, the deaths of Hugh Balliol (d. 1271) and Alexander Balliol (d. 1278) limited the territorial base which John (II) would inherit. Similarly, King John's deposition in 1296 would alter any strong landed and political following to which Edward Balliol might have hoped to succeed.

Despite the loss of wealth in the 1270s and the forfeiture of the Balliol estates in England and Scotland in 1296, John (II) and Edward still retained close relationships with the successive English kings and used these connections to fuel their political ambitions. Their kingships illustrate their desires to recover some influence in English politics which the family had enjoyed in the mid-thirteenth century. However, the decrease in landed wealth resulted in a less significant baronial identity within the Scottish and English political communities and perhaps affected their roles as Scottish kings. The reassessment of the Balliols as Anglo-Scottish lords has underlined their relationship with the English crown and the political nature of the family.

**Declaration**

I hereby declare that this thesis has been composed by myself, and that the work which it embodies has been done by myself and has not been included in any other thesis.

Signed *Amanda Pearson*

Date *30 May 2005*

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### List of Abbreviations

AN	Archives Nationales, Paris
<i>Anglo-Scottish Relations</i>	<i>Anglo-Scottish Relations 1174-1328: some selected documents</i> , ed. E.L.G. Stones (London, 2 <sup>nd</sup> edition, 1970)
APS	<i>The Acts of the Parliaments of Scotland</i> , eds. T. Thomson and C. Innes (12 volumes, Edinburgh, 1814-75)
Barrow, <i>Robert Bruce</i>	G.W.S. Barrow, <i>Robert Bruce and the Community of the Realm of Scotland</i> (Edinburgh, 3 <sup>rd</sup> edition, 1988)
BIHR	<i>Bulletin of the Institute of Historical Research</i>
BL	British Library, London
CCR	<i>Calendar of Close Rolls</i> (47 volumes, London, 1892-1963)
CDS	<i>Calendar of Documents Relating to Scotland</i> , ed. J. Bain (5 volumes, Edinburgh, 1881-88)
<i>Charter Rolls</i>	<i>Calendar of Charter Rolls</i> (5 volumes, London, 1903-16)
<i>Chronicon de Lanercost</i>	<i>Chronicon de Lanercost, 1201-1346</i> , ed. J. Stevenson (Edinburgh, 1839)
<i>Chron. Bower</i>	<i>Scotichronicon by Walter Bower</i> , ed. D.E.R. Watt <i>et al.</i> (9 volumes, Aberdeen, 1987-99)
<i>Chron. Fordun</i>	<i>Johannis de Fordun Chronica Gentis Scotorum</i> , ed. W.F. Skene (Edinburgh, 1871-72)
<i>Chron. Majora</i>	<i>Matthaei Parisiensis, Chronica Majora</i> , ed. H.R. Luard (5 volumes, London 1872-83)
<i>CInqPM</i>	<i>Calendar of Inquisitions Post Mortem</i> (30 volumes, London, 1904-68)
CPR	<i>Calendar of Patent Rolls</i> (London, 1891- )
EHR	<i>The English Historical Review</i>
<i>Foedera</i>	<i>Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica</i> , ed. T. Rymer (The Hague, 3 <sup>rd</sup> edition in 6 volumes, 1745 reprinted 1967).
<i>Great Cause</i>	E.L.G. Stones and G.G. Simpson, <i>Edward I and the Throne of Scotland 1290-1296: an Edition of the Record Sources for the Great Cause</i> (2 volumes, Oxford, 1978)
NA	National Archives, Kew (formerly Public Record Office)
NAS	National Archives of Scotland, Edinburgh
NLS	National Library of Scotland, Edinburgh
RMS	<i>Registrum Magni Sigilli Regum Scotorum (The Register of the Great Seal of Scotland), 1306-1424</i> , ed. J.M. Thomson (Edinburgh, 1912)
<i>Rot. Scot.</i>	<i>Rotuli Scotiae in Turri Londinensi</i> (2 volumes, London, 1814-19)
RRS	<i>Regesta Regum Scottorum</i>
SHR	<i>The Scottish Historical Review</i>
Stevenson, <i>Documents</i>	<i>Documents Illustrative of the History of Scotland, 1286-1306</i> , ed. J. Stevenson (2 volumes, Edinburgh, 1870)
TDGNHAS	<i>Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society</i>

**List of Genealogical Tables and Maps**

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## **Introduction**

### *The Political Ambitions and Influences of the Balliol Dynasty, c. 1210-1364*

The Balliol dynasty has received, for the most part, a brief mention in Scottish history, but it has remained merely peripheral in the shadows of the Bruce dynasty and the equally powerful Comyn family. Traditional views have augmented the failures and shortcomings of King John (1292-96) and of his son, King Edward (1332-56), resulting in a generally blackened reputation for the whole family. Repeatedly, John and Edward have been assessed by contemporary and later sources as Scottish kings rather than as English barons; thus, what has emerged is a simplistic puppet image of the family—a Scottish dynasty loyal to the English which had no real importance in the fight for independence in the years after Alexander III's death in 1286. Much of this misconception is due, paradoxically, to the predominately English nature of the family and their loyalties and connections to the English royal family.

This perceived image was pushed forward quickly after King John's surrender and abdication in 1296 in order to gloss over Robert Bruce's usurpation in 1306. Primarily, this can be seen in the reign of Bruce (1306-29), who used much propagandist legislation to justify his seizure of the Scottish throne.<sup>1</sup> When Bruce gained the crown, many Scots still believed that John Balliol was rightfully king, and therefore, his son, Edward, was the heir to the throne, not Bruce.<sup>2</sup> In fact, the kingship of Robert I was publicly 'accepted' only later through the Declaration of the Clergy in 1309, and it was this acceptance that slowly developed into the legend of Bruce's superior claim. In this engineered Declaration, Bruce's rights to the throne were championed over those of John Balliol, who was viewed as a pawn of Edward I and a

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<sup>1</sup> R.J. Tanner, "Cowing the Community? Coercion and Falsification in Robert Bruce's Parliaments, 1309-1318," in *The History of the Scottish Parliament: Parliament and Politics in Scotland, 1235-1560*, eds. K.M. Brown and R.J. Tanner (Edinburgh, 2004), 50-73.

<sup>2</sup> Barrow, *Robert Bruce*, 113, 166.

king who was ‘on various pretexts taken, imprisoned and deprived of kingdom and people by the king of England,’ while assertions were made regarding the Bruce family’s support from the ‘faithful people’ of Scotland, who ‘had always understood...that the said lord Robert, the grandfather, was true heir after the death of King Alexander.’<sup>3</sup>

The Balliol reputation continued to be degraded, especially in most fourteenth and fifteenth century Scottish chronicles. In later years, after the failure of the Balliol line in 1364, Scottish chroniclers began to promote the Bruce cause. One exception comes from Andrew Wyntoun’s *Original Chronicle* (c. 1420), which explains how Dervorguilla de Balliol, mother of King John, ‘spendit hir tresour dewotly’ by founding Sweetheart Abbey near Dumfries and other friaries.<sup>4</sup> Other Scottish writers, such as John of Fordun (c. 1380) and his continuator Walter Bower (1440s), must be approached carefully because of the amount of Bruce propaganda inserted into their stories, as well as their frequent attempts to gloss over the English connections of Robert Bruce and the Comyn family.<sup>5</sup> Indeed, Bower’s claim that Edward Balliol had no right to the Scottish throne because of his grandmother’s [Dervorguilla] illegitimacy surely sparked arguments by later historians that the Balliol dynasty never had a legitimate claim in 1292.<sup>6</sup> Moreover, the authorship of both Bower and Fordun is questionable and biased and its authenticity, having been written decades after many of the events they discuss, is also put into doubt. Wyntoun may also have based his work on John Barbour’s *The Bruce* (c. 1371-76), and the Anonymous Chronicle, which spans

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<sup>3</sup> A.A.M. Duncan, “The Declarations of the Clergy, 1309-10,” in *The Declaration of Arbroath: History, Significance, Setting*, ed. G.W.S. Barrow (Edinburgh, 2003), 32-49 at 35, 44; D.W. Hunter Marshall, “On a Supposed Provincial Council of the Scottish Church at Dundee in February 1310,” *SHR*, xxiii (1926), 80-93; Barrow, *Robert Bruce*, 184. The Declaration is dated 17 March 1309.

<sup>4</sup> *The Original Chronicle of Andrew of Wyntoun*, ed. F.J. Amours (Edinburgh, 1914), Book 8, Chapter 8.

<sup>5</sup> This is seen primarily with the English baronial conflict of the 1250s and 1260s, when Comyn and Bruce went to England to assist King Henry (See Chapter Two; *Chron. Fordun*, i, 302).

<sup>6</sup> Bower claims that Dervorguilla was illegitimate because the dispensation requested for the marriage of her parents, Alan of Galloway and Margaret of Huntingdon (who were cousins), had failed due to the deaths of the messengers on the way to Rome (*Chron. Bower*, vii, 289).

from 1324 (the birth of David Bruce) to 1390 (the death of Robert II). In addition, he may have decided against using certain parts of Fordun's *Gesta Annalia II* because of the disagreeable portrayal of Robert Stewart (later Robert II).<sup>7</sup>

Fiona Watson has recently provided a valuable investigation of King John's reputation in late medieval English and Scottish chronicles, such as *Flores Historiarum*, the annals of William Rishanger and Barbour's *The Bruce*, and in later antiquarians, such as Sir Walter Scott and John Hill Burton. Her piece examines primarily the claims that John was removed from office in 1295 for his ineffectiveness.<sup>8</sup> Indeed, through his forced abdication in 1296 and the degrading ceremony surrounding it, John Balliol earned the ever-lasting nickname of 'Toom Tabard,' apparently coined by Peter de Langtoft, a contemporary English chronicler who died at the beginning of the fourteenth century. Langtoft's caption 'His tipet is tipped, / His tabard is tom' was echoed by the Scottish Wyntoun, over a hundred years later, who explains that 'Tuyme Tabart he was callit eftirwart.'<sup>9</sup> Although he still appears as a puppet king, it has become clearer that he was a willing puppet because of his English upbringing and the loyalty of his family to that realm. Indeed, in truth he was a 'comparative stranger' to Scotland and remained 'an Englishman rather than a Scotsman.'<sup>10</sup> His English nature and service under Edward I ensured that he would not rise to become a great Scottish king, although evidence does indicate that he attempted to stress royal authority upon his accession.

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<sup>7</sup> D. Broun, "A New Look at *Gesta Annalia* Attributed to John of Fordun," in *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*, ed. B.E. Crawford (Edinburgh, 1999), 9-30, at 18; S. Boardman, "Chronicle Propaganda in Late-Medieval Scotland: Robert the Steward, John of Fordun, and the 'Anonymous Chronicle,'" *SHR*, lxxvi (1997), 23-43, at 25-8.

<sup>8</sup> F. Watson, "The Demonisation of King John," in *Scottish History: the Power of the Past*, eds. E.J. Cowan and R.J. Finlay (Edinburgh, 2002), 29-45, at 29.

<sup>9</sup> *The Chronicle of Pierre de Langtoft*, ed. T. Wright (London, 1866), 258-9; *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 12, lines 1953-62.

<sup>10</sup> Barrow, *Robert Bruce*, 49.

Edward Balliol has also been portrayed as a threatening usurper by two chronicles, the fourteenth century English *Auctore Bridlingtoniensi* and the fifteenth century Scottish *Liber Pluscardensis*, which claim that those Scots who adhered to Balliol after 1332 were inclined to do so ‘more from fear than from love.’<sup>11</sup> The portrayal of this by the Pluscarden chronicler is understandable as it justifies the Scots’ unexpected defeat following Balliol’s invasion and enthronement in 1332. The English knight and chronicler, Sir Thomas Gray of Heton, who was captured in 1355 by the Scots and wrote his *Scalachronica* while in prison, provides useful information on Balliol’s early campaigns and the participation of the English king and his government in the regime.<sup>12</sup> Gray portrays Edward III as commander of the Scottish expeditions, as can be expected, which is a similar approach used by the French chronicler, Jean Froissart. Both Froissart and Gray underline Edward III’s role as the benefactor of Balliol’s campaign in Scotland, suggesting that the English king was using Balliol as a means to ‘preserve the conquests’ in the north, a theme which will be examined in Chapter Seven.<sup>13</sup> Other French chroniclers, such as the author of *Les Grandes Chroniques de France* and Jean le Bel on the other hand, make modest references to the Balliol dynasty in passing, usually limited to Edward Balliol and his invasion of Scotland in 1332.<sup>14</sup> This illustrates that the Balliol family, despite their established French connections, had also been neglected by contemporary and later French chroniclers although there had been an increased interest in the family in the seventeenth and eighteenth centuries, as outlined below.

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<sup>11</sup> *Auctore Bridlingtoniensi* [hereafter *Bridlington*] in *Chronicles of the Reigns of Edward I and Edward II*, ed. W. Stubbs (London, 1882), ii, 108-9; *Liber Pluscardensis*, ed. F.J.H. Skene (Edinburgh, 1877-80), ii, 266.

<sup>12</sup> *Scalachronica: by Sir Thomas Gray, a Chronicle of England and Scotland*, ed. J. Stevenson (Edinburgh, 1836).

<sup>13</sup> *Froissart’s Chronicles*, ed. and trans. J. Jolliffe (London, 1967), 64.

<sup>14</sup> *Jean Froissart, Chroniques*, ed. N. Desgrugillers (Paris, 2003); *Froissart’s Chronicles; Chronique de Jean le Bel*, eds. J. Viard and E. Déprez (Paris, 1904-05); *Les Grandes Chroniques de France*, ed. J. Viard (Paris, 1953).

The thirteenth and fourteenth century English *Chronicle of Lanercost*, which covers the dates 1201 to 1346, proves to be a very important resource for the three Balliol lords examined in this study. Most of the chronicle's information was written by contemporaries, perhaps one of whom was Friar Richard of Durham, who A.G. Little believes was a close friend of Dervorguilla de Balliol.<sup>15</sup> Possibly an inside source, Friar Richard provided essential details in the chronicle of the long-standing dispute which John (I) Balliol (d. 1268) had with the bishops of Durham, resulting in the foundation of Balliol College (c. 1263), discussed here in Chapter Two and Appendix B. In addition, it also appears to be a trustworthy source for the kingships of John (II) and Edward. Although one cannot consider any medieval chronicler to be fair and unbiased, the Lanercost writer appears to be both critical of the Balliol family as well as praising their accomplishments and successes, especially concerning King John and King Edward. This may have been related to the fact that the Balliols were based in northern England, as was the Lanercost Priory, which was just outside Carlisle. Of course, the priory was attacked on more than one occasion by the Bruce Scots in the wars against England;<sup>16</sup> thus the chronicler may have favoured the Balliols as Englishmen.

Sixteenth century chronicler John Leslie notes that John (II) treated King Edward I of England—during the Great Cause—with ‘sweet words’ and ‘had promised that if the king [Edward] would crown him, he should by all means possible, conform to [Edward’s] power, make rich the realm of England, diminish the liberty of Scotland, augment largely the kingdom of England, and of his fidelity make an oath, to know

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<sup>15</sup> A.G. Little, *Franciscan Papers, Lists and Documents* (Manchester, 1943), 44, 46, 49. Incidentally the chronicle was known in the early sixteenth century as the *Chronicles of Friar Richard of Durham*. Little declares that Friar Richard may have been the same as Brother Richard de Slickburn, one of Dervorguilla’s agents in the foundation of Balliol College.

<sup>16</sup> *Chronicon de Lanercost*, 190-1, 324, 346.

[Edward] for his superior.’<sup>17</sup> Leslie continues that Balliol had ‘intended to bring under servitude and bondage a people made free.’ While seemingly pro-Bruce, Leslie does assert the uncertainties and difficulties King John faced. When Balliol refused to give military service to Edward against France, Leslie agrees that Balliol had consented ‘so rashly, without advisement’ to ‘such heavy servitude laid upon his neck.’ Leslie also mentions that Balliol decided, after perceiving that the Scots were ‘alienated utterly and changed from him,’ to renounce his claims of the kingdom to his son, Edward, and live out his life in France.<sup>18</sup>

A number of eighteenth and nineteenth century works on Scottish history support the general consensus of the chroniclers that King John was a vassal, puppet king. One in particular, sufficiently entitled *A Dissertation concerning the Competition for the Crown of Scotland betwixt Lord Robert Bruce and Lord John Baliol...wherein is proven...the Right of Robert Bruce was preferable to that of John Baliol*, repeatedly claims that while Balliol had ‘once a right to the succession as nearest heir’ he had ‘not only abdicated the government but resigned and given up all title and right he had to it. Robert I therefore could do him no injury in taking up that which he had laid down.’ Although the Scottish author of this piece, publisher Thomas Ruddiman (1674-1757), appears to have some argument in favour of Bruce, his main argument ultimately rested on his assertions of hereditary principles, which he believed Bruce possessed over Balliol. Taken in context, though, his views were a direct rebuttal of those by Rev. George Logan, who believed in the people’s right to choose their own kings and who argued that the Scottish succession was frequently elective.<sup>19</sup> Ruddiman bases the majority of his claims on the fact that both John and Edward Balliol had abdicated their

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<sup>17</sup> J. Leslie, *The Historie of Scotland*, ed. Father E.G. Cody (Edinburgh, 1888), Book VI, 343.

<sup>18</sup> *Ibid.*, 343, 345. Leslie says Balliol went to Normandy and died at Château Gaillard, although this is not true.

<sup>19</sup> D. Duncan, *Thomas Ruddiman: A Study in Scottish Scholarship of the Early Eighteenth Century* (Edinburgh, 1965), 135-6.

thrones: “This being the case, it is plain, that whatever right either of the Baliols might otherwise pretend to the Scottish Crown, it was now as effectually extinguished, as if they never had existed.”<sup>20</sup>

Certainly, these last words should be emphasised and taken into consideration when examining the importance of the Balliol dynasty. This is indicative of the general view towards the Balliols, which encouraged the glorification of King Robert Bruce and enhanced John’s puppet-king image. Because of the important role the Balliol dynasty played in Anglo-Franco-Scottish relations, though, their political careers must be accentuated rather than overlooked. This is especially true in the reigns of King John with the 1295 Franco-Scottish alliance and of King Edward, whose alliance with Edward III of England may have complicated Anglo-French relations at the beginning of the Hundred Years War.<sup>21</sup>

Another pro-Bruce history of Scotland was published in 1827 by Sir Walter Scott (1771-1832). Although Scott, in *Tales of a Grandfather*, begins by equalising the claims of Balliol and Bruce, in the same breath he tells of Balliol’s ‘disgraceful scene’ of declaring himself to be Edward I’s ‘liege vassal and subject.’ Scott continues to brand Balliol for this ‘most shameful transaction,’ yet he does put some of the blame on King Edward because Edward encouraged the Scots to appeal to his courts, instead of to Balliol. Moreover, he later claims that Balliol was dethroned because he attempted to restore Scotland’s independence, only to resign the kingdom to Edward I, which earned him much disrespect from his fellow countrymen.<sup>22</sup> In his interpretation of the

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<sup>20</sup> T. Ruddiman, *A Dissertation concerning the Competition for the Crown of Scotland betwixt Lord Robert Bruce and Lord John Baliol, etc* (Edinburgh, 1748), 8. Ruddiman had also published an edition of the works of George Buchanan entitled *Georgii Buchanani...opera omnia* (Edinburgh, 1715) as well as Buchanan’s 1582 *Rerum Scoticarum Historia*.

<sup>21</sup> M. Brown, *The Wars of Scotland, 1214-1371* (Edinburgh, 2004), 284; C. Allmand, *The Hundred Years War: England and France at War, c. 1300-1450* (Cambridge, 1989), 6-12; A. Tuck, *Crown and Nobility: England, 1272-1461* (2<sup>nd</sup> edn., Oxford, 1999), 95.

<sup>22</sup> W. Scott, *Tales of a Grandfather* (Edinburgh, 1889), 19, 25.

1332 invasion of Scotland by Edward Balliol, Scott suggests that Edward saw an opportunity to ‘renew the claim of his father’ when ‘Robert Bruce was no sooner in his grave’ and found that the Disinherited nobles would support him in his endeavour.<sup>23</sup>

However, during this time, other works began to appear which provide a more moral and sympathetic view of the family. Sir David Dalrymple, lord Hailes (1726-92), supported the accepted opinion that John was a vassal king but he used Edward I’s harsh treatment of his newly-won subject as justification for John’s submissive behaviour. Hailes more or less implies that Balliol, no matter his position as king of Scots, was a *legal* subject of Edward—and law-abiding, too—but, for Balliol to appear in English parliaments was ‘intolerable.’ Moreover, his ardent opinion of King John portrayed a king who had been, rather unfortunately, ousted by the disloyalty of his subjects and, in a way, betrayed by the Bruce family because of their allegiance with England:

Thus ended the short and disastrous reign of John Balliol: An ill-fated Prince! Censured for doing homage to Edward, and never applauded for asserting the national independency. Yet, in his original offence, he had the example of Bruce; and at this revolt he saw *the rival family* combating under the banners of England. His attempt to shake a foreign yoke speaks him of a high spirit, impatient of injuries. He erred in enterprising beyond his strength: In the cause of liberty, it was a meritorious error. He confided in the valour and unanimity of his subjects, and in the assistance of France. The efforts of his subjects were languid and discordant; and France beheld his ruin with the indifference of an unconcerned spectator.<sup>24</sup>

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<sup>23</sup> *Ibid.*, 47.

<sup>24</sup> D. Dalrymple, Lord Hailes, *Annals of Scotland* (3<sup>rd</sup> edn., Edinburgh, 1819), ii, 277, 293-294.



Lord Hailes further intimates that during Edward Balliol's invasion of Scotland in 1332—after which Edward took the throne—he, too, displayed 'a bold spirit of enterprise, and a courage superior to all difficulties.'<sup>25</sup>

Another secondary source, from 1825, is very sympathetic to King John. William Tennant's play, *John Baliol: an historical drama in five acts*, portrays the new king as an ordinary noble, given a 'hereditary honour' to be king of Scotland. Concerning the Great Cause, the exchange between Edward I and Balliol is as to be expected between a king and his noble subject. Balliol agrees to continue his service as an English vassal for which Edward declares him king. However, in this play, Edward then approaches the lawyers, who were unable to decide between Bruce and Balliol and declares Balliol to have the best right, to which they agree; thus, the previous agreement appears fair and even-handed.<sup>26</sup> These views are certainly untraditional portrayals of the Balliol kings. Admittedly, a traditional view would impede a full re-evaluation of King John and the Balliol dynasty.

Secondary French sources also provide a positive view of the Balliols and have been useful in considering the impact of that family in France. The seventeenth century historian, le Père Ignace-Joseph de Jésus-Maria, is positive in his view and claims that King John's liberation to his castle of Bailleul in late summer 1301 caused 'much regret to the Scottish lords' who had been attempting to restore him to the Scottish throne.<sup>27</sup> Nineteenth century historian René de Belleval's *Jean de Bailleul, roi d'Ecosse et sire de Bailleul-en-Vimeu* and his other works on Ponthieu and Vimeu illustrate their impact well and also provide information on their French estates and early family connections

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<sup>25</sup> *Ibid.*, ii, 287.

<sup>26</sup> W. Tennant, *John Baliol: an historical drama in five acts* (Edinburgh, 1825), Act I, Scene IV; Act II, Scenes II, III.

<sup>27</sup> Le Père Ignace-Joseph de Jésus-Maria, *L'Histoire Généalogique des Comtes de Ponthieu et Maieurs d'Abbeville, etc.* (Paris, 1657), 306.

on the continent.<sup>28</sup> Similarly, François Darsy and Jean Jovet have also provided information on the Balliols' kinsmen, the Picquignys and the Coucys, including charters and grants made in France by John (I) and John (II).<sup>29</sup> These French antiquarians are favourable to King John as is Ferdinand Mallet, who says of King John that 'he did not hesitate to resist and to risk his crown to conserve his independence and that of his realm.'<sup>30</sup> However, these writers, despite promoting Balliol's French connections, are still assessing King John as a Scottish king rather than an English or French noble.

E.M. Barron, in *The Scottish War of Independence* (1914), produced a similar opinion of Balliol to that of Walter Scott, less than a century later, concentrating mostly on Edward's treatment of King John. Barron even admits that he is 'laying too much stress of the evil aspects of Edward's character' but assures the reader that this is necessary for historical truth.<sup>31</sup> Although he indicates that during the Process of Norham Balliol had more clerical supporters than Robert Bruce the Competitor, Barron quickly defends that 'churchmen...were not identified with either claimant to the extent that the lay auditors were' and therefore Bruce, who had more lay auditors, is depicted as having the stronger claim.<sup>32</sup> However, this unbalanced view of Anglo-Scottish relations during this critical time produces negative opinions of Balliol and his reputation. There remain, though, earlier works which do not conform to the pro-Bruce view. These include Lord Hailes's study, Tennant's 1825 play and a source from 1914, which states that 'no Balliol ever seems to have been a coward,' although this work, by

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<sup>28</sup> R. de Belleval, *Jean de Bailleul, roi d'Écosse et sire de Bailleul-en-Vimeu* (Paris, 1866); *Idem, Les Fiefs et Les Seigneuries du Ponthieu et du Vimeu* (Paris, 1870); *Idem, Nobiliaire de Ponthieu et de Vimeu* (Amiens, 1861-64).

<sup>29</sup> F.J. Darsy, *Picquigny et Ses Seigneurs, Vidames d'Amiens* (Abbeville, 1860); F.J. Darsy, *Notice Historique sur l'Abbaye de Sery au Diocèse d'Amiens* (Amiens, 1861); J. Jovet, *Histoire du Château de Coucy* (Paris, 1984); F.C. Louandre, *Histoire d'Abbeville et du Comté de Ponthieu* (Abbeville, 1844 (reprinted 1976)).

<sup>30</sup> F. Mallet, *Deux Seigneurs Picards, Rois d'Écosse (1292-1356)* (Abbeville, 1890), 15.

<sup>31</sup> E.M. Barron, *The Scottish War of Independence* (2<sup>nd</sup> edn., Inverness, 1934), 96.

<sup>32</sup> *Ibid.*, 110.

Benjamin Scott, harbours many historical errors, due in part to lack, and misinterpretation, of evidence.<sup>33</sup>

In the last fifty years, though, historians have begun to challenge the Balliols' reputation and studies have attempted to assess the family as nobles within a British context. Many recent surveys begin to give the benefit of the doubt and speak quite fairly of John. Professor Geoffrey Barrow, despite maintaining a Bruce perspective, identifies Balliol as the rightful heir to the Scottish throne, indicating that there is no evidence to support the legend that 'Balliol was a puppet nominated by King Edward to the Scots kingship in defiance of a national belief that Bruce had the better claim.'<sup>34</sup> Barrow states that Balliol's claim in 1290-92 was 'undoubtedly senior,'<sup>35</sup> while Alexander Grant also agrees that Bruce's claim was not the best and not believed to be at the time either.<sup>36</sup> Barrow further maintains that the misinterpretation of John as a puppet king covers up the fact that Edward I took advantage of the Scots while they were without a king. In his 1985 thesis, Norman Reid illustrates a crucial anomaly in King John's situation. Reid argues that in order to discredit Edward I's overlordship, the Scots attempted to issue propaganda proving that Balliol could not have been a true king; yet, even after his deposition, the Scots still accepted his acts as valid and recognised him as king.<sup>37</sup>

Most historians, however, have not asserted that the family was one of loyal English lords, whose behaviour followed patterns of baronial—not royal—motivation, and they have failed to examine the family from a British perspective. An exception is Keith Stringer's 1985 study of Earl David of Huntingdon (d. 1219), brother of King

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<sup>33</sup> B.J. Scott, *The Norman Balliols in England* (London, 1914), 362.

<sup>34</sup> Barrow, *Robert Bruce*, 30.

<sup>35</sup> G.W.S. Barrow, *Kingship and Unity: Scotland 1000-1306* (Edinburgh, 1981), 161.

<sup>36</sup> A. Grant, *Independence and Nationhood: Scotland 1306-1469* (Edinburgh, 1984), 29.

<sup>37</sup> N. Reid, "The Political Role of the Monarchy in Scotland, 1249-1329," unpublished Ph.D. Thesis (Edinburgh, 1985), 117.

William I of Scotland. Stringer does provide a British approach when investigating the Balliols, the Hastings and the Bruces by using a more cross-border examination. Stringer intimates that the Balliol family, who held their superior claim to the Scottish throne through David's eldest daughter Margaret, mother of Dervorguilla, was 'already familiar in Anglo-Scottish landholding circles as a result of well-judged marriage pacts.'<sup>38</sup> Dr Ruth Blakely, who recently completed a study on the early Brus/Bruce family, does not take a similar approach and fails to link together the English and Scottish aspects of this family in this way.<sup>39</sup> In his thorough study of Edward I, Michael Prestwich has briefly underlined the relationship between King Edward and John (II) Balliol and has mentioned that Balliol's connections remained chiefly with England.<sup>40</sup> Again, though, King John is represented largely as a king and patriot in a Scottish context and as related to the English issue of overlordship; the intimate relationship between the two families is, for the most part, overlooked.

Alan Young intimates that the Balliol family was among the top-ranking English nobility. Young later claims, though, that the Balliols made very occasional appearance in royal circles, whereas the Bruce family did not make such an impact until the 1270s.<sup>41</sup> This assessment is not accurate, as the Bruce family had been active in Scottish politics since about 1124 while both families had served the English crown in the twelfth and thirteenth centuries.<sup>42</sup> Bruce's position in Scotland did dwarf that of the

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<sup>38</sup> K.J. Stringer, *Earl David of Huntingdon (1152-1219): A Study in Anglo-Scottish History* (Edinburgh, 1985), 187.

<sup>39</sup> R. Blakely, "The Brus Family in England and Scotland, 1100-1290," unpublished Ph.D. Thesis (Durham, 2001).

<sup>40</sup> M. Prestwich, *Edward I* (London, 1988), 370-5.

<sup>41</sup> A. Young, "Noble Families and Political Factions in the Reign of Alexander III," in *Scotland in the Reign of Alexander III, 1249-1286*, ed. N.H. Reid (Edinburgh, 1990), 1-30, at 11, 21.

<sup>42</sup> Barrow, *Robert Bruce*, 28-30. Bernard de Balliol (d. c. 1154 x 62), who had a previously amiable relationship with King David I of Scotland (d. 1153), can be found fighting with the English king Stephen, married to the Empress Mathilda, against David at the battle of the Standard in 1138, as can Robert Bruce of Annandale (d. 1142) (G. Stell, "The Balliol Family and the Great Cause of 1291-2," in *Essays on the Nobility of Medieval Scotland*, ed. K.J. Stringer (Edinburgh, 1985), 150-65, at 152; Scott, *Norman Balliols*, 161-3).

Balliol family, but from the 1150s, the Balliols remained much more influential in England.

Geoffrey Stell has underlined the uniqueness of the Balliol family's position in medieval politics and has stressed the importance of using 'a Balliol point of view' to examine the circumstances from 1210-1364.<sup>43</sup> However, despite the usefulness of this article to historians, Stell has not developed his initial challenges to the Balliol reputation and his investigation remains narrowly focused on the earlier Balliols, John (I)'s marriage to Dervorguilla of Galloway and background information on John (II)'s early life and career. Other more recent surveys have also failed to follow through with their arguments, despite underlining the need for a re-evaluation of the Balliol family. In his 1992 article "Bruce, Balliol and the Lordship of Galloway," Richard Oram underlines the successes of King John and his regime, asserting that this proves 'he was not the bumbling mediocrity' that he has been portrayed as.<sup>44</sup> King John's difficult position is highlighted by Professor Archie Duncan, in his detailed account of the Process of Norham, 1290-91, who agrees that Balliol was a 'man trapped by circumstances beyond his control.'<sup>45</sup> In Duncan's recent study *The Kingship of the Scots* (2002), he gives credible interpretations and re-evaluations of the events at Norham leading up to Balliol's inauguration as king in 1292, although many areas still remain clouded due to difficult sources.<sup>46</sup> In recent assessments of Balliol's government, both Alison McQueen and Michael Brown have argued that the regime

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<sup>43</sup> Stell, "The Balliol Family," 150-65.

<sup>44</sup> R. Oram, "Bruce, Balliol and the Lordship of Galloway," *TDGNHAS*, lxvii (1992), 29-47, at 33.

<sup>45</sup> A.A.M. Duncan, "The Process of Norham, 1291," in *Thirteenth Century England V*, eds. P.R. Coss and S.D. Lloyd (Woodbridge, 1995), 207-29, at 220-21.

<sup>46</sup> A.A.M. Duncan, *The Kingship of the Scots, 842-1292: Succession and Independence* (Edinburgh, 2002), 200, 237-8.

was significant to thirteenth century politics in the British Isles due to important policies and development, despite the continual struggles.<sup>47</sup>

It remains true, though, that there has not yet been a full study of the kingships or the political behaviour and motivations of the Balliol family. While historians offer some challenges to previous historiography, they are still reluctant to analyse this misunderstood king. As Watson points out, he is not a worthy subject ‘for the simple reason that...he was useless’ but his kingship cannot be avoided nonetheless because it is en route to that of Robert Bruce; thus, it is universally accepted as an ‘interruption to the main story.’<sup>48</sup>

The approach taken in this thesis will re-examine each Balliol lord in turn, challenging the perceived image of the family as English puppets. Most importantly, areas which have been previously neglected or overlooked will be explored, including the significant land holdings and a consistency of loyal baronial service to the English kings. While these points are evident throughout the family’s history, they become especially relevant in the thirteenth century when John (I) (c. 1210-68), lord of Barnard Castle, elevated the family’s status in Northern England through long-term royal service. Due to incomplete examinations of John (I) by secondary sources, it has been much easier to investigate his historiographical reputation directly through primary sources. Evidence has thus revealed the significance of John (I)’s status under King Henry III and the power which the Balliol family held for several decades before their decline and eventual demise in 1364. His importance in medieval English politics is

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<sup>47</sup> A. McQueen, “Parliament, the Guardians and John Balliol, 1284-1296,” in *The History of the Scottish Parliament: Parliament and Politics in Scotland, 1235-1560*, 29-49; Brown, *The Wars of Scotland*, 258-9.

<sup>48</sup> Watson, “The Demonisation of King John,” 29.

evident from his appointments on various committees throughout the baronial conflict, including his role as mediator between defected nobles and King Henry.<sup>49</sup>

John (I) Balliol has received an entirely different view from contemporary and secondary sources than his son, John, and his grandson, Edward. The English chronicler Matthew Paris (1200-1259) has noted the wealth and status of the Balliol family, especially of John (I), one of the greatest barons of his time. Paris, a monk of St Albans (Herts), frequently mentions John's 'great power and authority,' his 'large quantity of specie,' and his money 'of which he possessed abundance.' Paris also implies Balliol's fiscal importance to King Henry III as he 'cautiously made peace with the king by supplying him in his necessity with money,' while he also claims that Balliol was a man 'whom the king strove with utmost endeavour to ensnare.'<sup>50</sup> In this context, Paris and the Lanercost chronicler, who were contemporaries of John (I) unlike later chroniclers, provide a more rounded approach to the family.

Paris does, however, view John (I)'s power with some negativity and claims that Balliol was 'covetous, rapacious, and grasping' and that he had 'unfaithfully and dishonourably controlled the kingdom of Scotland,' where he was co-guardian from 1251-55. Equally, the Scottish *Chronicle of Melrose*, which ends in 1270, asserts that Balliol and other Englishmen were planning to 'lay hold upon' Alexander III in the spring of 1258 and 'carry him off with them into England.'<sup>51</sup> The anonymous author of *Melrose* later mentions that John was 'a lover of scholars, and out of his love towards God, he built a house at Oxford [Balliol College],' although the author quickly

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<sup>49</sup> *Documents of the Baronial Movement of Reform and Rebellion, 1258-1267*, sel. R.F. Treharne, ed. I.J. Sanders (Oxford, 1973), no. 4-5; *Select Charters and Other Illustrations of English Constitutional History*, ed. W. Stubbs (Oxford, 1913) [hereafter *Select Charters*], 370; *CInqPM*, Misc. i, no. 847; *CDS*, iv, no. 1759.

<sup>50</sup> *Chron. Majora*, v, 505, 507, 528, 569.

<sup>51</sup> *Chron. Majora*, v, 501-2, 528; *The Chronicle of Melrose*, ed. J. Stevenson (Llanerch reprint, 1991), 92. It should be noted that one Balliol lord, Henry of Cavers (d. 1246), who was chamberlain of Scotland, is buried at Melrose Abbey (R. Fawcett and R. Oram, *Melrose Abbey* (Stroud, 2004), 26; Scott, *Norman Balliols*, 393).

comments on the bishop of Bath's house, 'better than this last mentioned,' whose scholars received 4*d* more per week.<sup>52</sup> Despite these negative opinions, their views underline the importance of John (I)'s political career and how his position must be considered when re-examining those of John (II) and Edward.

The roles which John (I) had in both governments have not been stressed as much as they should be and are another aspect of the Balliol family which will be explored more fully here. Most secondary sources begin to evaluate the Balliol family from King John's accession onwards, not from the beginning of his father's career. Stringer's study of Earl David does give coverage to John (I)'s career, as does Stell's article on the Balliol family and Oram's work on the Galloway families. However, as mentioned above, these surveys do not fully investigate the position of the family from a British perspective. While many cross-border lords had extensive estates on both sides of the border and aimed for political careers in both arenas, as Professor Frame states, most of these had a primary association with either England or Scotland.<sup>53</sup> John (I) Balliol was a strong example of this, as he remained most active in English politics—even his short endeavour as co-guardian of Scotland in 1251-55 during the minority of Alexander III and of his queen, Margaret, daughter of Henry III, was as a representative of King Henry.

A second major aspect of the family which historians have continually overlooked is the extent of the family's estates in the three realms of England, France and Scotland, which provided the Balliols with much wealth and influence. Land holdings prove their status as powerful English lords, particularly in the north, as well as indicate the strong claim to the Scottish throne which the Balliols held through Dervorguilla, granddaughter of Earl David.

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<sup>52</sup> *Chronicle of Melrose*, 121. Unfortunately, both Paris's and Melrose's manuscripts terminate in 1259 and 1270 respectively; ergo, they could not be used for the life and times of John (II) and Edward Balliol.

<sup>53</sup> R. Frame, *The Political Development of the British Isles, 1100-1400* (Oxford, 1995), 60.



As Richard Oram admits, Dervorguilla's Galloway inheritance was only 'a comparatively minor element' against the English and French estates of her husband.<sup>54</sup> However, the Scottish lands, estimated at *c.* £1,097 yearly in 1293, more likely represented a third of the Balliol estates and, although the family's political power base did rest firmly in their English lands, the Galloway inheritance cannot be dismissed as a 'minor element.'<sup>55</sup> Yet Oram is correct when he presents the distinction of the Balliol family as one that was acquired through 'loyal service to the English crown,'<sup>56</sup> earning John (I) respect from both English and Scottish society as a cross-border noble. As Chapter Two will illustrate, though, his affluent position went much further than this and his ambition in Anglo-Scottish politics and in northern England lay behind much of his loyalties.

An important point to make, however, is that an essential element in the Balliols' influence, power and wealth ultimately stemmed from these lands and property which had been augmented greatly after 1244, when Dervorguilla was allowed to receive her share of the Huntingdon and Chester inheritance. The gradual reduction of the Balliol fortune, due to successive deaths and obligatory widows' terces, would be of small consequence to John (II) when he inherited in 1278 as the lands still had considerable value. However, of greater significance was the loss after 1296 of this inheritance in Scotland and England. This would be a deciding factor in the political ambitions of John's son and heir, Edward, who would have none of the wealthy patrimony that his grandfather had forged. Moreover, his detachment from his patrimony in England and Scotland throughout his life, especially crucial after 1315, meant that he had to rely on the English kings for financial support throughout his life as well as in his political endeavours.

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<sup>54</sup> R. Oram, "Dervorgilla, the Balliols and Buittle," *TDCNHAS*, lxxiii (1999), 165-81, at 173.

<sup>55</sup> See Chapter One on the Balliol lands.

<sup>56</sup> R. Oram, *The Lordship of Galloway* (Edinburgh, 2000), 147.

With the freshly examined reputation of John (I) and the influence he acquired during his life through knightly service and extensive landed wealth, the exploration of John (II)'s life and kingship has uncovered a different perspective on his political ambitions and endeavours. Although John was not the best of Scotland's kings, he deserves 'looking at with fresh eyes,'<sup>57</sup> a statement which is quite true considering that contemporary writers, because of their exalted views of Robert Bruce, have covered up the majority of Balliol's reign, while later researchers, in turn, have based their writings on these. This creates a regenerated view of Balliol—one that has been passed down rather than revised. By re-examining accounts and documents, one finds that Balliol's kingship, and certainly the entire dynasty, has been repeatedly misinterpreted. However, as more light is being shed on the role King John played in Scottish politics and on the continent, a much more complex view of him and his reign is revealed.

Much of the misconception over King John's historiography arises because of the anomalies which plagued Balliol's rule. Many historians would probably agree that he appears to have both a reluctance to join in the crisis of 1286-90 and an underlying agenda to put forth his claims through the influential Comyn party. Indeed, he may have had slight royal pretensions leading up to his enthronement in 1292, but for the most part, he remained indifferent to the situation until 1290, probably because of its problematic nature. When he did become king, however, he ultimately took on a more independent approach despite the resistance of the Comyn party to relinquish their control. It is true there was advancement in certain areas during John's kingship, such as a general return to stability, parliamentary development and the formation of the alliance with France in 1295. Yet, too many times his authority as king was undermined by political opposition, such as initial issues of homage, the Whithorn

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<sup>57</sup> F. Watson, *Under the Hammer: Edward I and Scotland, 1286-1307* (East Linton, 1998), 20.

election of 1294 and the debated removal of King John from power in 1295, and by Edward I's increasing demands. Unquestionably, Balliol's situation was unique and in some ways, it probably could not have been avoided. His importance between 1296 and 1302, though, remains significant to the Scottish Wars of Independence simply because of the ideology of medieval kingship.

The Balliols were very ambitious and influential, yet that influence was somewhat diminished following the abdication of King John in 1296, after which John (II) retained his title of king of Scotland (until his death) and his pretensions to regain the Scottish throne (at least until 1302). Similarly, by the 1340s, it was apparent that Edward Balliol could no longer maintain his royal authority and power, although he managed to remain titular king of Scotland until 1356. It is true that John (II) and Edward have been judged according to their doomed Scottish kingships; many researchers have failed to examine, in depth, the circumstances surrounding those reigns. Upon closer investigation, these circumstances appear to have been affected by the ties between the Balliols and the English royal family and the successive Balliol lords had been acting within the horizons of the family's past patterns of behaviour.

What has been uncovered by re-examining the life of Edward Balliol underlines the nature of the relationship and the familiarity that was shared between the English royal family and the Balliols. Because of his attachment to the English royal court throughout his life, he frequently appears in various household and wardrobe rolls and accounts. The degree of Balliol's financial dependence on the English crown, which is revealed in these accounts (given in Appendix F), accentuates the predicament he would face if he wished to rule independently.

In contrast, Edward Balliol's kingship was quite different from that of his father because Edward was engrossed with the idea of reclaiming the throne as an English

vassal. Although he made some attempts to recover his father's English estates—which were the origins of the Balliol family's power and influence—in the 1320s, his activities suggest that his primary focus was the throne of Scotland. Because of this ambition, he did not endeavour to display either himself or his father as patriots for the Scottish cause. In addition, because of his upbringing at the English court and his position as godson of Edward I, the Balliol-crown relationship increased to a similar standing as in the mid-thirteenth century. Edward's grandfather, John (I), and his uncles, Hugh and Alexander, had personal friendships with King Henry and Lord Edward (later Edward I), while Edward Balliol was close with Prince Edward (later Edward II), his brothers, Thomas and Edmund, and many sons of the Anglo-Scottish nobility. This was a significant connection that John (II) lacked during his early career as an English baron and later as king of Scotland. There remains much evidence, though, that John (II)'s baronial motivations were a continuation of the political behaviour of the Balliol family, which has underlined the importance of the dynasty in the British Isles.

## Chapter One

### *The Extent of the Balliol Estates and the Childless Heirs John (I) and 'his treasured pile'<sup>1</sup>*

In order to begin to evaluate the power and influence of the Balliol dynasty during the thirteenth and fourteenth centuries, it is necessary to outline, first, their landed acquisitions and, second, the succession of deaths and inheritances which brought these acquisitions and the family's wealth into decline before the accession of John Balliol to the kingship of Scotland. The estates of the Balliol family at the time of John (I) Balliol's death in 1268 consisted of at least two major baronies, six lordships, seven castles and about twenty manors, as well as numerous townships and villages scattered through three realms.<sup>2</sup> They had acquired the bulk of their possessions by the 1240s, and the extent of their lands passed its zenith at the time of John (I)'s death. An in-depth investigation of the entirety of Balliol lands is outwith the confines of this study and could, indeed, produce a separate thesis. In consideration of this, it should be noted that the analysis which follows identifies primarily those areas which underline the landed wealth and represents the most prominent of the Balliol estates.

When Guy de Balliol, reportedly the first Balliol on English soil after having crossed from Normandy with William the Conqueror, received lands from King William Rufus in 1094, they were positioned in the 'newer' counties of Northumberland, Cumberland and Durham, possibly in an attempt to settle the land with loyal subjects.<sup>3</sup> The Durham and Northumberland lands composed the largest part

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<sup>1</sup> *Chron. Majora*, v, 528.

<sup>2</sup> *Rotuli Hundredorum Temporibus Henrici III et Edwardi I in Turri Londinensi* (Record Commission, 1812), i, 4, 131, 239, 265, 315, 533; ii, 18, 160, 408, 656, *et al*; *Placita de Quo Warranto Temporibus Edwardi I, II, et III, etc.* (Record Commission, 1818), 6, 9, 57, 194, 210, 215, 286, 292, *et al*; *CDS*, i, no. 2505; *CInqPM*, i, no. 691. The Balliols can be associated with lands in twenty-one English counties alone, in addition to lands in Galloway and Scotland, and the four lordships in Picardy. The English counties include: Northumberland, Durham, Cumberland, Westmorland, York, Lincoln, Nottingham, Derby, Leicester, Northampton, Huntingdon, Rutland, Cambridge, Norfolk, Suffolk, Essex, Hertford, Bedford, Buckingham, Middlesex and Sussex.

<sup>3</sup> They had not been named as counties at the time of Domesday. Durham was still considered property of the prince bishops. A survey taken in 1183—the Bolden Book—was presented as the 'Domesday

of the Balliol estates in England before the 1240s with the remaining revenues coming from other scattered manors and estates. After the grant to Guy de Balliol, the northern English lands served as the primary base for later heirs of this particular line of Balliols until their forfeiture in 1296. These estates are what provided John (I), especially, with the wealth and power he needed to enhance the legacy of the Balliol dynasty.

John (I)'s inheritance from his father in 1229 adequately shows how much the Balliols were worth at this time. Balliol held two and a half knights' fees for Hitchin (Hertfordshire) and owed £150 for the relief of 30 knights' fees (£5 per fee), a considerable amount for a baron in the thirteenth century.<sup>4</sup> The entire extent of his lands at the time of the inheritance is not known, yet this figure alone reveals the family's status in England. A comparable figure would be the relief due in 1232 from the three heirs of Ranulf de Blundevill, earl of Chester and Lincoln, the amount of which was also £150, with each heir paying £50, or the two and a half fees due by Richard de Umfraville (in 1212) for his barony of Prudhoe.<sup>5</sup>

The relief due for John (I)'s patrimony, however, appears to have been a major problem for the Barons of the Exchequer, perhaps a result of debts faced by John upon his inheritance.<sup>6</sup> The relief for a barony had been established by Magna Carta at £100.

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Book of the North' (*Domesday Book*, ed. J. Morris (Chichester, 1982), Bolden Book; H.C. Darby and G.R. Versey, *Domesday Gazetteer* (Cambridge, 1975), 3).

<sup>4</sup> *Book of Fees (Testa de Nevill)* (London, 1920-23), i, 487; *Excerpta è Rotulis Finium...Henrico Tertio Rege, 1216-72* (Record Commission, 1835-36), i, 183; *CDS*, i, no. 1022; *Red Book of the Exchequer*, ed. H. Hall (London, 1896), i, 179. It was provided that if there were no more than thirty fees, he should be answerable for them, and if there were fewer than thirty, then the fine should be moderated according to right (T. Madox, *The History and Antiquities of the Exchequer of the Kings of England, etc.* (2<sup>nd</sup> edn., London, 1769), i, 319). It seems that Balliol tried to distrain Richard Heyrun 'to do him custom or service, as by law he is bound,' presumably for fees in Hitchin, yet the sheriff of Hertford would not allow Balliol to do this (*CCR, 1234-37*, 155).

<sup>5</sup> *CDS*, i, no. 1164; *Book of Fees*, i, 201. At the death of Gilbert de Umfraville, Richard's son and heir, the family owed 5 1/9 knights' fees for Prudhoe (*CinqPM*, i, no. 49). Ranulf was considered one of the great barons of his day. He died without issue and the vast lands throughout England were claimed by: John, earl of Chester and Huntingdon (son of Ranulf's eldest sister); Hawise of Chester; William de Forz, earl of Albemarle, husband of John's niece, Christiana (who was elder sister of Dervorguilla de Balliol). Upon John's death in 1237, the lands would be granted to the heirs of John's sisters, including John Balliol through his wife, Dervorguilla.

<sup>6</sup> He owed 12 marks for his father for a prest made in the time of King John (*CDS*, i, no. 1016).

Although there were examples where nobles paid more—up to £1,000 was required from John fitz Alan in 1244—these were taken as exceptions.<sup>7</sup> Perhaps due to financial difficulties or a cash-flow problem, John paid only £100 and the remaining £50 was pardoned by King Henry. Yet, Balliol might have objected to the higher sum and, as a result, his relief due was reduced to the standard £100.<sup>8</sup> Two years later, in 1231, Balliol was summoned before the Barons of the Exchequer to answer for these same fees despite the fact that he had been pardoned for the remaining £50 previously, an indication that any protest was unsuccessful.<sup>9</sup> Later, William de Percy and his brother, Henry, and Robert de Twenge pledged the payment of £100 (from the original £150) for Balliol, which again raises confusion since John (I) had seemingly paid this amount in late December 1229.<sup>10</sup>

John also owed £20 for the relief of four fees in the Honour of Boulogne, which he held *in capite* of the English king, an amount which may have been part of the original £150.<sup>11</sup> Boulogne was one of the great escheated honours named in Magna Carta and can be traced back to Domesday, belonging then to Count Eustace of Boulogne. The extent of the honour suggests that it comprised of possibly one hundred manors, occupying most of the county of Essex, and held court at Witham.<sup>12</sup> The Honour of Boulogne (Essex) remains a mysterious element of the Balliol inheritance, mostly because there are no further references in surviving evidence which suggests

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<sup>7</sup> *Excerpta è Rotulis Finium*, i, 417; S. Painter, *Studies in the History of the English Feudal Barony* (Baltimore, 1943), 61-2. Other examples included Richard de Harcourt (£500 in 1220), Nigel de Mowbray (£500 in 1224) and Robert fitz Meldred (200 marks in 1227 for the barony of Henry de Neville of Raby) (*Excerpta è Rotulis Finium*, i, 58-9 113, 156).

<sup>8</sup> *CDS*, i, nos. 1022, 1033, 1063; *Excerpta è Rotulis Finium*, i, 183. Henry may have pardoned Balliol for his services in France at that time.

<sup>9</sup> *CDS*, i, no. 1124; *Excerpta è Rotulis Finium*, i, 212.

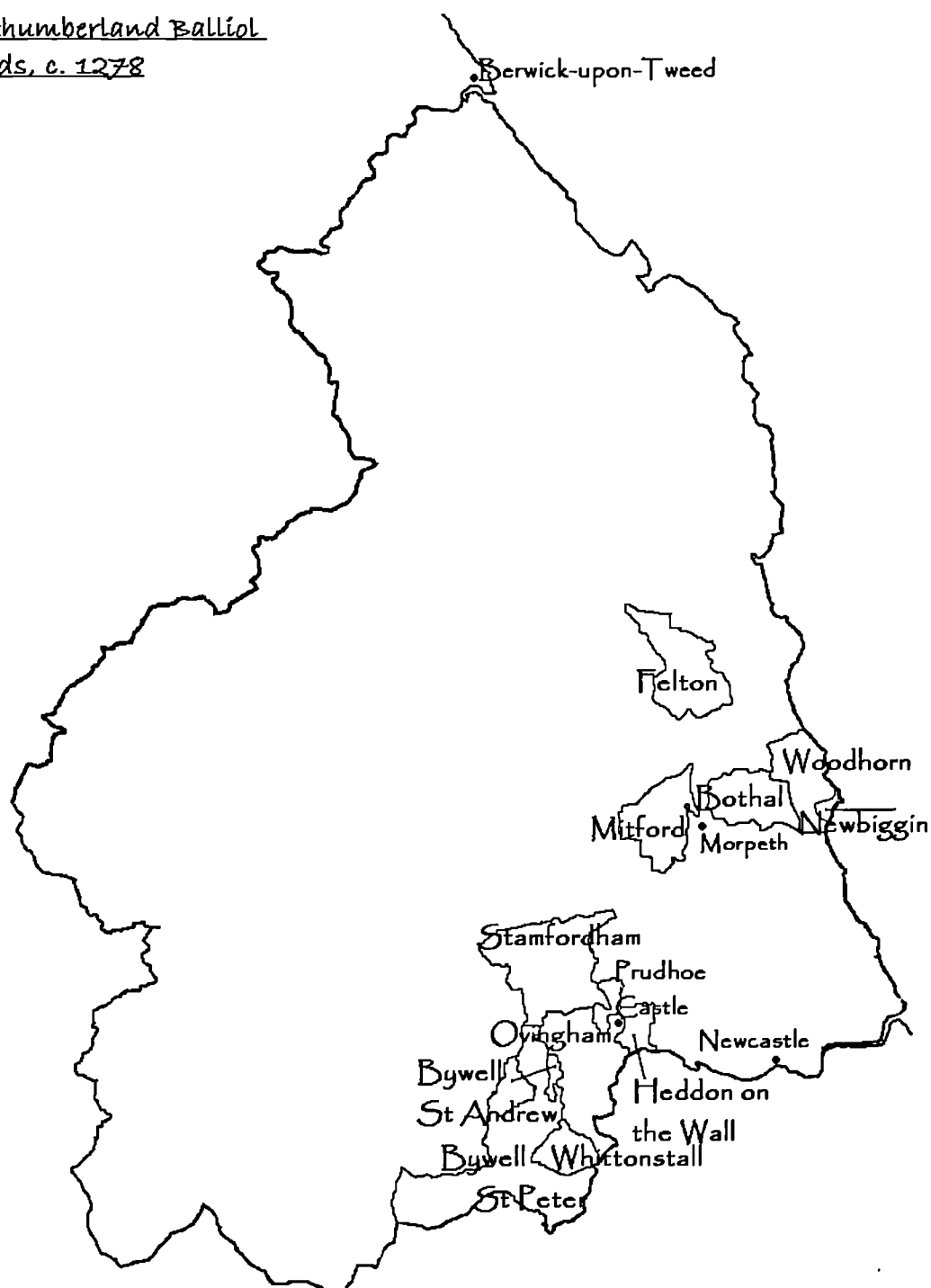
<sup>10</sup> *CDS*, i, no. 1136. This was about a year after the inquisitions following Hugh's death.

<sup>11</sup> *Ibid.*, no. 1063. Balliol's steward guaranteed the £20 owed for the honour, which he still owed at the end of 1232 (*CDS*, i, nos. 1122, 1150, 1169).

<sup>12</sup> The heiress to the successive counts of the honour was Matilda, who had married Stephen, later king of England, which explains how it came into Henry III's possession (*Victoria History of the Counties of England* [hereafter *VCH*]: *Essex*, i (1977), 344).

Balliol overlordship. As these inquiries in 1232 were the last concerning John (I)'s patrimony from his father, it would seem that his English inheritance had been settled.

Northumberland Balliol  
Lands, c. 1278



In Northumberland, the Balliols possessed the large barony of Bywell which included the parishes of St Andrew and St Peter with many townships, the parishes of Whittonstall and Ovingham, and the parish of Woodhorn. Presumably, this acquisition



included a vast area in southern and eastern Northumberland stretching from Bywell to the east-central district around Morpeth, including rent held within the town of Newcastle.<sup>13</sup> The lands included in the barony of Bywell consisted of over 5,600 acres of arable land, over 80,000 acres of forest and was worth £212 2s 3½d annually.<sup>14</sup> In County Durham, by the time of his inheritance in 1229, John (I)'s lordships and estates included a large area of the southern portion of the county. The Teesdale and Marwood forests<sup>15</sup> were among these, as were the lordships of Middleton and Gainford and the lands of Long Newton, Sadberge and most importantly, the Balliol stronghold of Barnard Castle.<sup>16</sup> In 1229, John reputedly founded the hospital of St John the Baptist, in the town of Barnard Castle,<sup>17</sup> an act of charity which cannot be attributed to the piety or influence of his wife, Dervorguilla of Galloway, as it was before their 1233 marriage. Unfortunately, the value of lands in Durham, such as Barnard Castle, is not specified, although from an inquest after Bishop Bek's seizure of Barnard Castle and Gainford in 1306 the jurors estimated the worth of these two lordships to be £334 per annum.<sup>18</sup>

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<sup>13</sup> *CDS*, i, nos. 2390, 2505. John (I) seized Cressewell, in Woodhorn, during the Barons' War and after his death, in 1274, Hugh de Eure (an executor of Balliol's Will) claimed in court that Balliol had assigned the manor to him, 'until it be redeemed according to the form of the dictum of Kenilworth' (*CInqPM*, i, nos. 413, 691; *CDS*, i, no. 2505; *CCR*, 1272-79, 130). Balliol also had lands in 'Silvingdon' (Shilvington) in the parish of Morpeth (*CCR*, 1237-42, 240; *CDS*, i, no. 1499). Other lands of interest were Gonewerton (which Balliol had to farm for a fine 'made by reason of war,' for a term of seven years), Halywell manor, and the connections with Prudhoe and Mitford castles within their demesne. In 1272, when Alexander Balliol inherited Bywell from his brother, the annual fee to be paid to Newcastle was 5 marks 6d (*CDS*, i, no. 2642; *CInqPM*, i, no. 804).

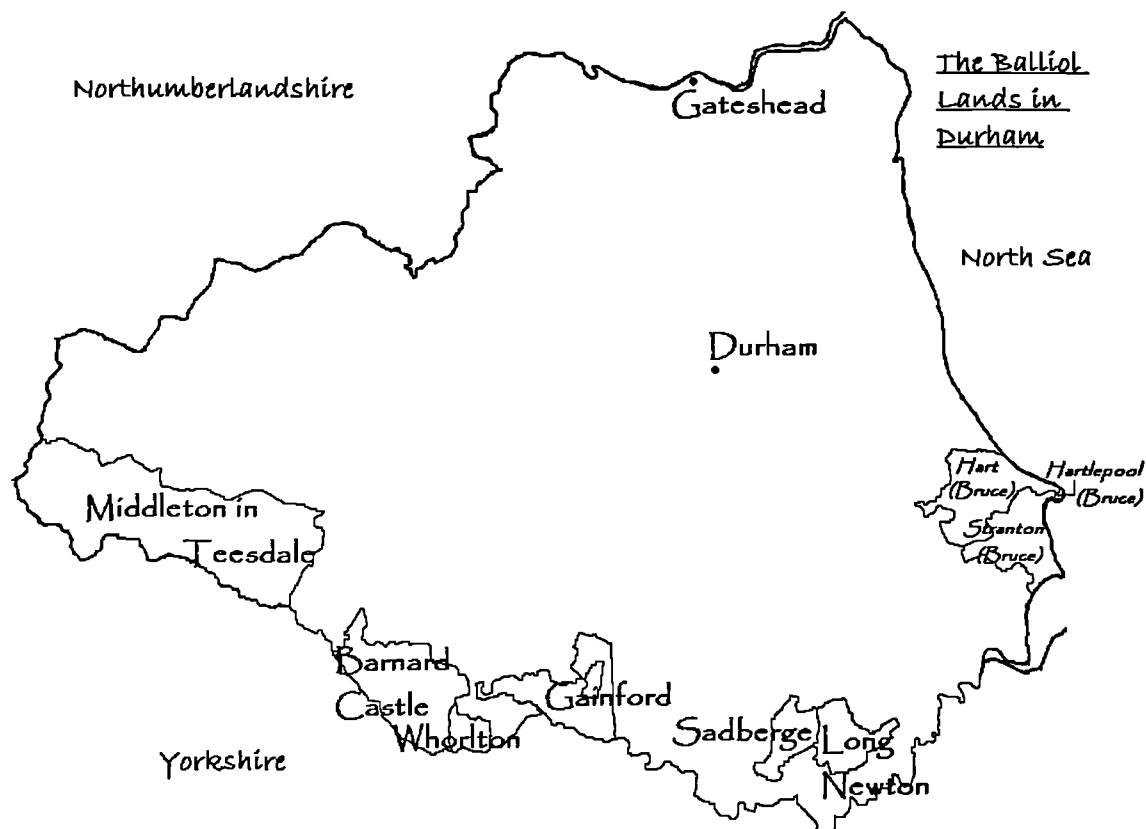
<sup>14</sup> *CDS*, i, no. 2505.

<sup>15</sup> The lordships of Middleton and Gainford contained approximately 60,000 acres combined (Scott, *Norman Balliols*, 123).

<sup>16</sup> *Ibid.*, nos. 2505, 2511-2, 2514; C.H. Hunter Blair, "The Early Castles of Northumberland," *Archaeologia Aeliana*, 4<sup>th</sup> ser., xxii (1944), 116-68, at 147. Stainton, in the bishopric of Durham, was possibly included with 'Bechefeld' in Bywell; it is not in the 1268 inquisition, but is among the lands of Hugh de Balliol (*CInqPM*, i, no. 804).

<sup>17</sup> R. Surtees, *The History and Antiquities of the County Palatine of Durham* (London, 1816-40), iv, 80; J.C. Hodgson, *A History of Northumberland* (Newcastle, 1893-1940), vi, 49 [hereafter *Hist. Northumberland*]; J.H. Burn, *A Defence of John Balliol* (privately printed, c. 1970), 32; Scott, *Norman Balliols*, 253. On 8 June 1266, Henry III had granted certain privileges to the hospital of St John located just outside Oxford. John (I) had witnessed this document, highlighting a possible connection with his own St John's hospital in Barnard Castle (*Charter Rolls*, ii, 309, *Inspeximus* and confirmation by Edward I, dated 12 June 1285).

<sup>18</sup> C.M. Fraser and K. Emsley, "Durham and the Wapentake of Sadberge," *Transactions of the Architectural and Archaeological Society of Durham and Northumberland*, New ser., ii (1970), 71-81, at 76; *Registrum Palatinum Dunelmense: The Register of Richard de Kellawe, Lord Palatine and Bishop of*



The historiographical reputation which John (I) Balliol acquired by his wealth is justified by these figures, as well as by Matthew Paris's view, who mentions Balliol's wealthy status several times. Balliol was a man 'whom the king strove with utmost endeavour to ensnare,' and with whom King Henry negotiated 'to mutilate somewhat [Balliol's] treasured pile,' while John had made peace with Henry in 1257 by supplying him with money 'of which he possessed abundance.'<sup>19</sup> Paris, of course, was referring to Balliol's wealth after it was further augmented by his marriage in 1233 to Dervorguilla. The acquisition of a significant share of the Galloway lands combined with the ancestral estates in France, both enumerated below, demonstrate that Balliol was not just a wealthy Englishman, but a great landholder within a British Isles and European sphere.

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*Durham, 1314-1316*, ed. T.D. Hardy (London, 1873-78), iii, 26-33. The goods at Barnard Castle were worth £200 in 1307 (*Calendar of Fine Rolls* (London, 1911-62), 1272-1307, 552, dated 12 February 1307).

<sup>19</sup> *Chron. Majora*, v, 507, 528, 569.

Balliol's lands provided him with status and significance, and by earning money through his service to King Henry and various rents of his many lands, he had the ability to turn some of his wealth into ready money, as can be seen from various money-lending transactions. It has been suggested that Balliol, when lending money to fellow nobles, consistently foreclosed on their lands when payment was not made, justifying the seizure of certain lands.<sup>20</sup> Paris's view that Balliol was 'rapacious'<sup>21</sup> suggests this, too, as rapacious can also mean plundering, or to acquire property dishonestly or through violence. In one example, from around 1266, Sir Baldwin Wake, among the baronial rebels of the 1260s, was mentioned as owing Balliol '100 marks and more.'<sup>22</sup> While it is more likely that this debt was incurred during the Barons' War, when Wake attacked and destroyed part of Balliol's lands at Fotheringhay Castle causing damage of 200 marks, the fact that Wake held lands in Lavendon (Bucks), which are recorded as under Balliol lordship in the Honour of Huntingdon, implies that there may have been underlying tensions concerning a previous dispute.<sup>23</sup> Loans made by John (I) to nobles such as Henry de Hastings and Robert Walerand (who owed 100 and 300 marks respectively) following the Dictum of Kenilworth of 1266, as well as large sums of money loaned to the church of Durham again hint at foreclosures as these would likely be guaranteed against landed property.<sup>24</sup> Indeed, Balliol acquired certain lands of Hastings and of Bernard de Brus in the 1260s, including some in Derby which are given below.<sup>25</sup> The loans made to the church of Durham were not repaid in Balliol's lifetime; one receipt was for a mere ten marks, paid

<sup>20</sup> I would like to thank Dr Richard Oram, who suggested this theory.

<sup>21</sup> *Chron. Majora*, v, 528.

<sup>22</sup> *Oxford Balliol Deeds*, no. 597.

<sup>23</sup> NA JUST1/618 m.7; *CInqPM*, i, nos. 313, 343, 696; *CDS*, i, no. 2460; *Book of Fees*, i, 244; M.F. Moore, *The Lands of the Scottish Kings in England* (London, 1915), 124; D.A. Carpenter, *The Reign of Henry III* (London, 1996), 321; H. Savage, *Balliofergus, etc.* (Oxford, 1668), 7. For more on this attack see Chapter Two.

<sup>24</sup> *CCR, 1264-68*, 561-2.

<sup>25</sup> *CDS*, i, no. 2488; *CPR, 1258-66*, 557; *CPR, 1266-72*, 257; *CInqPM*, Misc. i, nos. 646, 847. See also Chapter Two. For the seizure of Brus's lands see below.

in 1273, and another was for 1,000 marks, in part of a payment of £1,000.<sup>26</sup> These and other debts owed to John Balliol from various persons, including his eldest son and heir, Hugh, amounted to an estimated £1,700 and were used after 1268 by Dervorguilla to support the scholars of Oxford, where John and Dervorguilla founded Balliol College.<sup>27</sup>

John (I)'s landed wealth and money-lending provides useful insight to his power and authority in the thirteenth century. He was certainly using this status to his advantage and his activities indicate both landed and fiscal interests and ambitions. At a very rough estimate his English lands alone brought £1,000 annually, which represented a third of his total landed fortune. Although his English lands were worth less than those of the contemporary earl of Gloucester (£3,700 in 1263), the earldom of Richmond (valued at between £1,500 and £1,700) or William, earl of Ferrers (d. 1254) whose income was £1,333,<sup>28</sup> Balliol's wealth, as a baron and not an earl, was still substantial. His income was on a par with the Percy family, whose English lands were worth £900 in 1249, as well as the Bruses of Skelton with English lands worth over £800 in 1272.<sup>29</sup> Compared to, for example, the Honour of Gloucester, which brought £950, the Honour of Arundel (£390), or the de Quincy inheritance (just over £500 in 1264),<sup>30</sup> the Balliol lordships and other lands in England were more valuable. Of course, this does not include his wife's Scottish lands, with a more likely estimate of c. £1,097 p.a.,<sup>31</sup> or his French estates, which were worth approximately £1,000 according

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<sup>26</sup> Durham Cathedral Muniments [DCM] Misc.Ch.3585, 4463; Burn, *A Defence of John Balliol*, 60.

<sup>27</sup> *Oxford Balliol Deeds*, nos. 567-9, 592-5, 597-9; F. de Paravicini, *Early History of Balliol College* (London, 1891), 83; Stell, "The Balliol Family," 157. For other debts as well as the foundation of Balliol College see Appendix B.

<sup>28</sup> *CCR, 1261-4*, 284-93 (Gloucester); *CInqPM*, ii, 210-223 (Richmond); Painter, *Studies in the History of the English Feudal Barony*, 173-4; N. Denholm-Young, *Seignorial Administration in England* (Oxford, 1937), 22; M. Altschul, *A Baronial Family in Medieval England: The Clares, 1217-1314* (Baltimore, 1965), 203-4. Ferrers was married to Margaret, daughter of Roger de Quincy.

<sup>29</sup> R. Lomas, *A Power in the Land: The Percys* (East Linton, 1999), 35; Blakely, "The Brus Family in England and Scotland, 1100-1290," 146.

<sup>30</sup> Stringer, *Earl David*, 111; Painter, *Studies in the History of the English Feudal Barony*, 174.

<sup>31</sup> See below for the Galloway inheritance.

to the 1295 treaty between Scotland and France.<sup>32</sup> In total, this puts the Balliols' yearly worth at just over £3,000 before 1268.<sup>33</sup> By contrast, the English crown brought in revenues of about £30,000 to £36,000 between 1238 and 1259, before the financial problems resulting from the Barons' War, while Prince Edward was given £10,000 per year for his income—almost twice the Scottish royal income, which was about £5,400 in the 1260s.<sup>34</sup> John (I) Balliol, then, seems to be one of the richest landholders in the British Isles at the time, despite not holding an earldom.

Balliol was thus one of a few powerful lords (if not the most powerful, apart from the bishops of Durham) who held that amount of land in northern England, including the Comyn and Umfraville families. The Comyns possessed lands in southwest Northumberland in Tynedale, just adjacent to Balliol's barony of Bywell.<sup>35</sup> They held roughly £800 worth of lands in England and had 'considerable financial resources if not quite on a par with the well-known wealth of the "rich and powerful" Balliols.'<sup>36</sup> Their association with each other was evident throughout the thirteenth century by way of their political and military support of King Henry, especially against the rebellious barons in the turmoil of the 1250s and 1260s (both Balliol and Comyn would be captured at the Battle of Lewes in 1264). Yet this does not justify a long-standing Balliol-Comyn relationship at this time, or an anticipation of the factions of post-1286, as the Bruces also supported King Henry. But, the marriage between John

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<sup>32</sup> According to the treaty, £1,000 worth of Balliol's four French lordships and royal lands in Scotland was secured in the projected marriage between Edward Balliol and Jeanne de Valois (*Foedera*, I, iii, 152-3; *APS*, i, 452).

<sup>33</sup> Close to £2.76m in terms of purchasing power today.

<sup>34</sup> F.M. Powicke, *King Henry III and the Lord Edward* (Oxford, 1947), 304-5; Denholm-Young, *Seignorial Administration*, 22; N. Mayhew, "Alexander III—A Silver Age? An Essay in Scottish Medieval Economic History," in *Scotland in the Reign of Alexander III*, ed. N. Reid (Edinburgh, 1990), 53-73, at 53.

<sup>35</sup> These lands included Walwick, Thornton, Staincroft and Henshaw (A. Young, *Robert the Bruce's Rivals: The Comyns, 1212-1314* (East Linton, 1997), 15, 19, 81; *Atlas of Scottish History to 1707*, eds. P.G.B. McNeill and H.L. MacQueen (Edinburgh, 1996), 420-2). Another Comyn, William, had sided with Montfort and forfeited his lands in Northumberland, Norfolk, Suffolk, Essex and Hertford (Young, *The Comyns*, 81).

<sup>36</sup> Young, *The Comyns*, 150-1.

Comyn of Badenoch and Eleanor, Balliol's daughter, in the mid-1270s does illustrate a close connection which, as will be seen later, would continue into the fourteenth century. In addition, Alexander Comyn of Buchan had married the daughter of Roger de Quincy and Helen of Galloway (Dervorguilla's half-sister), thus acquiring part of the de Quincy inheritance in various English counties.<sup>37</sup> The advantage of their alliance with one another surely contributed to their respective influences in both countries—the Comyns in Scotland and the Balliols in England.

The Umfraville family, allied with the Comyns by marriage, also had connections to the Balliol family and held the barony of Prudhoe and Redesdale in Northumberland. The widow of John Comyn (d. 1242), Matilda, remarried Gilbert de Umfraville (d. 1245) and their son, also Gilbert (1244-1307), later married one of Alexander Comyn's daughters.<sup>38</sup> During the reign of King John of England, Richard de Umfraville was not as loyal as the Balliol family, as Richard was associated with certain northern lords who plotted to kill the English king in 1212.<sup>39</sup> Gilbert the younger was a supporter of the English crown, although his loyalties would sway to Simon de Montfort for a short time in 1265, perhaps on account of his youth. Umfraville, too, seems to have become closely associated with the Balliol family around this time, having fought with the royal army at the Battle of Evesham (1265) and having gone before John (I) Balliol afterwards to ask for the king's peace. The two neighbouring families would serve frequently as witnesses to the same crown grants and by the end of the thirteenth century, the Umfravilles, by marriages and kinship involving both the Balliol and Percy families, were able to gain certain lands of

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<sup>37</sup> *Ibid.*, 72, 80, 82. The de Quincy estates—including a third of those which Helen received after her father's death in 1234—were divided three ways between the husbands of the heiresses (William de Ferrers, Alexander Comyn and Alan de la Zouche) (Stringer, *Earl David*, 192).

<sup>38</sup> *Ibid.*, 114, 125.

<sup>39</sup> J.C. Holt, *The Northerners* (2<sup>nd</sup> edn., Oxford, 1992), 19.

Enguerrand de Balliol (d. 1299), a cousin of John (II).<sup>40</sup> Later, Gilbert de Umfraville's grandson, also Gilbert, would serve Edward Balliol and the Disinherited nobles in Edward's attempt to gain the Scottish throne in the early 1330s.

The Percy family was also associated with the Balliols, their connection apparently beginning with the marriage of William de Percy (d. 1245) to Ellen de Balliol (d. 1281), daughter of Enguerrand de Balliol (d. c. 1244), uncle of John (I).<sup>41</sup> Their son was Henry de Percy (c. 1235-72), who secured full possession of his father's lands in England—concentrated mostly in Yorkshire and Northumberland—in 1249, when he paid the crown £900 for the right to have his lands and to marry at will.<sup>42</sup> Percy may have opposed King Henry before 1260, yet he soon changed sides and was summoned with John (I) Balliol, Robert Bruce and John Comyn to keep the peace north of the Trent in early 1264.<sup>43</sup> Percy also became more closely related to the Balliols when he married Eleanor, daughter of John de Warenne (with whom he served during the Barons' War) and sister-in-law of John (II). One of their sons was Henry de Percy (d. 1314) who was also granted the lands of Enguerrand de Balliol in 1299 after the latter's death without issue that year; both Percy and Enguerrand were grandsons of William de Percy and thus the transfer was legitimate.<sup>44</sup> In 1377, the Percy family

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<sup>40</sup> DCM Misc.Ch.6909\*; *CDS*, i, no. 2432; B. McAndrew, "The Sigillography of the Ragman Roll," *Proceedings of the Society of Antiquaries of Scotland*, cxxix (1999), 663-752, at 673. Balliol and the elder Umfraville (d. 1245) had signed the 1237 treaty between England and Scotland and the younger Umfraville (d. 1307) witnessed acts of King John Balliol. The Umfraville family does not appear to have been such staunch loyalists as the Balliols: Richard had supported the barons against King John over Magna Carta and Gilbert had supported Montfort around the time of Evesham (1265), though possibly because he was Montfort's ward during his minority (J.C. Holt, *Magna Carta* (Cambridge, 1965), 279).

<sup>41</sup> Lomas, *The Percys*, 31. Lomas gives Enguerrand's title as 'Lord of Barnard Castle in Durham and Prudhoe and Redesdale in Northumberland,' yet Barnard Castle belonged to Hugh, as he was the eldest son; Prudhoe and Redesdale belonged to the Umfraville family. This particular line of Balliols was the Balliols of Urr and Inverkeilor and lords of Tours-en-Vimeu. The Umfraville connection to Prudhoe and Redcastle in Angus remains a mystery, illustrated by Professor Duncan, and their kinships to the Balliols and the Percys is clouded (A.A.M. Duncan, "The War of the Scots, 1306-23," *Transactions of the Royal Historical Society*, 6<sup>th</sup> ser., ii (1992), 125-51, at 127).

<sup>42</sup> Lomas, *The Percys*, 35.

<sup>43</sup> *Royal and other Historical Letters Illustrative of the Reign of Henry III*, ed. W. Shirley (London, 1862-66), ii, 255 [hereafter *Letters of Henry III*]; Lomas, *The Percys*, 37.

<sup>44</sup> Lomas, *The Percys*, 45. The Percys and Umfravilles would dispute this inheritance, as well as Redcastle, and in the late fourteenth century the powerful Percy family, through the earl of

would become earls of Northumberland, and through marriage would acquire Prudhoe from the Umfravilles; in later years, their influence in the north would rise higher than the Balliols. It must be noted that the Balliol, Umfraville and Percy families, because of their extensive lands, kinship and intermarriage, can be seen as predominately Northumbrian families particularly when compared to their Anglo-Scottish cross-border contemporaries such as the Bruces and the Comyns.

The Bruce family also held lands in northern England, mostly in Yorkshire under the Bruces of Skelton, who had an estimated fortune of £800 in 1272. The Annandale Bruces also held English lands, including Hartness (held of the Skelton Bruces), Hartlepool and Stranton in County Durham and Edenhall (Cumberland).<sup>45</sup> Robert (IV) Bruce (d. c. 1230) had married Isabelle, daughter of Earl David of Huntingdon (d. 1219) and upon the death without issue of Isabelle's brother, Earl John, in 1237, a share of the Huntingdon estates in England and Scotland were granted to the Bruce family. The Balliol and Hastings families also received shares of these demesne lands, as outlined below.

Other lesser families in Northumberland who had a close relationship with the Balliol family included the Bertrams and the Areyns, both of whom used the Balliol *orle* on their shields.<sup>46</sup> Roger de Bertram was the son of Hawise de Balliol, daughter of Guy de Balliol (d. a. 1130), great-great-grandfather of John (I), and of William de Bertram of Mitford. Bertram had made gifts to the monastery and chapter of St Mary's, York, and he (or his son) witnessed several Balliol grants and charters, including the 1231 agreement between John (I) Balliol and Bishop Poor of Durham, examined in the

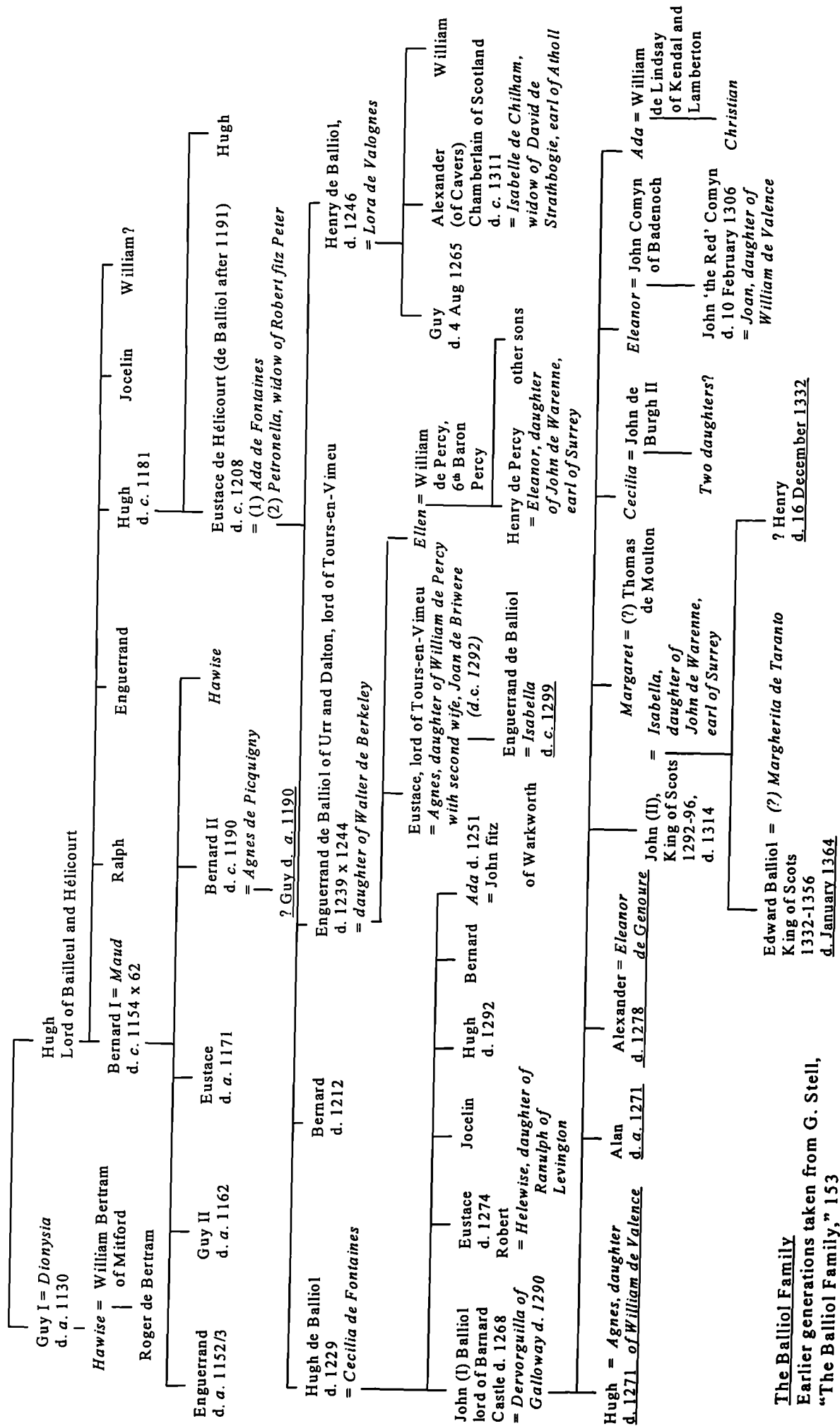
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Northumberland, would inherit a sizeable portion of the Umfraville patrimony (J.M.W. Bean, *The Estates of the Percy Family, 1416-1537* (Oxford, 1958), 8).

<sup>45</sup> Blakely, "The Brus Family," 67-8; A.A.M. Duncan, "The Bruces of Annandale, 1100-1304," *TDCNHAS*, 3<sup>rd</sup> ser., lxxix (1994), 89-102, at 92-3, 95.

<sup>46</sup> DCM Misc.Ch.6909\*, 6910; Appendix C, no. 4; *CDS*, i, no. 2505; *Hist. Northumberland*, vi, 176-185; H.L. Honeyman, *Northumberland* (London, 1949), 50. The Bertrams were also associated with the Bruce family (Blakely, "The Brus Family," 67).





**The Balliol Family**  
 Earlier generations taken from G. Stell,  
 "The Balliol Family," 153

next chapter.<sup>47</sup> Another Roger de Bertram, lord of Mitford, had sold part of the Mitford lordship to William de Valence in 1262, a purchase which was not completed until 1315 when Valence's son, Aymer earl of Pembroke, acquired the castle of Mitford.<sup>48</sup>

The Balliol and Areyns families seemed to have been closely connected by land grants and hints of their personal relationship can be attested by the namesakes of Bernard and Guy. Bernard de Balliol had granted in the latter part of the twelfth century the vill of Whittonstall, within the barony of Bywell, to Bernard d'Areyns, which was later increased by Hugh de Balliol and confirmed by John (I) around 1246 to Bernard's son, Guy d'Areyns.<sup>49</sup> Holt claims that by 1242, there were five tenures *in maritagio* held directly of the barony of Bywell: de Laval, Bolebec, fitz Robert, Bertram of Mitford and Umfraville.<sup>50</sup> Eustace de Laval held Halywell manor in Northumberland of Balliol in free marriage without service; the same is likely true for the Bolebec family. John (I)'s sister, Ada (d. 1251), had married John fitz Robert of Warkworth while the connections of the Bertram and Umfraville family have already been established. John de Normanville (d. 1243), although not related by marriage to the family, was a tenant who, with approval and confirmation of his feudal superior,

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<sup>47</sup> *English Episcopal Acta 24 & 25 Durham: 1153-1237*, ed. M.G. Snape (Oxford, 2002), nos. 168 (Roger's charter confirming the gift of his father, William, and his maternal grandfather, Guy de Balliol, from 1149 x 1152), 245 (another confirmation witnessed by Philip Balliol, dean of Poitiers (see nos. 184-5 and *xlvii*)), 292 (John (I)'s agreement with Bishop Poor) [hereafter *EEA: Durham*].

<sup>48</sup> PRO E163/4/1/2; *CPR, 1313-17*, 254; J.R.S. Phillips, *Aymer de Valence, earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972), 88.

<sup>49</sup> DCM Misc.Ch.6909a, 6909b. In November 1272, Alexander Balliol issued a confirmation of his father's grants to Roger d'Areyns, and further undertook to compensate Roger if 'empleaded over Whittonstall and Newlands and the mill by the executors of Alexander's father Sir John de Bayllo1 or by those of his brother Sir Hugh de Bayllo1.' Roger had demised the lands to Alexander for a period of twelve years, during which time he died. As Roger's heir was a minor, Alexander gave the wardship of the lands to his wife, Eleanor de Genoure, to keep during his minority. After Alexander's death before 13 November 1278, his widow believed there to be an iron mill on the lands and thus began digging 'to make her profit thereof' (*CInqPM*, Misc. i, no. 2026). According to DCM Misc.Ch.6909, the lands were apparently transferred around 1295/96 to John de Vallibus.

<sup>50</sup> *Book of Fees*, ii, 1129; *CInqPM*, i, no. 413; Holt, *The Northerners*, 41.

had granted the manor of Nesbit in Stamfordham to the prior of Hexham along with Robert de Lisle and Walter fitz Walter of Nesbit.<sup>51</sup>

In northern England, John Balliol could be considered a relatively wealthy nobleman, in lands as well as in his strong following. His contemporaries mentioned above illustrate this fortune and surely represent a standard on which to base Balliol's superior financial position. His position in the politics of medieval England and Scotland also highlight his wealth and status amongst the nobility of his day.

### *The French lordships*

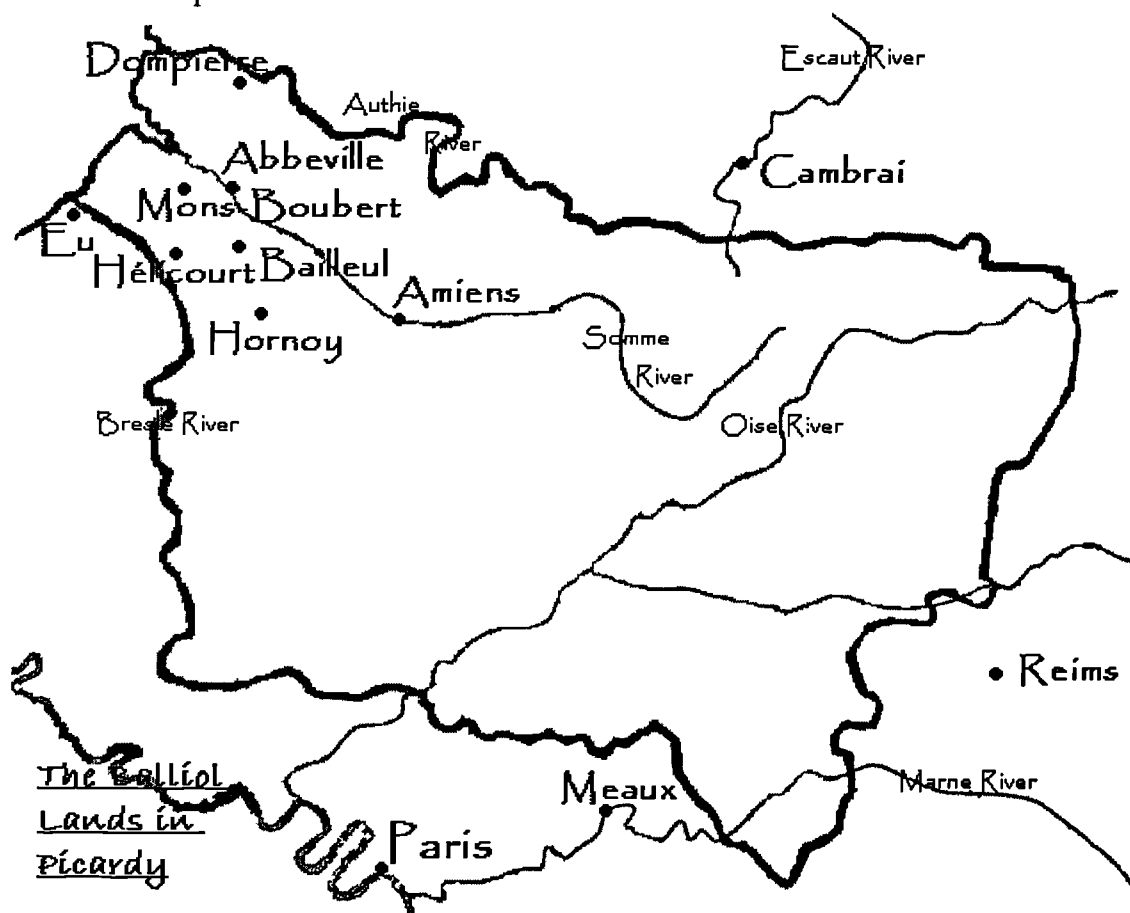
Some time after his father died in 1229, John travelled to France to do homage for his ancestral lands in Picardy. As with other records for this time, the extent of the family's French estates lacks detail in areas and only by rough outlines can one approach an estimate of their worth. The extent of the French lands appears to have been the entire county of Vimeu and part of Ponthieu, which was held by Edward I through his first wife, suggesting that their continental lands provided them with as much wealth and power as their lands in England and Scotland; yet the family, by establishing itself in northern England just after the Norman Conquest, had reduced most of their direct influence in France. Nevertheless, they still retained connections and John (I), John (II) and Edward can be found residing on—or visiting—their French lands throughout their lives, until the 1330s.<sup>52</sup> The Balliols also retained connections to the local religious houses in Picardy, some of which were allegedly founded by the family, including the parish church of Bailleul-en-Vimeu and the collegiate church at

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<sup>51</sup> R. Lomas, *North-east England in the Middle Ages* (Edinburgh, 1992), 156; *Hist. Northumberland*, xii, 320, 327-8. Henry III licensed the prior to acquire the manor in 1255 (*CDS*, i, no. 2026).

<sup>52</sup> *CPR, 1281-92*, 72, 116, 315; Belleval, *Jean de Bailleul*, 57, 59, 63; W. Huyshe, *The Royal Manor of Hitchin and its Lords Harold and the Balliols* (London, 1906), 237; *CDS*, iii, nos. 841, 923; *CPR, 1321-24*, 434; *1327-30*, 137, 547; see also Chapter Six.

Longpré-les-Corps-Saints (Hallencourt canton).<sup>53</sup> The stronghold was in Bailleul-en-Vimeu, from where they took their name, and was one of the most important lordships in Vimeu and Ponthieu, with seventeen villages. As lords of Bailleul, they were given the privilege of attending the French king's court and serving the counts of Ponthieu, an honour which would later give them further privileges in England following the Norman Conquest.<sup>54</sup>



Besides Bailleul, the family also held three other lordships in Picardy, including Hélicourt, Hornoy and Dompierre, the latter being confiscated in 1331 by the French king, Philip VI, from Edward Balliol by reason of the murder of Jean de Candès, squire,

<sup>53</sup> G. Stell, "In Search of the Balliols: 2. France," *Balliol College Record* (1999), 11-5, at 12-3.

<sup>54</sup> Stringer, *Earl David*, 186; Belleval, *Nobiliaire de Ponthieu et de Vimeu*, i, 31. The lordships were located less than a hundred miles from Paris. After 1279, Ponthieu was held by Edward I by right of his wife, Eleanor of Castile. Upon her death in 1290, it would fall to Prince Edward, her son, until its confiscation in 1294 during the Anglo-French wars; it was returned in 1299 (H. Johnstone, "The County of Ponthieu, 1279-1307," *EHR*, xxix (1914), 435-52, at 435, 437, 447-8).

in late 1330 which also resulted in Balliol's imprisonment.<sup>55</sup> The castle of Hornoy and its appurtenances, confiscated in 1330, were granted the same year to Sir Ferry de Picquigny, a cousin of the Balliols through the marriage of Bernard II (d. c. 1190) and Agnes de Picquigny, and remained with this family until 1365, when it passed to Raoul de Coucy, great-grandson of Ada de Balliol, one of John (II)'s sisters.<sup>56</sup> In October 1335, lands to the value of 600 *livres* (roughly £60) were taken from the forfeiture of Edward Balliol, 'with the exception of the castle of Bailleul,' and granted to Sir Thomas de Marigny.<sup>57</sup> The confiscation and forfeiture of these lands was certainly related to Balliol's political behaviour at the time, 'by reason of the crime of *lèse majesté* resulting from his alliance with the king of England,' culminating in his invasion of Scotland in August 1332.<sup>58</sup>

The fourth lordship of Hélicourt, perhaps with the only itemised account of property (taken in 1311), consisted of a château, fish ponds and an estimated 500 *journaux* of various arable lands, meadows and woods.<sup>59</sup> John (I) probably bestowed this lordship upon his younger brother, Hugh, who appeared as 'Seynur de Helicurt' in at least 1274; Hélicourt would return to the senior Balliol line when Hugh died without

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<sup>55</sup> *Actes du Parlement de Paris, 1254-1350*, ed. H. Furgeot (Paris, 1863-67; 1920), II, ii, no. 5504 (21 February 1344); *Actes du Parlement de Paris, Parlement Criminel Règne de Philippe VI de Valois*, ed. B. Labat Poussin, et al (Paris, 1987), nos. 3117.v.C. (18 December 1330), 3137A, B (11 January 1331), 3137.v.A; A. Sinclair, *Remarks on the Royal House of Baliol* (c. 1870), 4; *Inventaire d'Ancien Comptes Royaux dressé par Robert Mignon sous le Règne de Philippe de Valois*, ed. C-V Langlois (Paris, 1899), no. 183, which has the forfeiture of the four lordships from 2 August 1331 until after the Assumption (15 August 1332) with a recovery clause of £76 4s 7d ob.

<sup>56</sup> Belleval, *Les Fiefs et Les Seigneuries*, 23, 182; *Actes du Parlement de Paris*, II, ii, no. 5504.

<sup>57</sup> *Registres du Trésor des Chartes: Règne de Philippe de Valois*, ed. R. Fawtier (Paris, 1979), III, i, no. 2936. According to Michael Prestwich, money exchanged in 1306 had a rate of £1 to about 10 *livres parisis* (M. Prestwich, "Early Fourteenth Century Exchange Rates," *Economic History Review*, 2<sup>nd</sup> ser., xxxii (1979), 473). Upon its forfeiture, Dompierre was granted, possibly as early as July 1332 but certainly in September 1334, by Philip VI to Sir Thomas de Marigny 'in consideration of the bishop of Beauvais, his uncle, and of services which he rendered in the wars of Languedoc and of Guyenne' (*Registres du Trésor des Chartes: Règne de Philippe de Valois*, III, i, nos. 2124, 2269).

<sup>58</sup> *Actes du Parlement de Paris*, II, ii, no. 5504; see Chapter Six.

<sup>59</sup> Belleval, *Les Fiefs et Les Seigneuries*, 176. *Journaux* was the name given to a plot of land which could be ploughed in one day—generally no bigger than an acre. Given these estimates, Hélicourt, representing only one of their four lordships, was about 400-500 acres.

issue around 1292.<sup>60</sup> The importance of Héricourt was that from 1302 it served as the residence of the exiled King John until his death there in 1314.<sup>61</sup> Having been confiscated from Edward Balliol in 1338, it remained in the hands of the king of France until 1355, at which time he granted it to Jacques de Bourbon, count of La Marche.<sup>62</sup>

Bailleul—just south of Abbeville—Héricourt, and Hornoy were closely situated to one another between the Bresle and Somme rivers, while Dompierre was some miles to the north on the Authie river.<sup>63</sup> Mons-Boubert, to the northwest of Abbeville, also had Balliol connections, and might have been the birthplace of John (II) in 1249. Bailleul was also forfeited to the French crown, but like Hornoy, upon Edward Balliol's death in 1364 it passed to Raoul de Coucy, who successfully put forth his claims to the Balliol estates through his right *comme plus proche heritier* and was styled Seigneur de Bailleul.<sup>64</sup>

The importance of John (I) Balliol's French lands cannot be overlooked, despite his less-than-frequent involvement in French politics. The four French lordships likely had higher fiscal value, if only slightly, than the family's English estates in the mid-thirteenth century. In 1295, £1,000 worth of King John's French lordships and some royal lands in Scotland was secured for his son's marriage, suggesting that this was only part of their overall value.<sup>65</sup> Within Anglo-Scottish politics, his possession of these extensive, and valuable, holdings would perhaps make him unique among many

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<sup>60</sup> Belleval, *Jean de Bailleul*, 54; *Northumberland and Durham Deeds: from the Dodsworth MSS in Bodley's Library, Oxford*, ed. A.M. Oliver (Newcastle, 1929), 283, dated 29 August 1284, 2 Edw. I (*sic*, probably 1274); Huyshe, *The Royal Manor of Hitchin*, 240. According to *Actes du Parlement de Paris* (I, ii, no. 885), Héricourt was awarded to 'Jean de Bailleul, knight' (not styled king of Scots) at All Saints 1295; this will be discussed further in Chapter Four.

<sup>61</sup> Belleval, *Jean de Bailleul*, 11-2; *Idem, Les Fiefs et Les Seigneuries*, 176.

<sup>62</sup> Belleval, *Les Fiefs et Les Seigneuries*, 176. The confiscation is further discussed in Chapter Seven.

<sup>63</sup> *Ibid.*, 23, 107, 176, 182; Stell, "The Balliol Family," 154.

<sup>64</sup> *Layettes du Trésor des Chartes*, ed. A. Teulet (Paris, 1977 (reprinted)), iii, no. 2771; A. Sinclair, *Heirs of the Royal House of Baliol* (c. 1870), 9; Sinclair, *Remarks on the Royal House of Baliol*, 6; Jovet, *Histoire du Château de Coucy*, 32-3. Amaury de Trou, knight, was given 100 *livres tournois* of annual rent from the revenues of the *châtellenie* of Bailleul in June 1335.

<sup>65</sup> *Foedera*, I, iii, 152-3; *APS*, i, 452.

of the nobles. While it is true that other families had landed connections in France—many lords were of Anglo-Norman descent—because the Balliol family still remained a political presence in that kingdom until the 1330s their appeal to the kings of England and Scotland was accentuated. This may have been especially important for John (I) and how his Scottish, or cross-border, contemporaries perceived him. It surely had an impact on John (II)'s reign as king of Scotland because his ancestral lands in Picardy were used as dowry for the proposed French marriage of his son in 1295. As with the forfeiture of his English and Scottish estates in 1296, the loss of these lands in the 1330s through Edward Balliol's behaviour may be essential when examining the overall image of the family in these political relations.

*The Lordship of Galloway and the Huntingdon Estates in Scotland*

In 1233, John greatly increased his landed wealth—and his future influence in politics—when he married Dervorguilla of Galloway. Because of the position of her father, Alan, lord of Galloway, as a great landholder and as constable of Scotland, it might be assumed that King Alexander II interceded in the marriage negotiations. Alexander's support of the marriage would enable him to undermine the previously independent relationship that the Galwegians had with Scottish kings by encouraging the political involvement of the husbands of the three heiresses. Alternatively, the match might have been supported and encouraged by Alexander II's chamberlain, Henry de Balliol, younger brother of Hugh (d. 1229), as a means to integrate his nephew, John, into Scottish politics.<sup>66</sup> Within a year of the marriage, Alan had died and although Alan's bastard son, Thomas, had tried to take control of the lordship in 1235, he was taken into the custody of John and Dervorguilla and held at Barnard Castle

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<sup>66</sup> R. Oram, "An Overview of the Reign of Alexander II," in *The Reign of Alexander II, 1214-49*, ed. R. Oram (Leiden, 2004), 1-47, at 22-3, 25-27. Of course, Alexander's intervention here is not confirmed.

‘until decrepit old age’ when he was released in 1296 by Edward I.<sup>67</sup> Certainly the imprisonment of Thomas was meant to ensure that the Balliols (and the other heirs) remained in possession of their respective Galloway lands and as Dr Fiona Watson mentions, the release of Thomas underlined King John Balliol’s loss of Galloway and the kingdom of Scotland.<sup>68</sup> Yet, according to the Lanercost chronicler, the night before Alexander III’s death in 1286, a council was held in Edinburgh Castle, where apparently John (II) himself besought Thomas’s release from prison, illustrating that Thomas’s hereditary and political position was no longer threatening.<sup>69</sup> The death of Alan in 1234 and Thomas’s failed rebellion, however, signified the collapse of a once powerful lordship, which was subsequently divided between Alan’s three surviving daughters and their husbands.

The Balliol share of the Galloway inheritance was comprised of scattered estates throughout the lordship and in other areas of Scotland. The division of property after 1234 remains clouded in recorded sources and only a selection of those lands acquired by Dervorguilla is outlined below. Many of the demesne lands have been established from later inquisitions, most importantly that of Dervorguilla’s niece, Elena de la Zouche (d. 1296), senior heiress of Helen (Alan of Galloway’s daughter from his first marriage) and Roger de Quincy.<sup>70</sup> It is known that Dervorguilla received the moiety of Troqueer and Drumflat, worth about £12 yearly, with half of the estates belonging to Helen and Roger de Quincy.<sup>71</sup> Dervorguilla gradually acquired most of eastern Galloway, the lands situated between the Nith and Fleet rivers, including Kirkpatrick-

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<sup>67</sup> *Chronicon de Lanercost*, 42.

<sup>68</sup> Watson, *Under the Hammer*, 103; Oram, *The Lordship of Galloway*, 145; Barrow, *Robert Bruce*, 112; to be discussed in Chapter Five.

<sup>69</sup> *Chronicon de Lanercost*, 116.

<sup>70</sup> For Elena’s inquisition *post-mortem* see CDS, ii, no. 824; Oram, “Dervorgilla, The Balliols and Buittle,” 167. As senior heiress, she acquired the principal estates of the Galloway inheritance, including the caputs of Cruggleton and Kirkcudbright.

<sup>71</sup> CDS, iii, no. 1578; *Rot. Scot.*, i, 273; Oram, *The Lordship of Galloway*, 146-50.



Durham, Preston-under-Criffel and the castles of Lochfergus, Kenmure, and the Balliol stronghold of Buittle near Dalbeattie in the Urr Valley.<sup>72</sup> The family granted Holmcultram Abbey lands in Kirkgunzeon and the monks there paid the Balliols £10 annually. In 1354, Edward Balliol also claimed areas such as Kells (where Kenmure castle is located), Balmaghie, Parton, Crossmichael and Burned Island (Loch Ken), which he used as his stronghold, as part of his inheritance in Galloway.<sup>73</sup> The extent of Dervorguilla's heritage evidently crossed into Wigtownshire, where the Balliols held property in the parishes of Kirkcolm, Stoneykirk (Milmain), and Glasserton (Kidsdale), as well as Outon in Farines, located to the north of Whithorn.<sup>74</sup> The family indeed possessed rights, if not lands, in the parish of Wigtown and the adjacent parish of Kirkinner as indicated by grants made by Edward I, who had claimed rights to them from the lands resigned by John (II) Balliol after his resignation of the Scottish throne.<sup>75</sup> Among the families who can be associated with the Balliol family through their lands in Galloway around this time are the Vieuxponts, who gave homage and service to John (I) for Sorbie in Farines, the Marshal lords of Toskerton/Stoneykirk and Bertram de Cardoness, who witnessed Balliol documents.<sup>76</sup>

Apart from the Galloway inheritance, Dervorguilla and the other Galloway heirs received part of the Morville inheritance, comprised of Scottish estates in Ayrshire, Lauderdale and Cunninghame and English estates in Lincolnshire, Northamptonshire,

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<sup>72</sup> Oram, *The Lordship of Galloway*, 146; H. Maxwell, *A History of Dumfries and Galloway* (Edinburgh, 1896), 65; W. Huyshe, *Dervorguilla, Lady of Galloway and her Abbey of the Sweet Heart* (Edinburgh, 1913), 22.

<sup>73</sup> *CDS*, iii, no. 1578; *Rot. Scot.*, i, 273. These lands were given to William de Aldeburgh as part of Balliol's gift.

<sup>74</sup> *CDS*, ii, no. 1338; *Rot. Scot.*, i, no. 273; *RMS*, i, app. i, no. 20; Oram, *The Lordship of Galloway*, 149; Oram, "Dervorgilla, the Balliols and Buittle," 169-70. Dervorguilla also had connections with Whithorn Priory and held Borgue in Galloway through a 1282 quitclaim by Robert de Campania—possibly worth about £208 per annum (*RRS*, v, no. 275; *CCR*, 1288-96, 189; *CDS*, ii, 212; Oram, "Dervorgilla, the Balliols and Buittle," 170).

<sup>75</sup> Stevenson, *Documents*, ii, 287-90; *CDS*, ii, nos. 1023, 1772; Oram, *The Lordship of Galloway*, 149.

<sup>76</sup> *Registrum Episcopatus Glasguensis*, ed. C. Innes (Edinburgh, 1843), i, no. 230; *CCR*, 1288-96, 189; *CDS*, i, no. 1808; Oram, *The Lordship of Galloway*, 149; Stringer, *Earl David*, 201.

Cumberland and Westmorland.<sup>77</sup> Lauder, the caput of the middle-march lordship of Lauderdale, may have fallen to Dervorguilla, who also held lands in Largs and one-third of Dreghorn.<sup>78</sup> She may have used Lauder as one of her residences in Scotland, as suggested by inquisitions in March 1281 held by Edward I's agents at nearby Dryburgh Abbey in order to settle John (II) Balliol's inheritance of her English lands.<sup>79</sup> Further evidence of Balliol hegemony in Lauder comes from charters by John (I) and Dervorguilla in the late 1260s transferring the advowson of the church of Lauder to the canons of Dryburgh.<sup>80</sup> In Ayrshire, Dervorguilla held lands in Kilmarnock, Bondington and Hartshaw while John (II) continued to hold land in that county, as evident from a grant to Donald fitz Kan, knight, of £10 yearly from lands that Balliol (when king of Scots) had given him from his demesne lands.<sup>81</sup>

The heirs of the Morville lands were summoned in 1241 to answer to the Barons of the Exchequer concerning £13 of yearly rent in Navenby (Lincolnshire), which King Henry claimed against William, earl of Ferrers and his wife, Margaret, eldest daughter of Helen and Roger de Quincy, although it is not known if this suit was ever settled.<sup>82</sup> The Vieuxpont family, mentioned above as owing service to the Balliols, had also acquired part of the Morville estates in Westmorland, including Appleby, and held lands in England, such as Alston in Tynedale, as well as in Scotland in Midlothian, Lauderdale, Galloway and Berwickshire.<sup>83</sup> John (I) Balliol appeared in a plea in 1263

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<sup>77</sup> Alan's mother, Helen, daughter of Richard de Morville, constable of Scotland (d. 1189) received her brother's lands upon his death without issue in 1196 (Oram, *The Lordship of Galloway*, 107).

<sup>78</sup> *RMS*, i, app. ii, no. 166; Oram, *The Lordship of Galloway*, 158; Oram, "Dervorgilla, the Balliols and Buittle," 173.

<sup>79</sup> *CDS*, ii, no. 189; *RMS*, i, app. ii, no. 160; Oram, "Dervorgilla, the Balliols and Buittle," 173. Bondington and Hartshaw were mentioned as being in Renfrew.

<sup>80</sup> *Liber de Dryburgh* (Edinburgh, 1847), nos. 9-13, 138-140; J. MacKinlay, *Ancient Church Dedications in Scotland* (Edinburgh, 1910-14), ii, 140. Balliol also held Newbigging in Lauder parish (Berwickshire) (*RMS*, i, no. 18; *RRS*, v, no. 95).

<sup>81</sup> *CPR, 1301-07*, 337, dated 24 April 1305.

<sup>82</sup> *CDS*, i, nos. 1520, 1537, 1543.

<sup>83</sup> Holt, *The Northerners*, 220; Stringer, *Earl David*, 201, 319 n.106; K. Stringer, "Kingship, Conflict and State-making in the Reign of Alexander II: the War of 1215-17 and its Context," in *The Reign of Alexander II, 1214-49*, 99-156, at 106. According to Stringer, Robert de Vieuxpont (d. 1228), son of

concerning Appleby against Robert de Vieuxpont (a follower of Simon de Montfort), who ‘maliciously and in fraud and delay of John and Dervegoyl,’ and of the three de Quincy heiresses and their husbands, had not appeared for a year as directed in previous writs.<sup>84</sup>



In the surrounding areas, southwest Scotland was home to some of the most prominent families of Scottish society. The Comyns possessed lands in Nithsdale and Dalswinton in Dumfriesshire, while the Bruces held lands in Annandale (since c. 1124) and Carrick (after 1272), which were located between those of the Comyns and the Balliols.<sup>85</sup> The proximity which the families shared in Galloway, in addition to their

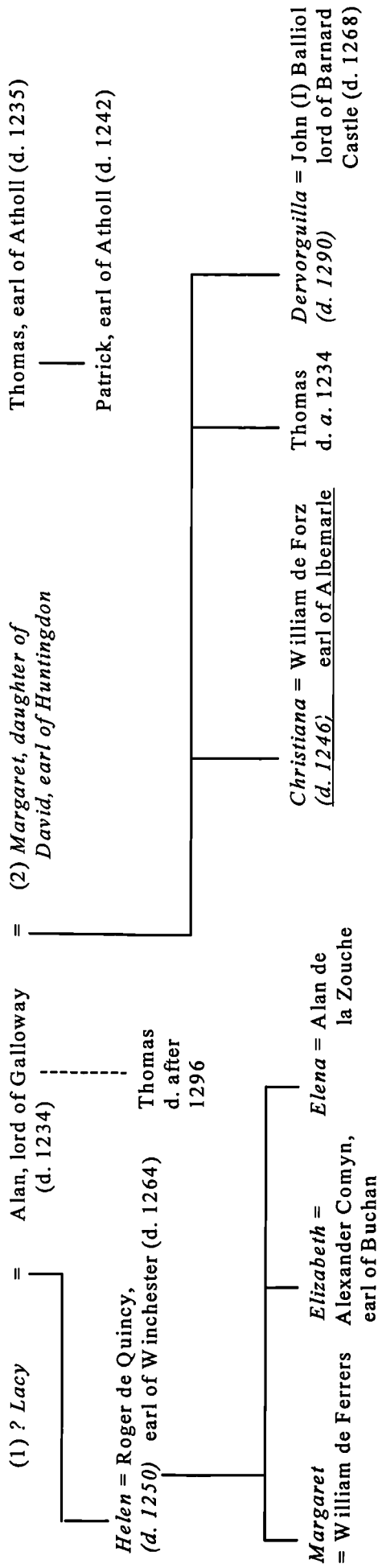
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William (II) Vieuxpont, was never an Anglo-Scottish landholder but successfully prosecuted the family's claim to the lordship of north Westmorland. As seen in Chapter Two, in 1219, Hugh de Balliol was summoned in a suit concerning miners of Alston by Robert de Vieuxpont, as sheriff of Cumberland, a dispute in which John (I) was later involved.

<sup>84</sup> *CDS*, i, no. 2333. Appleby had been held since 1203, when King John of England recognised the family's rights to the barony (Stringer, "The War of 1215-17," 106). In 1263, Robert had claimed to be ill, thus the king sent four knights to check his infirmity.

<sup>85</sup> Barrow, *Kingship and Unity*, 158; Young, *The Comyns*, 23, 84.

Roland, lord of Galloway = *Helen de Morville*



**The Galloway Inheritance**  
 Taken from R. Oram, *The Lordship of Galloway*, 268-9

roles in the governments of England and Scotland, certainly link them in alliances and possible rivalries, as will be discussed later, although it would not play a prominent role until the late thirteenth century. In addition, through seniority the de Quincy family acquired a substantial amount of property after the division of the lordship of Galloway after 1234. Because of Roger de Quincy's death without sons in 1264, these properties would be divided again amongst the husbands of his daughters—William de Ferrers, Alexander Comyn and Alan de la Zouche.

The Balliols' Huntingdon  
Inheritance in Scotland



Dervorguilla received other Scottish lands as part of her heritage from the Huntingdon estates after 1237. One-third of the lordship of Garioch (Aberdeenshire)<sup>86</sup> fell to her, split between the Bruce, who held the caput of Inverurie, and Hastings families. A charter of John (I)'s brother, Jocelin, to the abbot and convent of Lindores Abbey (Fife), confirms Balliol's possession of part of the lordship.<sup>87</sup> Also included in the Scottish share of the Huntingdon inheritance were lands in Fife, Lothian, and Dundee,<sup>88</sup> while at some point, Dervorguilla claimed a third part of lands in Longforgan (Perthshire), afterwards held by William de Dispensa.<sup>89</sup>

As justified by John (II)'s relief after his mother's death in 1290, the Scottish inheritance was worth an estimated £3,289, an astounding amount in 1293.<sup>90</sup> As Geoffrey Stell believes, this value was to be paid over a period of seven years, placing the yearly value at £470, a more sensible amount, considering that Roger de Quincy's estates in Scotland amounted to about £400, which was slightly less than his English estates.<sup>91</sup> The deceased earl of Fife, perhaps the richest Scottish magnate during this time, was assessed at £432 for his earldom in 1293-94, which was almost three times

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<sup>86</sup> Grant, *Independence and Nationhood*, 132 (where the combined value of the earldom of Mar and the lordship of Garioch was given as between £1,000-1,300 around 1380).

<sup>87</sup> *The Chartulary of Lindores Abbey*, ed. J. Dowden, Scottish History Society, xlii (Edinburgh, 1903), no. 123. The convent quitclaimed the tithes of Jocelin's lands in Garioch 'which he had of the gift of Sir John de Balliol, his brother, and likewise those of all the other lands which the noble man, [William] the earl of Mar held of the said Sir John de Balliol at the time when this agreement was made' (1260). William, earl of Mar was also grand chamberlain of Scotland from 1252 until September 1255, when he, like Balliol as co-guardian, was dismissed; Mar was re-admitted in 1257, regaining his office as grand chamberlain in 1262. The Bruces and the Comyns had claims to lands in Mar: Robert Bruce (the future Robert I) had as his first wife, Isabelle, daughter of Donald, earl of Mar; Bruce's sister, Christiana, also married Earl Donald's son and heir (Barrow, *Robert Bruce*, 141); William, earl of Mar, married a daughter of William Comyn, earl of Buchan in the 1240s, although control of Mar between 1237 and 1242 was through Patrick of Atholl, a minor and a relative of the Comyns (Young, *The Comyns*, 39).

<sup>88</sup> *RMS*, i, app. ii, nos. 9, 319, 478, 1097; Oram, *The Lordship of Galloway*, 158. These also included the lands of Craigie in Forfarshire (east of Dundee), Kelton in Galloway (near Castle Douglas), Colvend, Inchmartin, 'Velathis,' and Branxholme in the barony of Hawick (Roxburghshire).

<sup>89</sup> *RRS*, v, no. 371; *RMS*, i, app. ii, no. 649. Longforgan is located six miles west of Dundee.

<sup>90</sup> *CPR, 1292-1301*, 12-3; *CDS*, ii, no. 670; *Foedera*, I, iii, 129; Stell, "The Balliol Family," 157. Only a few days later, Balliol was further required to pay about £1,224 'due by himself and his ancestors' (*CDS*, ii, no. 671). The sum may have also included the landed value of Sweetheart Abbey (see below).

<sup>91</sup> Stell, "The Balliol Family," 157; Stringer, *Earl David*, 191. After the pardon, the remainder of £289 was to be paid in one payment of £29 and afterwards, £40 yearly, meaning that Stell's suggestion for a seven-year payback was perhaps intended for the remaining figure (*CDS*, ii, no. 670).

the value of the earldom of Carrick and six times that of Angus.<sup>92</sup> However, the relief due by Balliol in 1293, of which he was pardoned £3,000, does not mention a proposed seven-year payback and, despite any indications, it was more probably calculated from Dervorguilla's death in 1290, being a sum for three years' arrears, putting the yearly relief due at £1,097. Indeed, in April 1348, Edward Balliol was granted part of his patrimony in Galloway, including Buittle, and in January 1364, the lands were valued at nearly £1,000.<sup>93</sup> This was a considerable sum, especially when compared to the Scottish landed value of Robert Bruce (d. 1295) which was scarcely £150-200 per annum. In terms of landed wealth in Scotland, the Bruce earldom of Carrick was assessed in 1260 at £168 3s 9d, with Annandale, 'a poor region,' likely having a value of £80 to £100 per annum.<sup>94</sup> Given the equivalent estimates for the Balliol English lands it clearly made the Balliol family the richest noble landholder in the British Isles at the time.

Balliol possessed a great advantage with his Galloway lands as for the most part they were positioned together, making up a large block which belonged to him, whereas his English lands were mostly scattered throughout different counties, lessening his overall regional influence. He must have enjoyed the large area of Galloway lands, although the influence which he hoped to gain by it was not wholly fulfilled: he still held more authority in England than Scotland, as illustrated by his political career under King Henry III. At his marriage, though, John (I) could not have known that Dervorguilla would soon inherit a third of her father's lordship or her sister's share

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<sup>92</sup> Stevenson, *Documents*, i, 415-8; A. Ross, "Men For All Seasons? The Strathbogie Earls of Atholl and the Wars of Independence, c. 1290 – c. 1335, part I: Earl John and Earl David III," *Northern Scotland*, xx (2000), 1-30, at 6; A.A.M Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), 426-7.

<sup>93</sup> *Rot. Scot.*, i, 710, 715, 720; *CDS*, iv, no. 54; *APS*, i, 495; R.C. Reid, "Edward de Balliol," *TDGNHAS*, 3<sup>rd</sup> ser., xxxv (1956-57), 38-63, at 45. During the Anglo-Scottish peace talks between David II and Edward III an article was proposed whereby a younger son of Edward would receive £1,000 worth of lands formerly held of Edward Balliol in Galloway (*APS*, i, 495, dated at Perth 13 January 1364; M. Penman, *David II, 1329-71* (East Linton, 2004), 332).

<sup>94</sup> Blakely, "The Brus Family," 149-50.

when her line failed; thus, one can only assume that her lineage and claim to the Scottish throne as well as her family's position in the Scottish government were the enticing factors in John's decision to accept the match. After the successful inheritance of their Huntingdon lands in the 1240s, the position of the family within the ranks of the nobility of Scotland increased greatly and their contemporaries surely viewed them as a wealthy and powerful noble family. Moreover, their possession of French lands may also have been important to their perception by Alexander II, who took a French wife after 1237.

The Balliol family, more likely Dervorguilla herself, was involved with the Galloway property through religious patronage and foundations. As mentioned above, they were patrons of the church of Lauder and founded a religious house of Black Friars (Dominican) in Wigtown and two houses of Grey Friars (Franciscan)—one in Dumfries and one in Dundee—as well as two chantries in Glasgow.<sup>95</sup> The Bridge of Dumfries, also known as Dervorguilla's Bridge, can be attributed to her—the tolls of which endowed the Franciscans of the town. Yet, Dervorguilla's greatest foundation remains Sweetheart Abbey in Kirkcudbrightshire, a daughter house of Dundrennan (Cistercian) in Galloway,<sup>96</sup> where she was buried with her husband's heart in 1290.<sup>97</sup> As indicated by the endowment of Sweetheart Abbey, Dervorguilla was in possession of the ancient

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<sup>95</sup> *The Original Chronicle of Wyntoun*, Book 8, Chapter 8, lines 1515-6; I.B. Cowan and D.E. Easson, *Medieval Religious Houses: Scotland* (2<sup>nd</sup> edn., London, 1976), 121, 125; Maxwell, *History of Dumfries and Galloway*, 67; Oram, "Dervorgilla, the Balliols and Buittle," 174. The Grey Friars in Dumfries was the famous site of the murder of Dervorguilla's grandson, John Comyn, by Robert the Bruce in February 1306. Its date of foundation is debated as between 1234 and 1266, and the founder could have been Dervorguilla's father, Alan of Galloway (d. 1234), or Dervorguilla herself (Cowan and Easson, *Medieval Religious Houses*, 125).

<sup>96</sup> Dundrennan was reputedly founded by Fergus of Galloway, and Alan of Galloway is buried in the abbey, which was annexed to the royal chapel at Stirling in 1621 (Cowan and Easson, *Medieval Religious Houses*, 74; Oram, *The Lordship of Galloway*, 104). In 1266, Henry III had granted a protection 'at the instance of John Balliol' (as son-in-law of the abbey's late patron, Alan) for the abbot, monks, and brethren of Dundrennan, who were coming to England with wool and other goods to trade and 'to buy corn and other victuals to take to Galloway for their sustenance, paying the usual customs' (*CPR, 1266-72*, 8; *CPR, 1272-81*, 397; *CDS*, i, no. 2414).

<sup>97</sup> *The Original Chronicle of Wyntoun*, Book 8, Chapter 8, lines 1507-12; Cowan and Easson, *Medieval Religious Houses*, 78.



parish of Kinderloch and nearby Kirkpatrick-Durham.<sup>98</sup> The foundation of a full-scale abbey, which surpassed many royal foundations, by a widow—albeit a wealthy noblewoman—is extremely significant as it denotes the abilities, wealth and influences which she possessed. Dervorguilla’s intense involvement with the foundations of monastic houses in southwest Scotland also labels her as a key patroness to the religious sector. The exact value of the abbey at the time of its foundation is not known, as the records were destroyed during the Reformation. However, after John (II)’s abdication in 1296, the abbot and convent of Sweetheart claimed over £5,000 in damages and destruction caused by the Wars of Independence.<sup>99</sup> There is no contemporary comparison, but the abbey of Paisley, founded as a priory around 1163 by Walter fitz Alan the Steward, had a recorded income of £6,100 in 1561, while that of Lindores in Fife, founded by Dervorguilla’s grandfather, Earl David of Huntingdon, was £4,790.<sup>100</sup>

### *The Huntingdon Estates in England*

The Honour of Huntingdon consisted of a large number of manors and estates in the adjacent counties of Huntingdon, Cambridge, Bedford, Buckingham, Northampton, Lincoln, Leicester and Rutland, as well as the manor of Tottenham in Middlesex.<sup>101</sup> When the surviving son of Earl David of Huntingdon (d. 1219), John, earl of Chester and Huntingdon, died without issue in 1237, the inheritance was to be divided between five co-heiresses. Helen, his widow (d. 1253), received Fotheringhay and Yarewell in Northamptonshire, Kempston in Bedfordshire, Tottenham in Middlesex, three manors in Huntingdonshire, one in Essex and Exton manor in Rutland. Isabelle, wife of Robert Bruce (d. c. 1230) and Earl John’s sister, received the manors of Writtle and Hatfield in

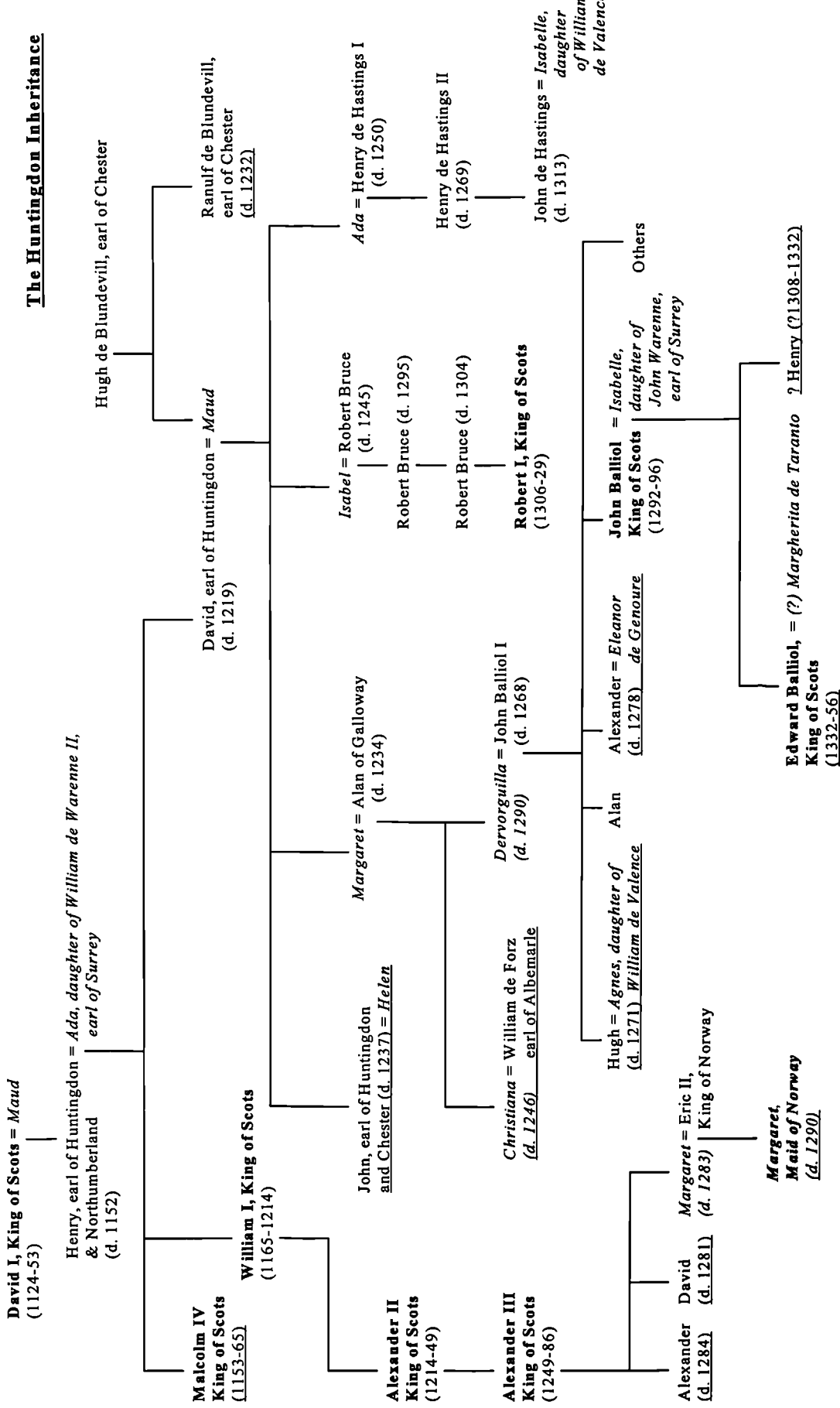
<sup>98</sup> RRS, vi, no. 235; Oram, *The Lordship of Galloway*, 149.

<sup>99</sup> CDS, iii, no. 69; Huyshe, *Dervorguilla*, 75-6, not dated but placed in 1308.

<sup>100</sup> Cowan and Easson, *Medieval Religious Houses*, 63-4, 66, 69-70.

<sup>101</sup> Stringer, *Earl David*, 107-8, 112; Moore, *Lands of the Scottish Kings in England*, 29.

**The Huntingdon Inheritance**



Essex. Ada, wife of Henry de Hastings (d. 1250) and youngest sister of John, received manors in Worcestershire and four other counties.<sup>102</sup> Margaret, the eldest sister, had predeceased her brother for her inheritance was split between her two daughters by Alan, lord of Galloway (Dervorguilla and Christiana). Yet, the inheritance was not divided immediately following the death of Earl John, as the husbands of four of the co-heiresses—Balliol, Bruce, Hastings and de Forz—disputed the lands which were to be divided among them from the various counties. While there were no obvious rivalries between the families, there was probably an awareness of the potential of their lines, particularly between the Bruces and the Balliols, who also held lands in Galloway.

Henry III must have also recognised an underlying and potential dynastic rivalry between the co-heirs, and he also understood the value of the Huntingdon estates. Moreover, Henry perhaps realised that the fiscal value of the lands would augment the power and the already substantial incomes of the husbands. Thus, Henry's hesitation to grant the lands immediately might underscore his own desires to retain portions of the lands, and make a reasonable exchange for them, which he seems to have done quite often.<sup>103</sup> In June 1243, Henry cancelled a debt of John Balliol's for 500 Angevin pounds which arose from a crown loan to his father, Hugh, made before the loss of Normandy in 1203/4.<sup>104</sup> This act could indicate that the English king was willing to make monetary exchanges for the Huntingdon and Chester lands.

In mid-August 1237, Dervorguilla began to seek her share of the inheritance from Earl John by appointing her husband and Nicholas de Frankeville as her attorneys

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<sup>102</sup> Stringer, *Earl David*, 182-9; Huyshe, *Dervorguilla*, 4.

<sup>103</sup> Moore, *Lands of the Scottish Kings in England*, 11.

<sup>104</sup> *CDS*, i, no. 1615. The amount is listed as Angevin pounds because the loan was made in Poitou. It was unclear why he received a loan, but it may have been related to military wages or supplies, which Hugh may have promised to repay.

in the suit.<sup>105</sup> In November, Henry commanded the sheriffs of Northampton, Rutland, and other counties to give the heiresses ‘a reasonable part of their inheritance’ in his bailliary, later granting the Balliols the manors of Torksey (Lincolnshire), Yarmouth and Lothingland (Suffolk), and the farm of Yarmouth, to be held until he could assign an exchange. At the same time, Dervorguilla’s sister, Christiana, and her husband William de Forz, earl of Albemarle, received Driffield in Yorkshire and Thingden in Northamptonshire.<sup>106</sup> In 1246, after her sister’s death without issue, Driffield and various lands in Lincoln and Norfolk would fall to Dervorguilla. In 1253, when Earl John’s widow, Helen, died, Dervorguilla would acquire her share of the Huntingdon inheritance, including the castle and manor of Fotheringhay, with its satellites of Nassington and Yarewell, Kempston and the estate of Tottenham.<sup>107</sup> It appears that from 1239 until 1242, John (I) and Dervorguilla received £40 blanch silver (plus £55 yearly) for Yarmouth, £61 4s blanch silver for Lothingland yearly and £38 13s 4d yearly for Torksey.<sup>108</sup> In 1260, the Balliols still had possession of these manors, and were prompted to appear in a plea asking why they had been hindered from taking the king’s customs in Yarmouth.<sup>109</sup> These figures alone account for about £194 yearly, as well as an additional £94 owed for Earl John’s debts.

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<sup>105</sup> *CCR, 1234-37*, 563; *CDS*, i, no. 1353. John Balliol’s valet, Colin de Fraunkeville, may have been the same person, as Nicholas and Colin were at times interchangeable (For Colin’s appearance as valet, see *CPR, 1225-32*, 381; *CDS*, i, no. 1099).

<sup>106</sup> *CDS*, i, nos. 1375, 1380-1; *CCR, 1234-37*, 6; *CPR, 1232-47*, 206; Moore, *Lands of the Scottish Kings in England*, 31-2, 35; Huyshe, *Dervorguilla*, 4. The *Rotuli Hundredorum* (i, 315, 358, 533) shows that these lands were still with the Balliol family in the 1270s. Driffield, in 1236, had apparently belonged to Joanne, queen of Scotland and Henry III’s sister (*CDS*, i, no. 1298).

<sup>107</sup> *CinqPM*, i, no. 312; *CDS*, i, nos. 1686, 1697, 1914, 1945; *CCR, 1251-53*, 452; Oram, “Dervorgilla, the Balliols and Buittle,” 173. The third part of Tottenham manor, part of London today, was £19 5s 2d.

<sup>108</sup> *CDS*, i, nos. 1449, 1488, 1510, 1513, 1562, 1566; *CCR, 1288-96*, 27. These were granted in November/December 1237 and confirmed in October 1238. The Balliols had originally been given £38 and 1 mark for Torksey, as well as £77 and ½ mark for two years past (*CDS*, i, no. 1485).

<sup>109</sup> *Ibid.*, no. 2214. The plea was obviously granted in favour of the Balliols, as they still held these manors at the time of John (I)’s death in 1268. In June 1268, Balliol had appeared in a plea against William, son of Thomas (and twenty-three others) ‘why, as he had wreck of the sea in his manor of Lothingland, the men carried off certain sacks of wool, wreck of sea lately found there, to the prejudice of his liberty’ (*CPR, 1266-72*, 198). Lothingland, on the west bank of the Trent, was once a river island.

Although Balliol, Bruce, Hastings and de Forz were holding only an exchange of their respective inheritances in Chester and Huntingdon, they were still required to pay the late earl's debts for lands which were not yet in their possession. In 1237, John Balliol and William de Forz (who held the divided share of their wives) were required to pay £189 1s 11½d for the earl's debts, while Bruce and Hastings each paid that amount, and although King Henry had agreed that he would give John (I) and Dervorguilla her share within a year, the families continued to pay these debts without receiving the inheritance.<sup>110</sup> The king dismissed further payment after John approached the archbishop of York and the king's council in 1243 to ask that they not be required to answer to any part of the debts because they held no part of the earl's heritage assigned to them.<sup>111</sup> In the following year, 1244, Henry finally granted the Balliols their share of lands, including the homage of about twenty-two and a half knights' fees from various tenants in the counties of Huntingdon, Leicester, Northampton, Bedford, Lincoln, Cambridge and Rutland.<sup>112</sup> The knights' fees alone added £112 to the family's income; but more importantly, this acquisition gave the Balliols a much higher position than they had previously held, even with Dervorguilla's share of Galloway a decade before. The fulfilment of the inheritance was a turning point for the Balliols financially as well as politically, as from this point John (I) seems to have become a more frequent presence in both the English and Scottish governments. Balliol showed his generosity when he granted Walter de Escoteny a manor which Balliol held of the bishop of

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<sup>110</sup> *CDS*, i, nos. 1384, 1398, 1482, 1534; *CPR*, 1232-47, 209-10. The total of the earl's debts was more than £550. The fact that Balliol had been paying part of the earl's debts could provide a further reason why Henry III did not harshly reprimand him regarding the quarrels with the bishops of Durham in the 1230s-50s (see Chapter Two).

<sup>111</sup> *CCR*, 1242-47, 104.

<sup>112</sup> *CDS*, i, nos. 1633, 1635; *CPR*, 1242-47, 184, 188; Balliol may have held another knight's fee from the earl of Winchester, worth £25 yearly, and two carucates of land worth £15, according to an inquisition taken in July 1270 (*CDS*, i, no. 2569). Interestingly, the Brabazon family held land in Gumley (Leicestershire) of the Balliols by service of a suit at the court of Foxton (Moore, *Lands of the Scottish Kings in England*, 35). During the Great Cause (1291-92), Roger Brabazon was a very distinguished lawyer and later chief justice of the King's Bench who was one of the two leading spokesmen who directed the Great Cause (the other being Robert Burnell, bishop of Bath) (*Great Cause*, ii, 15n, 32n).

Chichester (Ralph de Neville, also the king's chancellor) in the rape of Hastings (Sussex), as well as Hersham manor in the Honour of Clare, just over a week after acquiring the Huntingdon estates.<sup>113</sup>

Other lands associated with the Balliols from the Huntingdon and Chester inheritance included the manor of Brampton, the rights to which were probably relinquished in favour of the Hastings family.<sup>114</sup> In 1265 during the Barons' War, Balliol seized Henry de Hastings's lands in Repindon (Derby), which Henry formally granted in September 1268, as well as those in that county belonging to Sir Bernard de Bruce.<sup>115</sup> Hastings had previously owed Balliol money for uncertain reasons, and upon non-payment, he conceded that the money be taken from his lands in Northamptonshire and Bedfordshire; although, evidently, following the Dictum of Kenilworth, Balliol had already received Tottenham manor in Middlesex (part of the Huntingdon estates) '*de dono regis.*'<sup>116</sup> Henry III's necessity for loyal barons during the political turmoil of the 1260s resulted in several other grants to John of forfeited lands of the rebellious barons in the Barons' War, including those (unnamed) of Mauger le Vavassur in Yorkshire and of Robert de Sutton.<sup>117</sup>

A detailed extent of part of the Balliols' English lands comes from the post-mortem inquisition of 1268.<sup>118</sup> It must be emphasised that this inquisition refers only to three estates within England, one of which (Drifffield) was held by John (I) *jure uxoris*

<sup>113</sup> *Charter Rolls*, i, 278, dated 22 May 1244.

<sup>114</sup> *CDS*, i, no. 1715, dated May 1247. Brampton was once the demesne of King John.

<sup>115</sup> *CInqPM*, Misc. i, nos. 646, 847. Hastings's and Brus's lands were worth £4 14s 7½d each per year. The whole of Hastings's lands granted by Henry were worth £16 (*CDS*, i, no. 2488; *CPR*, 1266-72, 257). Bernard, a younger brother of Robert Bruce (d. 1295), also held Exton (Rutland) and Conington (Huntingdon) by a grant of his brother after the death of Helen, widow of John of Chester (Blakely, "The Brus Family," 136-7).

<sup>116</sup> *CCR*, 1264-68, 561. The amount was written as 100 *librates*, although it was probably 100 marks instead, as the fine consisted of two payments of 50 marks each. These may have been payments for services owed to the king.

<sup>117</sup> *CDS*, i, no. 2405; *CPR*, 1266-72, 255.

<sup>118</sup> *CInqPM*, i, no. 691.

while two (Hitchin and Bywell) were from his 1229 inheritance. Indeed the Balliols acquired many large manors and castles with the Huntingdon and Chester inheritance,



yet in England, their residence remained on the Balliol family lands of Barnard Castle (Durham) and Hitchin manor (Herts) (where he could be closer to the king in London). The accounts of Hitchin given at the inquisition are the most thorough and itemised of the three, which indicates that Hitchin was probably the primary residence south of York, and perhaps more frequently used after the Barons' War. There were only about 778 acres of arable land; forty acres had been 'destroyed by war.'<sup>119</sup> There was also a garden, three corn mills, seven malt mills, and one 'fulling' mill. A horse and cart service (*avera*) was provided<sup>120</sup> and in autumn eight labourers arrived with daily wages of 6 marks 8s. The Balliols received rent from freeholders and serfs, as well as farms and labourers of the borough. Despite the activity, Hitchin was worth only £67 12s 2d per year, much less when compared to Bywell (£212 2s 3½d) and Driffield in Yorkshire (£118 19s 10½d). These three estates comprised a large bulk of Balliol's English holdings with over 11,800 arable acres and a total value of £461 9s 5d yearly, close to half the value of the English lands and almost one-sixth of their total wealth (c. £3,097 p.a.).<sup>121</sup>

### *The Childless Heirs of John (I) Balliol*

Balliol likely understood that his marriage to Dervorguilla, the granddaughter of David, earl of Huntingdon, could place his heirs in succession to the Scottish throne, although in 1233 this was not an immediate concern. It does not lessen the importance, however, of Balliol's increased Anglo-Scottish political service after this date, especially after 1244 when his wife inherited her share of the Huntingdon estates. It

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<sup>119</sup> This no doubt refers to the seizure of Balliol's lands during the Barons' War by Richard de Hemmington and the attack on Fotheringhay Castle, mentioned above.

<sup>120</sup> This service is distinctive of Hertfordshire and Cambridge and during the thirteenth and fourteenth centuries, it was owed by the tenants of the manor and performed if the king visited the county (*VCH: Hertfordshire*, i (1971), 269; iii (1971), 8).

<sup>121</sup> *CInqPM*, i, no. 691. Driffield, which John had given to his heir, Hugh, sometime before his death, included an estimated 4,123 arable acres. The remaining lands in Yorkshire were worth about £62.



should be remembered that his potential position was perhaps behind his expanding involvement in both realms. His political ambitions are also observed by his choice of Christian names for his sons.<sup>122</sup> The first two sons of the marriage took traditional family names, Hugh (b. c. 1238) after John (I)'s father and Alan (b. c. 1240) after Dervorguilla's father. During the 1240s, when John was garnering more power and presence in English affairs (especially following the death of John, earl of Chester in 1237), Dervorguilla gave birth to two more sons, more regally christened Alexander (b. c. 1243) and John (b. c. 1249), after the kings of Scotland (the future Alexander III was born in 1241) and England.<sup>123</sup>

Balliol certainly was aware that his relationship with the English king could have an important outcome for the legacy of the Balliol dynasty, and thus he used his abilities to earn respect from Henry. According to Bruce's claims in 1290-92, before the birth of Hugh around 1238, Alexander II was still childless, his English wife having died the previous year, and Robert Bruce was designated as his heir-apparent. As Barrow mentions, the birth of Hugh Balliol undermined Bruce's claims to succession because he was the first grandson of the eldest of Earl David's daughters and a clear challenger of any son of younger daughters (i.e. Bruce).<sup>124</sup> It is this awareness which is seen in John (II)'s behaviour following the deaths of Alexander III's heirs in the 1280s—his son and heir was named Edward (b. c. 1282), perhaps in an attempt to increase the family's favouritism under Edward I.

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<sup>122</sup> John (I) was likely named after King John of England, as his father, Hugh (d. 1229), was prominent in the king's service.

<sup>123</sup> It is possibly, however, that John (II) was named after John (I) himself or Dervorguilla's uncle, John, earl of Chester, especially since his birth occurred after the 1244 inheritance. Moreover, it may have been more befitting to have named the fourth son after King Henry, as both he and Alexander II were ruling monarchs at the time of the births.

<sup>124</sup> Barrow, *Robert Bruce*, 23; Duncan, *The Kingship of the Scots*, 123-6. This claim was also used by John (II) in 1290-91 during the Great Cause.

The royal matches made by Balliol's sons, Hugh and Alexander, indicate the growing status of the family within political and powerful circles. In 1268-69, Hugh married Agnes de Valence, who was the daughter of William de Valence, the king's half-brother.<sup>125</sup> Her brother was Aymer de Valence, earl of Pembroke, one of Edward I's leading commanders against the Scots in 1306-7, and who also served at Bannockburn in 1314. Around 1269-70, Alexander married Eleanor de Genouere, a cousin of Henry III. Further to these marriages, John might have lived long enough to negotiate a future marriage for his fourth son, John (II), to Isabella de Warenne, daughter of John de Warenne, earl of Surrey, and Alice de Lusignan, King Henry's half-sister.<sup>126</sup> Unquestionably with these marriages, John (I) was attempting to provide his sons with high-profile connections and substantial privileges.

#### Hugh Balliol (c. 1238-71)

John (I)'s eldest son and heir, Hugh, succeeded to the vast estates—and debts—of his father when he was about thirty years old. Because his mother, Dervorguilla, was still living he did not succeed to the Galloway estates or those within the Honour of Huntingdon which were part of her own inheritance and would fall to John (II) only in 1290. Hugh's inheritance was further diminished by the relief due in 1268 as well as his mother's terce. Shortly after John (I)'s death, Hugh gave homage to King Henry and presumably received his father's English lands; he then left for France to claim the ancestral lands in Picardy.<sup>127</sup>

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<sup>125</sup> William de Valence was the son of Hugh de Lusignan and Isabelle d'Angoulême, widow of King John of England. William's other daughters each married men with Scottish connections: Isabel de Valence married John de Hastings (d. 1313), son of Henry de Hastings the younger; Joan de Valence married John Comyn (d. 1306), grandson of John (I) Balliol. In 1250, William de Valence granted to Balliol and his heirs, 'for a term of four years...all that he had of the king's gift by reason of Walter of Lindes...' (*Charter Rolls*, i, 347).

<sup>126</sup> *CCR*, 1279-88, 75-6; *Annales Monastici*, ed. H.R. Luard (London, 1864-69), iv, 284 (*Chronicon Thomae Wykes*). She was born 23 September 1253 and married John (II) Balliol shortly after 9 February 1281. William de Valence and Alice de Lusignan, Isabella's mother, were siblings.

<sup>127</sup> *CDS*, i, nos. 2515-6, dated 26 December 1268; *Excerpta è Rotuli Finium*, ii, 482.

Agnes de Valence, Hugh's wife, was the widow of Maurice fitz Gerald, who had drowned while crossing from England to Ireland on 28 July 1268.<sup>128</sup> Maurice had been granted lands from John de Verdon in August 1266, incidentally a charter which John (I) witnessed, stating that if Maurice were to predecease Agnes having no heirs, she would keep the lands for life. Seemingly these lands would also have passed to Hugh upon her marriage. However, Agnes did have a son, Gerald fitz Maurice, who was about three years old at the time of his father's death.<sup>129</sup> The coincidence of John (I)'s appearance as a witness and Agnes's seemingly quick re-marriage to Hugh may indicate previous connections to the family, although this is unconfirmed.

Hugh had also a role in the service of the English king alongside his father during the baronial crisis of 1258-65, which supports the idea that the Balliol family was very resolute in their services to the king. In 1269, Hugh was reimbursed for his (unspecified) expenses, along with his cousin, Guy, for various knights, horses and arms, and for defending the garrison at Winchester during the Barons' War.<sup>130</sup> He was also rewarded for his services to Henry III, with 60 marks of 120 due from part of his father's lands and assured Henry that he could pay the money due for his relief by £20 yearly.<sup>131</sup> In September 1270, Hugh also received the remaining 60 marks from the issues of his father's lands in Northumberland which he acquired the same year, and 'by the king's gift' a month later, he received another 60 marks.<sup>132</sup>

Although Hugh's career as a crusader is not confirmed, he may have taken the cross with his uncle, Eustace, and his brother Alexander (both known crusaders), during

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<sup>128</sup> *The Annals of Ireland by Friar John Clyn together with the Annals of Ross*, ed. R. Butler (Dublin, 1849), 9; *The Annals of Loch Cé*, ed. W.M. Hennessy (London, 1871), ii, 459.

<sup>129</sup> *CPR, 1292-1301*, 451; *Annals of Ireland*, 9. Agnes's third husband was John de Avesnes, by whom she may have had two sons, Baldwin and John de Bello Monte (*CPR, 1292-1301*, 290).

<sup>130</sup> *Calendar of Liberate Rolls* (London, 1916-64), vi, no. 738.

<sup>131</sup> *CDS*, i, nos. 2532-3. This money might have been a wedding gift.

<sup>132</sup> *CDS*, i, no. 2571, dated 29 September 1270; *Calendarium Genealogicum*, ed. C. Roberts (London, 1865), i, 138 [hereafter *Cal. Gen.*]; *Liberate Rolls*, vi, no. 1253.

the Eighth Crusade (1270-72) with Prince Edward. Hugh may have been in Sicily crusading when he died shortly before 10 April 1271,<sup>133</sup> although no letters of protection or further evidence have survived to prove this. However, because of his active involvement as a loyalist—mostly his participation beside his father in the royal army—and the role of his brother and uncle as crusaders at this time, the occurrence of his own crusading adventures is very probable.<sup>134</sup>

When Hugh died in 1271, he owed a great sum of money for his father's debts and his own. One such debt appears to have been 60 marks in part payment of £80 due to 'Richard Cardinal deacon of St Angelo...of his yearly fee of 30 marks.'<sup>135</sup> Seemingly, he had managed to pay £82 of issues from his father's lands in Northumberland in September 1270.<sup>136</sup> After Hugh's death, Henry III commanded Guy de Charron and William de Kirkton to seize all his lands in Northumberland, Driffield and elsewhere in Yorkshire, which were to remain in the king's possession until the debts were satisfied.<sup>137</sup> From the inquisition performed after Hugh's death, less than a month after Henry seized these lands, it seems that he also held Bywell and its pertinents, to a yearly value of £107 17s ½d, as well as the service of two knights in the king's army and the manors of Hitchin and Torksey.<sup>138</sup> His widow, Agnes, was

<sup>133</sup> CDS, i, no. 2538, dated 25 June 1269. Hugh and Eustace (brother of John (I)) were going to 'foreign parts by [the king's] license.' Alexander would accompany Eustace to the Holy Land the next year. Hugh's death is recorded in *Ibid.*, no. 2600; DCM 1.12.Pont.7 (1). He was about thirty-three years old.

<sup>134</sup> A. Macquarrie, *Scotland and the Crusades: 1095-1560* (Edinburgh, 1985), 60. Robert Bruce the younger was perhaps with Prince Edward, while Bruce the elder arrived with Prince Edmund in March 1271 (*Ibid.*, 58-9). The Comyn family do not appear to be involved with the crusades, but the de Quincys were active in earlier crusades (G.G. Simpson, "The *Familia* of Roger de Quincy, Earl of Winchester and Constable of Scotland," in *Essays on the Nobility of Medieval Scotland*, 102-30, at 103).

<sup>135</sup> *Liberate Rolls*, vi, nos. 1600, 1632, dated 27 July 1271 and 2 September 1271 respectively.

<sup>136</sup> CDS, i, no. 2571.

<sup>137</sup> CDS, i, no. 2644; *Liberate Rolls*, vi, no. 1521. The king's nephews, John and William de Valence, were given £40 'on their wages' out of the issues of Hugh's lands. By 16 March 1272, the debts were apparently satisfied, as King Henry granted Alexander the lands and gave him seisin therein.

<sup>138</sup> *CInqPM*, i, no. 804; CDS, i, no. 2600, dated 10 April 1271; *Excerpta è Rotuli Finium*, ii, 532; *Cal. Gen.*, i, 146. On 2 May 1271 an inquisition was commanded for the lands of Hugh so that the dower could be assigned to his widow, Agnes de Valence (*Cal. Gen.*, i, 150; CDS, i, nos. 2607, 2608). Any remaining lands may have already been in royal hands due to Hugh's absence from the realm (if indeed we can ascertain that he was on crusade).

assigned the manor of Woodhorn, with the towns of Newbiggin, Seton, and Hurst, with a value of about £85 yearly, along with four and one twelfth knights' fees.<sup>139</sup>

### Alexander Balliol (c. 1243-78)

Because Alexander lived virtually in the shadow of his elder brother, not much is known of his life until after Hugh's death, when he became head of the Balliol family.<sup>140</sup> He was as loyal as his brother, receiving a grant of Thackthwaite (part of the barony of Multon in Cumberland) in 1267, apparently for his services to Henry III 'by reason of the recent war in England.'<sup>141</sup> He was about twenty-six when he married Eleanor de Genouere, a cousin of the king, and shortly afterwards, he departed for the Holy Land, along with Prince Edward and was given a protection for four years.<sup>142</sup> While crusading, the vast Balliol lands would have been under the protection of the English crown, perhaps since the issue of Alexander's safe conduct in 1269.<sup>143</sup> Alexander returned in February 1272 and gave homage to Henry III upon settling his inheritance, the relief for which he was pardoned at the instance of Prince Edward, who also asked that the king 'be gracious to him.'<sup>144</sup> The king was no doubt generous and

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<sup>139</sup> *CDS*, i, no. 2612. It appears to have been difficult for Agnes to get her full dower, as repeated attempts proved ineffective: in January 1285, she filed a complaint that she should have 'wreck of certain lands of her dower of the lands of Hugh de Balliol,' including Gainford (*Calendar of Chancery Warrants 1244-1326* (London, 1927), 24).

<sup>140</sup> *Cal. Gen.*, i, 155. There was another son, Alan, aged between Hugh and Alexander, who died before 1272, possibly in childhood or early adulthood (*Great Cause*, ii, 139-41).

<sup>141</sup> Macquarrie, *Scotland and the Crusades*, 59; J. Wilson, "A Balliol Charter of 1267," *SHR*, v (1908), 252-3. Thackthwaite is located southwest of Carlisle, in the English Lake District.

<sup>142</sup> *CDS*, i, no. 2584, dated 1269-70. The marriage produced no heirs. Alexander was given protections in October 1269 and May 1270 for his participation in the Eighth Crusade, organised by Louis IX and cut short because of Louis's death that summer (*CDS*, i, no. 2558; *CPR*, 1266-72, 369, 426). It is while on the crusade that Alexander may have acquired a debt of 110 marks sterling due to merchants of Florence (*CDS*, ii, no. 117, dated soon after 24 April 1278).

<sup>143</sup> My thanks to Dr Michael Penman for this suggestion. As suggested above, if Hugh had gone on crusade as well, part of his inheritance may have been in royal hands. Similarly, Hugh or Alexander might have temporarily transferred the lands to their brother, John (II) (C. Tyerman, *England and the Crusades, 1095-1588* (Chicago, 1988), Chapter Eight).

<sup>144</sup> *CDS*, i, nos. 2640, 2642, 2644; *CPR*, 1266-72, 618, 628. Apart from Hugh's debts, Alexander also had his own, but he regularly paid them (*CCR*, 1272-79, 348, 351, 379, 431).

Alexander was later holding lands in Mitford, Molesdon, and Felton,<sup>145</sup> and was granted the castle of Mitford in Tynedale, being the same castle which his grandfather, Hugh, was ordered to command under King John.<sup>146</sup> Alexander's relationship with the royal family meant that he likely attended Edward's coronation in August 1274, being among the 'countless English, Scots and barons of other regions' who were present.<sup>147</sup>

As mentioned above, Alexander issued a confirmation of one of his father's grants (that of Whittonstall and Newlands in Bywell to Guy d'Areyns) to Roger d'Areyns in November 1272, and further gave the wardship of the lands to his wife. Alexander was given a protection to go abroad in April 1273, perhaps related to his French inheritance after the death of his brother, and another protection in June 1276.<sup>148</sup> He had returned in time to appear in Edward I's army against Llewellyn of Wales in December 1276 and October 1278 and for his service, upon his death, his widow Eleanor and his other executors were granted the scutage of the knights' fees of his inheritance for that army (at 40s per *scutum*).<sup>149</sup> He had a relief of three knights' fees in Hitchin on 16 July 1277, and the following year appeared in a plea concerning the custody of the manor of Medburn.<sup>150</sup> At Easter term 1278, Alexander was also called to answer for £300 due for Hugh's relief of thirty knights' fees in Northumberland.<sup>151</sup> The increase of the relief in Hitchin from two and a half knights' fees at the time of John (I),

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<sup>145</sup> In November 1274, Alexander witnessed a charter between the granddaughter of Roger Bertram of Mitford and William de Felton along with John de Halton 'steward of the lord Alexander' (*The Percy Chartulary*, ed. M.T. Martin, Surtees Society, cxvii (London, 1911), 248-9). This was not John de Halton, bishop of Carlisle (d. 1324).

<sup>146</sup> *Rotuli Hundredorum*, ii, 23; *CCR, 1272-79*, 44, 173. For Hugh's near-command of Mitford and other castles in northern England, see Chapter Two.

<sup>147</sup> H.G. Richardson, "The Coronation of Edward I," *BIHR*, xv (1937-38), 94-99, at 99.

<sup>148</sup> *CDS*, ii, nos. 14, 76, dated 18 April 1273 and 3 June 1276 respectively.

<sup>149</sup> *Ibid.*, no. 83, dated 12 December 1276; *CCR, 1272-79*, 510, dated 27 October 1278; *Parliamentary Writs and Writs of Military Summons*, ed. F. Palgrave (London, 1827), i, 194, 209; Madox, *History and Antiquaries of the Exchequer*, i, 682. The grant to Eleanor, *et al.*, was made on 6 July 1279.

<sup>150</sup> *CCR, 1272-79*, 510. Alexander died shortly before 13 November 1278, aged about thirty-five years old (*CDS*, ii, no. 135; *Fine Rolls, 1272-1307*, 102). In January 1279, Eleanor was declared 'marriageable, and her lands worth 100 marks yearly' (*CDS*, ii, no. 148 (pg. 44)).

<sup>151</sup> *CDS*, ii, no. 118.

in 1229, to three by 1278 and the doubling in value of the knights' fees (£150 in 1229) indicate that the Balliols' possessions were continually growing.

Indeed John (I) Balliol's eldest sons were becoming increasingly active in politics and securing important marriages. Hugh had served and supported King Henry from the 1260s and had he not died prematurely, his political influence may have exceeded that of his father. Although there is no strong evidence of Alexander's participation in the Barons' War (excepting the Thackthwaite charter), the fact that he was a crusader and loyal friend of Prince Edward surely points to his involvement. If the Balliols and the royal household actually had such a close rapport, then their power was surely more impressive than previously realised. This close bond can be used to evaluate the later relationship between John (II) and Edward I in the 1290s. Incidentally, if Hugh or Alexander had lived long enough to be involved in the Great Cause of 1291-92, rather than their younger brother, Scottish history could have taken a completely different route. Their military careers, crusader images and political experiences might have been more acceptable to Anglo-Scottish barons than their clerically trained younger sibling John (II). The implications of such a situation, however, might have altered the established relationship between the brothers and Edward I. Their camaraderie with Edward I might have given them more equality in the king's inner circle of friends or it might have permitted the English king to treat them more politically independent. But, their friendship might have sanctioned a more subservient attitude towards Edward, to whom they had been loyal throughout their careers. Undoubtedly, this would have transformed the crown-magnate relationship and the ultimate basis for their kingships, had either brother lived to be crowned.

### Conclusion

In 1268, the Balliol estates were at their highest peak. Between 1268 and John (II)'s inheritance a decade later, the extent of the lands experienced no significant changes. Yet, the quick succession of deaths between 1268 and 1278—John (I), Hugh and Alexander—brought with it much debt. Each death would demand relief to the crown and repayment of previous debts, in addition to each relief being diminished by the terces left to the widows and any uncollected dowries. Although John (II) could not escape his debts, augmented by any financial provision he was obliged to give in 1281 for his new bride, as will be seen later, his accession to the Scottish throne provided a hiatus in the seemingly ongoing decline of the Balliol's wealth and influence. After the deposition of King John in 1296, though, the English and Scottish estates were forfeited, which meant that upon John (II)'s death in 1314, Edward Balliol would inherit neither English nor Scottish lands, but only the Picardy estates which he would lose in the 1330s. At the time of Edward's demise in 1364, all the vast estates through the three realms would be reduced to virtually nothing.

From the seizure of his lands, and those of his followers in and after 1296, it is known that King John held lands in at least seventeen English shires, amounting to about £500, a noticeable difference from the £1,000 annual revenue brought from about twenty-one shires under his father.<sup>152</sup> Certain of his adherents had their lands seized as well, such as in Yorkshire where at least ten men (and one woman) are named as 'adherents,' including Ralph de Lascelles, a Balliol auditor during the Great Cause as well as attorney for John Comyn, earl of Buchan. King John also held the wardship of the heirs of Robert Byset and William Malerby in the vill of Abbotsley (Huntingdon), whose lands were worth a total of £23 13s 11¼d in 1296. Those heirs were with Balliol

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<sup>152</sup> *CDS*, ii, no. 736.



in Scotland as late as 27 April 1296, although we have no evidence of how many or their ages.<sup>153</sup> Balliol was also in possession of the infant daughters and heirs of Andrew de Crawford; the girls were later bought by Robert de Keith, King John's former marshal, who was confirmed in possession of them by Edward I when Keith came into his peace.<sup>154</sup> It is not known what happened to these children when King John was sent to the Tower, but they were likely given to King Edward.

Following his deposition in 1296, John (II)'s lands were seized and placed into various English hands; yet, shortly afterward, Edward I returned many of the lands to their holders. The lands of the Scottish kings in England—for example in Cumberland and Northumberland—were delivered to Anthony Bek, bishop of Durham.<sup>155</sup> In 1299, John de Brittany, earl of Richmond and Edward I's nephew, received the remaining Balliol lands in England, valued at roughly £470, except for Hitchin, which was in the hands of Roger Lestranges for life.<sup>156</sup> Another exception was the manor of Gainford and Barnard Castle, which were given to Guy de Beauchamp, earl of Warwick 'for good services.'<sup>157</sup> Galloway, including the Balliol stronghold of Buittle, was entrusted in 1296 to King John's distant cousin, Henry de Percy, although the following year, John de Hodelston succeeded to this post.<sup>158</sup>

As this chapter has illustrated, John (I) Balliol was perhaps the wealthiest and most important landholder in northern England, alongside the bishops of Durham and

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<sup>153</sup> *CDS*, ii, nos. 736, 1075. In 1299, the lands were valued at 101s 9d and £6 6s 5d respectively. Abbotsley, which belonged to the Balliols as part of their share of the Honour of Huntingdon, is listed under 'Cambridge and Huntingdon' as 'Albotislee.'

<sup>154</sup> NA SC1/37/107; *CDS*, v, pt. ii, no. 523.

<sup>155</sup> Stevenson, *Documents*, ii, 106; *CCR*, 1288-96, 491; *Calendar of Papal Registers: Papal Letters*, ed. W.H. Bliss (London, 1893-1989), i, 573 [hereafter *Papal Letters*].

<sup>156</sup> *CPR*, 1301-07, 470-1; *Charter Rolls*, iii, 121-2. The lands were given in part payment of £1,000.

<sup>157</sup> *Charter Rolls*, iii, 78-9; *CPR*, 1301-07, 492, 521; *Registrum Palatinum Dunelmense*, iii, 55.

<sup>158</sup> A.M.T. Maxwell-Irving, "The Castle of Buittle," *TDGNHAS*, lxvi (1991), 59-66, at 60; R.C. Reid, "Buittle Church," "Buittle Castle," and "Mote of Urr," *TDGNHAS*, 3<sup>rd</sup> ser., xi (1923-24), 189-207, at 200. Percy was the son of Ellen, daughter of Enguerrand de Balliol, lord of Dalton (d. c. 1244). Percy's resignation of his post was perhaps related to his service for Edward in Flanders (Watson, *Under the Hammer*, 41).

the equally powerful Percy family. When compared with powerful noblemen throughout England, the Balliols indeed stand out as a family with much landed power, following, income and influence. Their status as northern lords was beneficial but their position would become irrelevant after the 1296 forfeiture, a significant point when assessing Edward Balliol's political career. In the mid-thirteenth century, though, John (I)'s position in both countries likely garnered him a substantial reputation among his contemporaries. In Scotland especially, he may have been viewed as a much more powerful noble because of his involvement there and his influence throughout the realms of England and France.

## Chapter Two

### *John (I) Balliol, The King's Man 'A Knight and Man of Great Power and Authority'<sup>1</sup>*

John (I) Balliol's close connection with Henry III of England was a result of generation after generation of leading Balliol barons siding with English kings since Guy de Balliol accompanied William the Conqueror across the Channel in 1066. John (I)'s father, Hugh de Balliol, was a trusted baron of King John of England (1199-1216), and held high status; this is evident from letters from King John entrusting Hugh with English lands and castles. In January 1216, while staying with Hugh at Barnard Castle, the Balliol stronghold in northern England, King John committed the entire northern countryside from the Tees to Scotland into the care of Hugh de Balliol and Philip de Ulecotes for maintaining the defence of the country during the war with the Scots from 1215-17, and granted Hugh the barony and castle of Whorlton.<sup>2</sup> Balliol and Ulecotes also defended the northern castles and the king's interests from invasion in January 1216 when Alexander II attacked England, and for this they received the privilege to provide scutage payments in lieu of military service.<sup>3</sup>

King John had also arranged that if Ulecotes were to die, Hugh would continue to command the northern castles (which Ulecotes held) of Durham, Norham, Mitford,

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<sup>1</sup> *Chron. Majora*, v, 505.

<sup>2</sup> *Ibid.*, ii, 641; *Rotuli Litterarum Patentium in Turri Londinensi, 1201-16* (Record Commission, 1835) [hereafter *RLP*], 164. Whorlton is sometimes mentioned as being in both Durham and Yorkshire, as it is positioned on the border of the two counties; the next year, when King John died, his heir, Henry III, ordered Balliol to give seisin of it to the archbishop of Canterbury, Stephen Langton, which he did not do. Henry then seized Hitchin (Herts) and transferred it to Langton, 'until Hugh de Balliol shall render the land of Robert de Meinill as we have often ordered' (*Rotuli Litterarum Clausarum in Turri Londinensi, 1204-24* (Record Commission, 1833) [hereafter *RLC*], i, 339, 346, 361, 389; R.L. Hine, *The History of Hitchin* (London, 1927), i, 31). Two years later though, in 1218, Balliol held a grant of Richard de Umfraville in Rutland, and of Whorlton and lands in Cleveland (both of Robert de Meinill) (Surtees, *History and Antiquities of Durham*, iv, 52). Richard de Umfraville had been against King John since 1212 and during the Magna Carta crisis (Holt, *Magna Carta*, 279).

<sup>3</sup> Hugh de Balliol was apparently in arrears in 1212 for scutage of £236, and by 1221 he still owed £200 to King John, which John had lent him (Scott, *Norman Balliols*, 222; Madox, *The History and Antiquities of the Exchequer*, i, 388). His brother, Bernard, was due £20 for scutage from the sheriff of Northampton, whereas Hugh was discharged by writ of the justiciar (*CDS*, i, nos. 281 (1199-1200), 319 (1201-02), 502 (1211-12)).

Prudhoe, Newcastle and ‘especially of our castle of Bamburgh’ of which Philip had command.<sup>4</sup> In a letter of 1216 from King John to Philip, the king included the custody of the bishopric of Durham, of which Philip was co-guardian from 1213 until the consecration of Bishop Richard Marsh in 1217.<sup>5</sup> If Balliol were given custody, it would have given him dominant political influence in Durham, and although this would have changed when a new bishop was consecrated, it nonetheless would have given the Balliols a further claim to power in the northeast. Certainly, if King John was willing, in effect, to hand over northern England to the care of Hugh de Balliol, then these letters prove the extent and importance of the Balliols’ power in England as well as Hugh’s special relationship with King John.

It was surely beneficial for King John to have some favourable barons in the north, as the core opposition to him in England comprised of no fewer than seven northern barons including Peter de Brus, Robert de Ros, William de Mowbray, Richard de Percy and Eustace de Vescy, brother-in-law of the Scottish king. Dr Lomas argues that the northern lords were so particularly hostile because under King John that area in England ‘felt the full weight of royal government for the first time.’<sup>6</sup> John’s restructuring of the northern administration was different from that in earlier years and the inclusion of certain loyal barons, such as Robert de Vieuxpont and Philip de Ulecotes, ‘were a marked intrusion, a dangerous and unpleasant novelty to the established landed interests in the counties.’<sup>7</sup> This possibly explains the good treatment

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<sup>4</sup> *RLP*, 186; Scott, *Norman Balliols*, 232-3. Philip de Ulecotes died in October 1220. Richard de Umfraville, who opposed King John, held Prudhoe Castle, but Balliol was controlling it (probably during the turmoil of Magna Carta), because he was commanded to release it to Umfraville shortly after Henry III became king (*CPR, 1216-25*, 119, dated 3 November 1217).

<sup>5</sup> *RLP*, 186; *VCH: Durham* (1968), ii, 145; Scott, *Norman Balliols*, 234-5.

<sup>6</sup> Lomas, *The Percys*, 32-3; Holt, *The Northerners*, 201. Holt claims that only one of Balliol’s tenants in Northumberland, Otuel de Lisle (de Insula), can be placed with certainty among the rebels (Holt, *The Northerners*, 44; *RLC*, i, 333; *Book of Fees*, ii, 1121). Carpenter also places Roger Bertram of Mitford (d. 1242) as among the former northern rebels (D.A. Carpenter, *The Minority of Henry III* (London, 1990), 56, 69).

<sup>7</sup> Holt, *The Northerners*, 223-4.

of Hugh de Balliol and Philip de Ulecotes in the north, as their assistance to the king was essential to keep order. Indeed, Hugh's 'sterling service' was important to King John during the Scottish war of 1215-17. While Hugh remained committed to the Plantagenet king, two of his brothers, Enguerrand de Balliol of Urr and Dalton, lord of Tours-en-Vimeu in France (d. c. 1244) and Henry de Balliol of Cavers, later chamberlain of Scotland (d. 1246), were loyal to Alexander II.<sup>8</sup> Hugh's long-standing allegiance to the English kings was more beneficial, though, as the future growth of their wealth and influence in northern England appears to have overshadowed that of the cadet branches in Scotland.

The position of Eustace de Vescy, as brother-in-law of Alexander II, is important when examining other cross-border families, such as the Balliols and Umfravilles. Vescy along with Richard de Umfraville had previously been associated with a plot to kill King John in 1212, prior to the 1215 rebellion and the outbreak of war that year with the Scots.<sup>9</sup> The Umfravilles, as mentioned in the previous chapter, were associated with the Balliol family and, like them, would also become prominent in Anglo-Scottish affairs in later years. However, during the reign of King John, as well as briefly under Simon de Montfort in the 1260s, the Umfravilles were not as loyal to the English crown as the Balliols. Admittedly, Vescy had split loyalties because of his importance to both kings and his kinship ties to the Scottish royal family. However, he allied himself to Alexander II against King John and was killed at Alexander's siege of the Balliol stronghold of Barnard Castle in August 1216.<sup>10</sup>

Hugh de Balliol was as much a king's man as his son would be under Henry III, although the contemporary chronicler of St Albans, Matthew Paris, had quite a different opinion of Hugh and his brother Bernard, both of whom he saw as 'most wicked

<sup>8</sup> Stringer, "The War of 1215-17 and its Context," 105-6.

<sup>9</sup> Holt, *The Northerners*, 19, 82-5.

<sup>10</sup> Stringer, "The War of 1215-17 and its Context," 105, 128; Holt, *The Northerners*, 20.

advisors' of King John.<sup>11</sup> Despite his negative opinion, Paris added some praise: 'The King of Scots subdued the whole province of Northumbria for Louis [King of France], except the castles which Hugh de Balliol and Philip de Ulecotes most strenuously defended against hostile attacks.'<sup>12</sup> Nonetheless, Paris seems to have disliked the Balliols immensely. There could be several reasons for this, beginning with Magna Carta; as a supporter of Magna Carta, Paris disliked King John, whom he viewed as 'greedy and libidinous, wicked, cruel and tyrannical.'<sup>13</sup> It has been revealed that Paris often 'distorted and fabricated history in an attempt to attribute his own attitude' to political issues at the time.<sup>14</sup> His support of Magna Carta put him at odds with royalist barons, including the Balliols, and thus his opinions of these nobles are certainly biased. Hugh de Balliol's loyalty toward the English crown, therefore, would merit negative opinions from Paris. Moreover, Paris's detachment from northern England (St Albans was located in Hertfordshire) meant that he might have had reservations against the wholly northern Balliol lord. The connection between St Albans and Tynemouth Priory (a cell of St Albans), however, did account for Paris's information of northern affairs, as did the location of the abbey of St Albans, on the main road to and from London. Paris's association with King Henry and his administrators in later years, which accounted for much of his knowledge of crown politics, might indicate that Paris had also met the Balliols.

King John's favour towards Hugh de Balliol is apparent from a grant dated 6 March 1201 where Hugh was given leave 'to do as much injury to Radulph de Exold,

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<sup>11</sup> *Chron. Majora*, ii, 532-3.

<sup>12</sup> *Ibid.*, ii, 663; *Flores Historiarum*, ed. H.R. Luard (Rolls Series, 1890), ii, 191. *Chronicon de Lanercost* mentions specifically that the castle of Mitford had been besieged (page 25).

<sup>13</sup> R. Vaughan, *Matthew Paris* (Cambridge, 1958), 146.

<sup>14</sup> *Ibid.*; J.C. Holt, *Magna Carta and Medieval Government* (London, 1985), 277-8, 280. Paris's entries covering Magna Carta have many errors, stemming partly from those committed by his predecessor at St Albans, Roger of Wendover, and reveal an overwhelmingly biased view of King John's government (Holt, *Magna Carta and Medieval Government*, 98, 265-87).

count of Eu, as he is able,' in the conflict beginning between the kings of England and France (the count had recently defected to the French king after previously supporting the English king). The grant also promised that 'no distraint shall be made upon [Hugh] in respect of payment or satisfaction for anything taken from the count of Eu in the same way.'<sup>15</sup> Eu is located on the boundary of Picardy and Normandy, and the count's lands could have been bordered by those of Balliol.<sup>16</sup> Hugh upheld strong loyalties toward King John and his son King Henry, although he still had some conflicts with the monarchs; this apparently stubborn characteristic would be passed to John (I) Balliol, although John's disposition would prove far more disastrous to his political career than that of his father.

During the early thirteenth century, mining in Tynedale, where the Balliols held a great portion of their lands, was very important to the country as well as to the king himself, who benefited from the profits. King Henry even issued charters placing the miners under his protection and commanding others to maintain and protect them as well. In 1219, Robert de Vieuxpont, keeper of Carlisle Castle, complained to King Henry's council because Hugh de Balliol had apparently prevented the miners around Tynedale from going to the mine of Alston.<sup>17</sup> Because of this interference, the king's interests were damaged and Balliol was ordered immediately to cease his actions or Henry would be obliged to take direct action against him.<sup>18</sup> Hugh had obstructed the miners from working for unknown reasons, although it was likely related to some

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<sup>15</sup> *Rotuli Chartarum in Turri Londinensi, 1199-1216* (Record Commission, 1837), i, 102; *Hist. Northumberland*, vi, 31; Burn, *A Defence of John Balliol*, 26.

<sup>16</sup> The count of Eu in the 1340s, Raoul de Brienne, held lands in Ireland and England as well; thus, the counts could be considered similar to the Balliol family, who also possessed lands in three countries (Penman, *David II*, 64).

<sup>17</sup> *CDS*, i, no. 714, dated 28 January 1219. Alston was also known as Aldeneston or the mine of Carlisle. The lands, minus the silver mines, belonged to Alexander II as part of Tynedale, but, in 1216-17, Alexander might have reclaimed the mines, controlling them through Ivo de Vieuxpont, Robert's father (d. 1239), who had gone to the Scottish side in 1215-17. In 1224, Ivo was also accused of disturbing the miners (Stringer, "The War of 1215-17 and its Context," 103, 136).

<sup>18</sup> *Hist. Northumberland*, vi, 36-7.

intrusion on the Balliol lands. This was the case less than a decade later, when John (I) was held responsible for also obstructing the miners.<sup>19</sup> In this instance, the miners had cut down Balliol's wood—in the king's name—from the forests of Teesdale and Marwood, which rightly belonged to the family, although for purposes other than the use of the mines. As expected, Balliol closed the forest of Marwood, which was adjacent to the Vieuxponts' estate at Alston and apparently included the road to the mines.<sup>20</sup> Perhaps Balliol, who had just recently inherited, viewed his family's position as a means and opportunity to control the local resources even though it meant contestation with the crown. Yet he soon learned the limit of his own power when, in April of the next year (1230), the king ordered Balliol to allow the miners their free right of way, settling the disagreement promptly.<sup>21</sup> This quick settlement was perhaps a cunning move by Henry III—since Balliol was in his service overseas, he could not protest the decision as he had tried previously. Despite this contempt of the crown, John (I) was already becoming a notable presence in English affairs at the age of about twenty, having entered into the king's service following his father's death in 1229, a position which would give John many advantages in the years to come.

As a man with connections in three realms (England, France and, after 1233, Scotland), Balliol's services must have been useful to the English king in relation to foreign affairs. Balliol provided his military service during Henry III's 1230 French expedition,<sup>22</sup> being given a safe conduct, issued from Nantes, 'to come to speak with

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<sup>19</sup> *CDS*, i, no. 1053, dated 5 December 1229.

<sup>20</sup> *Hist. Northumberland*, vi, 36-7. The forests of Teesdale and Marwood were part of the lands given to Guy de Balliol by King William Rufus. It is unclear whether this second dispute also involved Vieuxpont, despite the proximity of their lands and interests.

<sup>21</sup> *CDS*, i, no. 1091. The order to allow the miners free right of way was given to Balliol's bailiff, as Balliol was in the king's service at the time.

<sup>22</sup> *Hist. Northumberland*, vi, 22. Henry had been anxious for war with France as conflicts between the French and English kings over the possession of Poitou and Normandy had not yet been resolved; thus Henry began further preparations, landing in France in May 1230. The expedition was a failure and although Henry vigorously sought to recover lands lost by his father, King John, it was more a 'military demonstration' of his power as king of England, rather than a true assault (F.M. Powicke, *The Thirteenth Century, 1216-1307* (2<sup>nd</sup> edn., Oxford, 1962), 95).



the king' after Henry's arrival in France.<sup>23</sup> The marriage to Dervorguilla of Galloway in 1233, possibly encouraged and supported by Alexander II,<sup>24</sup> certainly brought John (I) recognition in both realms, and, as a cross-border nobleman he would certainly be useful in future Anglo-Scottish relations. John's high profile marriage advanced his political career by increasing his value to both the English and Scottish kings, as seen by his presence at the ratification of the 1237 Treaty of York, when he took an oath of peace by request of Alexander II, king of Scots, in accordance with the treaty.<sup>25</sup>

Balliol continued his military service for Henry in August 1241, when he, Roger Bertram, Roger de Quincy and others were asked by Henry to come to Shrewsbury in Shropshire with their horses and arms possibly to prepare for an invasion of Wales.<sup>26</sup> However, it appears to have been no more than the mobilisation of men, as Henry again switched his attentions toward France, with another war in Gascony in 1242-43. John Balliol does not seem to have been involved here, as his name is not on the list of many other English barons given protections to go with the king.<sup>27</sup> It is possible that he was involved with the Scottish political crisis beginning at this time and therefore not

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<sup>23</sup> *CPR, 1225-32*, 357, 378, 380; *CDS*, i, nos. 1089, 1097-8. His knight, Hugh de Tylleloy, and his valet, Colin de Fraunkeville, also received safe conducts to travel through the king's dominions (*CPR, 1225-32*, 381; *CDS*, i, no. 1099). During the Barons' War, Peter de Tyllolly, knight of Eustace de Balliol and a possible relation of the above Hugh, was given a safe conduct (*CPR, 1258-66*, 399).

<sup>24</sup> Alexander II certainly knew of Hugh de Balliol's influential position in northern England because of his role in the conflict of 1215-17 and it might be suggested that the family's regional leadership had caught the attention of the Scottish king.

<sup>25</sup> *Foedera*, I, i, 131; *English Historical Documents*, ed. H. Rothwell (London, 1975), iii, 354-5; *Anglo-Scottish Relations*, no. 7. The agreement, in which Alexander II quitclaimed his hereditary rights to the northern English counties of Northumberland, Cumberland and Westmorland to Henry III in return for a £200 grant of lands in Northumberland and Cumberland, does not appear to have affected Balliol's landed interests. For the claims of the Scottish kings on the lands in northern England see Moore, *Lands of the Scottish Kings in England*, x-xi. Other barons taking the oath were: Malcolm, earl of Menteith; Walter fitz Alan; Walter Olifard; Bernard Fraser; Henry de Balliol; Gilbert Marshal, earl of Pembroke; Humphrey, earl of Hereford; David Comyn; David Marshal; Thomas fitz Ranulf; William de Port; Henry de Hastings, the elder.

<sup>26</sup> *CCR, 1237-42*, 362.

<sup>27</sup> *Foedera*, I, i, 140-2.

involved with Henry's affairs in France; yet, he also may have made a scutage payment rather than serve.<sup>28</sup>

Despite his lack of direct military involvement in Gascony, Balliol still remained active in international politics. During a parliament in London in 1244, he was appointed as one of twelve commissioners responsible to consider Henry III's proposed subsidy for the war debts in Gascony.<sup>29</sup> The same year, he was among the English barons, including Gilbert de Umfraville (d. 1245), who appended their seals to a charter of Alexander II of Scotland, 'promising to keep faith with, and observe due affection for his liege lord, the king of England, and that he would not enter into any alliance with his liege's enemies,' which was taken to Rome to be confirmed by Pope Innocent IV.<sup>30</sup> His increased involvement in the Scottish government will be discussed later, but it is important to note that in the 1240s Balliol, as a man of both realms, was serving both kings. John (I) also remained active in France and had travelled there in 1246 to confirm, at the request of Ermengarde, lady of Valines, the abbey of Sery in possession of 50 *journaux* of land which he had given to Geoffrey de Broustelle, liegeman of William de Valines.<sup>31</sup>

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<sup>28</sup> *CCR, 1237-42*, 490-1, dated August 1242. Here it mentions that Balliol shortly held scutage in Norfolk, Suffolk and Rutland. For more on the Scottish government's crisis see Young, *The Comyns*, Chapter 3.

<sup>29</sup> *Chron. Majora*, iv, 362.

<sup>30</sup> *Ibid.*, iv, 383-5; *CDS*, i, no. 1655. Indeed, if there were an embassy going to Rome and John (I) was included, there is the possibility that a connection was made there with the family of Taranto, into which Edward Balliol, John's grandson, would allegedly marry. Furthermore, John's French business in the 1260s, including homage to Louis IX in 1266, might provide other connections to the Anjou family of Naples, from which the Taranto family was descended. (Charles d'Anjou, king of Naples (1266-85) was brother of Louis IX) (see Chapters Six and Seven).

<sup>31</sup> Appendix C, no. 6; Darsy, *Notice Historique sur l'Abbaye de Sery*, 53, 62.

John (I) and the Early Disputes with the Bishops of Durham, 1229-50<sup>32</sup>

After the dispute concerning the miners of Tynedale, Balliol appeared quick to remain in the service of the English king; but, within this seemingly unwavering loyalty, John (I) was locked in a continuous struggle with the bishops of Durham over certain rights concerning his lands in that county. Shortly after the Norman Conquest, William the Conqueror elevated the bishops of Durham to the rank of ‘prince bishops’ by giving them secular power to rule over northeast England in his place. William’s reason for giving the bishops such powers was to create a strong bulwark in the north in order to deter invasion by the army of Scotland. Thus, in medieval England, the county of Durham acted in many respects as its own kingdom ruled by the residing bishop. A steward of the bishopric, Master William de St Botolph, said in 1302 that there were ‘two kings in England, namely, the lord king of England...and the lord bishop of Durham.’<sup>33</sup> The bishopric, however, was held within the earldom of Northumberland and it was by gradual territorial acquisitions that the franchise became so great.<sup>34</sup>

Because of their position, therefore, the bishops seemed to believe that they could rule in their own right—not only could they raise their own armies but also they could levy their own taxes, mint their own coins and preside over their own court system. Yet this strong attitude was the cause of most of the property disputes between the bishop and his tenants in Durham, especially those relating to homage and jurisdiction, as was the case with the Balliol family. Indeed, the disputes involving John (I) and the bishops underline the status of the family and are surely prominent in the history of the bishopric. It was a rare instance when the political power and

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<sup>32</sup> Much of this has been presented in A. Beam, “John Balliol, the Bishops of Durham and Balliol College, 1255-60,” *Northern History*, xlii, 2 (2005), 241-58.

<sup>33</sup> C.M. Fraser, “Edward I of England and the Regalian Franchise of Durham,” *Speculum*, xxxi, 2 (1956), 329-42, at 342; Quote by the steward of Bishop Anthony Bek (1283-1311) from NA JUST1/226 m.1d.

<sup>34</sup> *VCH: Durham*, ii, 138. In 1069, William the Conqueror appointed Robert Cumin as earl. After the consecration of Anthony Bek in 1283, the bishopric claimed a superior status over the metropolitan of York (R.B. Dobson, *Church and Society in the Medieval North of England* (London, 1996), 175).

influence of one family actually rivalled the prestige of the bishops. The motive behind these disputes was largely an intertwined network of power and money and certainly exposes Balliol's influence and power in northern England at this time.

As discussed in Chapter One, the Balliol family held extensive lands in Northumberland, as well as some in Durham. Of the many baronies and manors that John (I) inherited from his father in 1229, Long Newton, which was part of the barony of Gainford, proved to be the cause of the long-standing dispute between him and the bishops, which (as will be discussed below) perhaps resulted in the foundation of Balliol College. The origins of the dispute began in the late-twelfth century and concerned the jurisdiction of succeeding bishops to the wapentake of Sadberge, within which were found Long Newton and Gainford.

This dispute had already lasted for nearly three decades, when we find Hugh de Balliol at odds with the bishops. By this time, Barnard Castle had been taken into possession by the bishops and in April 1213, King John ordered the guardians of Durham, Aimeric the archdeacon and Philip de Ulecotes (the bishopric would be vacant from the death of Bishop Philip of Poitou in 1208 to 1217 when Bishop Marsh was elected), to restore Barnard Castle and other lands of Hugh, which they had retained.<sup>35</sup> When Hugh became the apparent successor to Ulecotes in 1216 as keeper of the castle of Durham—among other castles—and subsequently as guardian of the bishopric,<sup>36</sup> it certainly created a power struggle between the great bishops and the powerful northern lords, the Balliols, over lands as well as the favour of the new young king, Henry III.

The conflict of Hugh's son, John (I) Balliol, with the bishops in the mid-thirteenth century was in response to the initial homage and service due for the knights' fees of these lands. As seen above, however, the king of England held the fee of

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<sup>35</sup> *RLC*, i, 129; *Hist. Northumberland*, vi, 32; Burn, *A Defence of John Balliol*, 19.

<sup>36</sup> *RLP*, 186; *VCH: Durham*, ii, 145.

Gainford (including Long Newton) and Guy de Balliol's successors claimed that the homage due from the lands within the fee was covered by the terms of the grant in 1094 from William Rufus. The bishops of Durham on the other hand, claimed that the homage of 5¼ knights' fees for the barony of Gainford belonged to them, as held of the palatinate.<sup>37</sup> In fact, from 1208-10, Hugh de Balliol was mentioned in the *Book of Fees* as holding 5¼ knights' fees 'in capite de domino rege,' not as holding from the bishops.<sup>38</sup> Moreover around 1205, Hugh had been assigned by the crown not only a lease for five years of the vills of Gainford, Headlam and Piercebridge, but also £10 yearly from the bishop's chamber for Hugh and his heirs until he would be assigned 'an equivalent rent in a moiety of the vill of Long Newton or elsewhere.'<sup>39</sup>

The debate over ownership of the lands and admission of homage probably intensified shortly after Hugh's death in 1229, as the new bishop of Durham, Richard le Poor (1229-1237), more than likely asked for the homage of the fees, but John Balliol was not willing to give it. The position of these lands, near the Tees, no doubt appealed to Balliol because of the possible fiscal advantages of fishing and mining. Although there is not a coherent account of mining activities in Gainford, regular mining in the north of England at this time was prevalent and point towards Balliol's preference for the land.<sup>40</sup> What seemingly irritated Balliol the most upon his inheritance in 1229, causing him to refuse homage continually, was the fact that because of the brief loss in 1190 of this particular piece of valuable land to the bishops, their claims in later years were not without basis. Indeed, Matthew Paris claims (among other vices) that Balliol

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<sup>37</sup> *Hist. Northumberland*, vi, 41; Scott, *Norman Balliols*, 245.

<sup>38</sup> *Book of Fees*, i, 25, for dates 1208-10 within the bishopric of Durham.

<sup>39</sup> *EEA: Durham*, nos. 180-2.

<sup>40</sup> Lomas, *North-east England in the Middle Ages*, 203. It may also be related to the incidents in 1219 and 1229 and the Balliols' interference with the miners of Tynedale.

was ‘grasping,’<sup>41</sup> a point which leads one to believe that this piece of land, worth £40 3s 11d p.a. in the 1290s, had a high monetary value at this time.<sup>42</sup>

At Auckland on 9 December 1231, the situation between Bishop Poor and John Balliol regarding homage for the knights’ fees seemed to be heading toward resolve when both men entered into an agreement. With this contract, the bishop granted that John and his heirs ‘shall hold the vill of Long Newton as his ancestors had held by homage and service,’ which included one half for a ¼ knight’s fee and one half for £10 yearly, as promised to Bernard (II) de Balliol.<sup>43</sup> Balliol agreed to give the bishop ward and scutage for the 5¼ knights’ fees and to give suit to the bishop at the court of Sadberge for all lands he held within the wapentake. Balliol further promised to do his best so that the king shall allow the bishop to have the homage of the fees within Sadberge. The bishop also agreed that as soon as he had received Balliol’s homage, he would give Balliol all the ancient charters of Long Newton, which were still in the bishop’s possession. An important inclusion was that if the king directed homage to be done to the bishop for this property, Balliol would willingly and promptly perform it; thus, the final decision of this settlement appeared to rest with King Henry.<sup>44</sup> Henry’s involvement here suggests that perhaps the king acted to quell the dispute despite the king’s own dispute with the see of Durham in 1226.<sup>45</sup> In fact, Henry may have

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<sup>41</sup> *Chron. Majora*, v, 528.

<sup>42</sup> *VCH: Durham*, iii, 300. This value was given when King John Balliol granted Long Newton to Bishop Bek before 1296.

<sup>43</sup> *EEA: Durham*, no. 292.

<sup>44</sup> Appendix C, no. 2; Durham Cathedral Library [DCL], MS Hunter, iv, 289; Durham University Library [DUL], MS Mickleton, 1A, f.6; *Hist. Northumberland*, vi, 41-2n; Surtees, *History and Antiquities of Durham*, iii, 212-3; *EEA: Durham*, no. 291. The original agreement is now lost. Taking an oath for this were: John fitz Robert; Eustace de Balliol [John’s brother]; Walter de Fountains [possibly a relations of Hugh de Balliol’s wife, Cecilia de Fontaines]; Henry de Balliol [John’s uncle]; Nigel de Balliol [mistake for Enguerrand (John’s uncle)?]. Those giving oaths for the bishop were: Ralph, prior of Durham; Ralph, prior of Finchale; Master William, the archdeacon; John de Rumes, the seneschal.

<sup>45</sup> Bishop Marsh had died in 1225 and during the election to the see in 1226, Henry desired that Luke, dean of St Martin’s le Grand, London, be considered. However, only monks could elect the new bishop and Henry—still in his minority until October 1228—was overruled. The monks and Henry reached an agreement and William Stichill, a Scotsman and archdeacon of Worcester, was chosen although he was never consecrated and the see remained vacant until the arrival of Bishop Poor in 1229 (Carpenter, *The Minority of Henry III*, 389-90; Powicke, *King Henry III and the Lord Edward*, 267-8).

favoured the claims of the bishop as illustrated by Balliol's promise to give homage. However, despite the agreement, neither man appeared willing to abide by his oath.

It has been argued, though, that the jurisdictional position of Gainford and Barnard Castle, which the Balliols did control, in relation to Sadberge, of which the bishops claimed possession, was doubtful. The exact boundaries of the wapentake were uncertain, but it did include the barony of Gainford, of which Barnard Castle was the caput.<sup>46</sup> In the course of the 1231 agreement, Bishop Poor apparently had convinced Balliol that the three were part of the franchise of Durham, not separate and under control of the crown, upon which Balliol signed the agreement, perhaps under pressure from King Henry, prompting his repeated disputes over the next thirty years.<sup>47</sup> As mentioned earlier, Barnard Castle and Gainford were also at times said to be part of Northumberland—not Durham—and thus outside the jurisdiction of the bishop. Strangely, attempts were occasionally made to annex Barnard Castle, and all the Balliol possessions, to Sadberge, perhaps because the bishops of Durham never held these lands directly despite their desires (that is until Bishop Anthony Bek (1283-1311) confiscated the Balliol lands in 1295).<sup>48</sup>

After signing this agreement, Balliol realised that now he had to oblige the bishops with homage, which was never his original intention. Thus, the pact in 1231 failed to resolve the situation and three years later, on 11 April 1234, King Henry commanded Balliol to do homage and service to the bishop for the fees, so that Bishop Poor could in turn answer to the king for the castle ward of Newcastle due to be funded

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<sup>46</sup> *VCH: Durham*, ii, 143.

<sup>47</sup> Surtees, *History and Antiquities of Durham*, iii, 266.

<sup>48</sup> Surtees (*Ibid.*) claims that 'even so Barnard Castle, Hartlepool [which belonged to the Brus family], and Gainford were sometimes said to be in Northumberland; that is, they claimed to be without the Bishop's franchise.' Although the bishops of Durham claimed that Barnard Castle and other lands of the Balliols belonged to them as being within their wapentake of Sadberge, Edward I granted the forfeited lands of Barnard Castle, and others, of King John Balliol to Guy Beauchamp, earl of Warwick (*Hist. Northumberland*, iv, 51).

from the fees ‘unless he [Balliol] can show the king that he ought to be quit of the said ward.’<sup>49</sup> Contrary to the recently made agreement, Balliol refused to perform homage to the bishop.

The Balliols may have originally held Long Newton, but evidently, by the time that John (I) Balliol succeeded to the inheritance in 1229 the possession had changed. In December 1234, after the above defiance, John went before King Henry to admit formally that he ‘ought to hold of the bishop of Durham 5¼ knights’ fees,’ yet when Henry again ordered that he perform homage to the bishop, Balliol apparently refused for at least a second time.<sup>50</sup> The next year, Balliol, in obvious retaliation, apparently aimed to intimidate the bishop further and attacked him ‘with horse and arms.’ The bishop complained to the king, who then fined Balliol twenty marks, although he later pardoned John for that fine ‘amerced for transgressions done to R. bishop of Durham, against the king’s peace.’<sup>51</sup> There are no details of this incident, but it does foreshadow a later attack on Bishop Kirkham—discussed below—in which Balliol’s brothers and a group of men ambushed the bishop and his retinue. Because John Balliol never gave the bishop homage, the bishop retained his claim to Long Newton, and therefore the squabble continued for over twenty years. It is also probable, though not entirely convincing, that John (II) Balliol’s negotiations with Bishop Bek in the 1290s originated in part from his father’s obstinacy towards the previous bishops. There is also a claim that the church of Long Newton was one of the churches given to Bishop Bek by John (II) when he was king of Scots, as well as the grant of certain Scottish royal lands, made in November 1290 in which Balliol claimed to be ‘heir to Scotland.’<sup>52</sup>

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<sup>49</sup> *CDS*, i, no. 1209.

<sup>50</sup> *CPR*, 1232-47, 86, dated 25 December 1234.

<sup>51</sup> NA E372/78 m.12d.; /80 m.5d.; *CCR*, 1234-37, 116, dated 14 July 1235; Burn, *A Defence of John Balliol*, 39. It seems that Balliol also owed 24 1/3 fees to the bishop for 1235-36 (*Book of Fees*, i, 554).

<sup>52</sup> *Hist. Northumberland* (vi, 45) makes this claim without mentioning a date. The present church, St Mary’s, occupies the site of the ancient church. John (II) Balliol, in fact, performed homage to Robert of



These other factors involved in John (II)'s behaviour toward Bek will be discussed in Chapters Three and Four.

Bishop Poor died in 1237 and although Thomas of Melsanby was elected to the vacant see, he was not consecrated immediately and, furthermore, resigned in 1240 before his consecration, shortly after four Durham monks died at Rome. With the lack of a legitimate bishop, the see of Durham was occupied by a *custos* who handled the affairs.<sup>53</sup> In April 1237, the sheriff of Northumberland, knowing that Balliol had not kept his obligation of homage in 1231 or 1234, wrote to the *custos* to distrain him because he had not kept his terms.<sup>54</sup> However, this seems to have had little real effect and Balliol continued to be involved with Sadberge for in February 1238, the king wrote to the *custos* of Durham commanding him to respite the pleas of 'Sedbern between Robert son of Meaudr and John de Balliol and his men, and between the abbot of Ryvall and the said John and his men of Alewent and Middleton concerning mills and other contentions' because Balliol was in the king's service.<sup>55</sup> Although the respite does not indicate favouritism from the crown, it gives evidence that Balliol's dispute with the bishops over Sadberge was becoming a lengthy debate and one which the English king would not, or could not, suppress easily. The inclusion of the phrase 'concerning mills' in this plea gives further evidence that the continuous debate had to do with the fiscal value of Balliol's lands and possibly rights to waterways or roads in Durham.

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Holy Island, bishop of Durham (1274-83) in 1279 for Barnard Castle (*CCR, 1272-79, 579; CDS, ii, no. 166*), which seems to suggest that the bishops eventually won the dispute.

<sup>53</sup> The *custos* at one time was Stephen de Lacy, but he was replaced sometime before April by John, son of Philip (*CCR, 1234-37, 437*). Although neither of these men appears to have been involved with John Balliol, that notion cannot be ruled out completely.

<sup>54</sup> *CDS, i, no. 1319*. Balliol was mentioned in the letter as having 'little in the county,' a bizarre statement considering the Balliols' vast estates there.

<sup>55</sup> *CCR, 1237-42, 29; CDS, i, no. 1400*.

Shortly before Nicholas Farnham was consecrated in 1241 as the next bishop of Durham, the *custos* owed Balliol 5 marks 40*d* of his fees and also £8 15s ‘for the same.’<sup>56</sup> With the disputed homage, one would think that these payments would have been retained until Balliol agreed to make amends. Indeed, at this time, Balliol was in the English king’s favour which may suggest why payment was made without question, or perhaps it was made under promise from Balliol that homage would be performed. With the accession of Farnham, the king again commanded John to do homage for the 5¼ knights’ fees for Sadberge, ‘which he was ordered to do homage to R[ichard] late bishop, [so] that the bishop [Farnham] be no longer troubled.’<sup>57</sup> Perhaps a little too stubbornly, Balliol again refused. His behaviour during these disputes, especially at this time, might be related to his wife’s delayed inheritance of her share of the Huntingdon and Chester estates, which the family would not receive until 1244 although they were paying the earl’s debts since 1237.<sup>58</sup> Because John had been paying part of these debts, Henry may have overlooked his continued dispute with the bishops of Durham, although John himself was growing more frustrated.

It is quite interesting that despite these commands from King Henry, John Balliol chose to do nothing. Henry’s distance and only occasional orders for homage suggested pressure from the bishops themselves, whom Henry, recalling his own disputes in his minority, declined to enforce. If the king empathised with Balliol and was indifferent to the matter (as well as being distracted by the more pressing foreign and domestic affairs) it was no doubt apparent to the confident Balliol, who did not expect further action from the king apart from these repeated warnings. Balliol held all of his lands in England in chief of the king, and therefore, owed homage to no one

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<sup>56</sup> *CDS*, i, no. 1527.

<sup>57</sup> *CDS*, i, no. 1552, dated 25 October 1241.

<sup>58</sup> *CDS*, i, nos. 1384, 1398, 1482, 1534; *CPR*, 1232-47, 209-10. As mentioned in Chapter One, the total of the earl’s debts was more than £550.

except King Henry. Although Balliol was apparently infringing on the law by refusing Henry's commands, the king seems to have appreciated Balliol's experience in royal service more than he condemned the continued arguments with the bishops. By this time, Balliol had taken part in the 1230 expedition to France, taken an oath of peace in the Treaty of York of 1237 (later participating in the 1244 peace) between England and Scotland, and prepared to invade Wales with other English nobles in 1241. His connections within the three realms of England, Scotland and France were certainly beneficial to Henry III, and his power in the north was useful in later years when Henry was at odds with his rebellious barons.

Knowing John Balliol's personality of being a strong willed, tenacious baron with much influence, it seems almost obvious that he would never give the bishops of Durham homage for the knights' fees. After all, the argument perhaps was only a struggle for power—Balliol refused to give homage to anyone except the king and since Henry was apparently indifferent, the homage was virtually meaningless. King Henry does not appear to have been discouraging to Balliol either, as he continued to provide him with appointments, gifts and power.

Bishop Farnham resigned his post in 1248 and was replaced the next year with Walter Kirkham who, seemingly just as stubborn as Balliol himself, would become his strongest adversary.<sup>59</sup> In 1250 as the commands grew stronger, Balliol was again ordered by King Henry to give his homage for the fees, 'which the king ordered him to do to R[ichard] and N[icholas] sometime bishops of Durham...so that the king may be no longer vexed by the bishop.'<sup>60</sup> It seems that Balliol could not escape his homage.

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<sup>59</sup> Kirkham was joint wardrobe clerk with Walter of Brackley from 5 January 1224 to 10 April 1227, and sole wardrobe clerk for Henry III from 17 May 1234 to 27 October 1236. While Henry and Kirkham do not appear to have had any personal disputes, Kirkham did serve on the side of the opposition in 1258 (T.F. Tout, *Chapters in the Administrative History of Mediaeval England* (Manchester, 1920-33), i, 192, 244).

<sup>60</sup> *CPR, 1247-58*, 69, dated 28 June 1250.

There is no surviving evidence which suggests that homage was given at this time; yet, given Balliol's behaviour in 1255-60 which will be discussed below, as well as later claims of successful homage,<sup>61</sup> it can be assumed that he was finally forced into submission only to become angry and violent towards Bishop Kirkham later.

### Sheriff of Cumberland, 1248-55

With almost two decades in the English king's service, Henry sufficiently rewarded John Balliol with an appointment as sheriff of Cumberland and as keeper of Carlisle Castle in April 1248.<sup>62</sup> Days after Balliol earned these positions, the justiciary of Ireland, John fitz Geoffrey, was ordered to allow John's men to buy 'corn, wine, and victuals for his use in Ireland, whenever he sends [his men] to that land for the same.'<sup>63</sup>

In his second year as sheriff, he was discharged from the liability of lands granted by the terms of the Treaty of York to Alexander II, who had recently died, whereas the responsibility for the £200 of land (in Northumberland and Cumberland) fell to the escheators. As sheriff, Balliol did owe about £180 from the past two years, but because he was discharged, he was not required to answer for this.<sup>64</sup> Later, Balliol noted in his rolls that an account for the farm 'of the oven, oatmeal and malt' of Penrith was due for the four and a half years before the king of Scotland acquired it; the king of Scots further owed 100 marks for 'having a ward.'<sup>65</sup>

In February 1249, Balliol had taken a small break from his duties as sheriff and left for a pilgrimage to Pontigny in east-central France, the site of the shrine of St

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<sup>61</sup> See Appendix B.

<sup>62</sup> *CPR, 1247-58*, 13, 30; *The Pipe Rolls of Cumberland and Westmorland, 1222-60*, ed. F.H.M. Parker (Kendal, 1905), 128; *CDS*, i, no. 1731. This was four years after he and his wife inherited her share of the Huntingdon estates.

<sup>63</sup> *CPR, 1247-58*, 14, dated 4 May.

<sup>64</sup> *Pipe Rolls of Cumberland and Westmorland*, 138; *CDS*, i, no. 1767. The treaty also rendered annually one falcon to the king of England through the hands of the constable of the castle of Carlisle, which at this time was John Balliol. In 1274, six years after his death, it was also found that John (I) owed £156 during his tenure as sheriff of Nottingham and 'Cumberland' [perhaps Derby?] (*CDS*, ii, no. 13).

<sup>65</sup> *CDS*, i, nos. 1774, 1801, dated 6 May 1250 and 5 May 1251, respectively.

Edmund, although it seems as though his pious wife did not accompany him.<sup>66</sup> During the Easter term her attorney, Thomas 'le Scot' of Hunsingore, appeared in a plea of fishery against the abbot of Ramsey (Hunts), and whereas John Balliol's absence is noted, nothing is stated as to whether Dervorguilla was present or with her husband.<sup>67</sup> Dervorguilla was possibly handling affairs concerning her various lands or too near the end of her pregnancy with their fourth son, John (II), who was born around this time (c. 1249/50). However, there are speculations that suggest John (II) was born in France, in the small village of Mons-Boubert (canon St Valery-sur-Somme);<sup>68</sup> hence Dervorguilla might have accompanied Balliol on the pilgrimage and later given birth in France, hinting, perhaps, that the journey was made for the health of the mother and her unborn child.

Balliol's tenure as sheriff was terminated in 1255, when he was replaced by another influential baron, Robert (V) Bruce of Annandale (c. 1220-95), rival of John (II) Balliol in the disputed Scottish kingship after 1286.<sup>69</sup> This dismissal coincided with

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<sup>66</sup> *CDS*, i, no. 1755; *CPR*, 1247-58, 37. St Edmund was archbishop of Canterbury from 1234 to 1240, when he retired to Pontigny, where St Thomas Becket was temporarily exiled, and died. He was canonised within six years and his shrine produced numerous miracles (*Chronicle of Melrose*, 65-6). Balliol's visit to an English saint, and a former archbishop of Canterbury, gives further evidence that John (I) was identified as an English noble. It does not appear that this pilgrimage was related to the dispute with Durham, since Balliol's penance for his behaviour would not be implemented until 1255. Interestingly, Englishwomen were given privileged access to the abbey at Pontigny (D. Webb, *Pilgrimage in Medieval England* (London, 2000), 67).

<sup>67</sup> *CDS*, i, no. 1759. Later, Thomas of Hunsingore became the chancellor of Scotland under Dervorguilla's son, King John (Oram, "Dervorgilla, the Balliols and Buittle," 173; Barrow, *Robert Bruce*, 50). The plea apparently had not been settled for in April 1263, John and Dervorguilla were summoned to answer again to the abbot of Ramsey for the fishery in Alington. They denied the claim and offered 'to prove by the body of Robert le Coreer their freeman; and the abbot offers to deraign by the body of his freeman, Henry the marshall. The court decides that Robert and Henry give sureties for the fuel, which they do' (*CDS*, i, no. 2330). In another plea three years later, Balliol removed his attorneys, Bernard de Tesdale and Richard de Eggleston, in the same plea (*ibid.*, no. 2406).

<sup>68</sup> Ignace-Joseph de Jésus-Maria, *L'Histoire Généalogique des Comtes de Ponthieu, etc.*, 306; Huyshe, *The Royal Manor of Hitchin*, 240-1. In a letter (with photographs) dated 25 May 1928 and now in the Balliol College Archives (BCA 95A.7), J. Maitland recorded that local tradition claimed that Mons-Boubert (or Mons-en-Vimeu) was the birthplace of John (II) Balliol 'although entire ignorance prevailed as to the identity of that individual.'

<sup>69</sup> *Pipe Rolls of Cumberland and Westmorland*, 179. There is no record in this edition of the accounts of 40 Henry III (1256-57), therefore Bruce does not appear as sheriff. Bruce's son, the earl of Carrick, served as sheriff of Cumberland from 1281-85 and was removed after failing to present his accounts (Blakely, "The Brus Family," 105).

Balliol's removal as co-guardian of the minor king and queen of Scotland (see below), when he was also replaced, in part, by Bruce. The dismissal in 1255 also coincided with Henry III's disappointment in his loyal baron concerning the dispute with Bishop Kirkham of Durham, which also culminated that year with Balliol being given a penance for his behaviour (discussed below).

Although these discharges suggest that Balliol was not held in particularly high regard at the time, as Dr Ruth Blakely has asserted, Henry possibly regretted his decision to replace Balliol as sheriff.<sup>70</sup> Bruce himself was replaced by William de Forz, earl of Albemarle, after only two months in office, apparently having left the castle in an appalling state with the accounts in confusion.<sup>71</sup> This could not have been entirely Bruce's fault and some blame must also be put on John (I), who had also neglected his duties in the keepership and the guardianship. Moreover, the town of Carlisle had become more self-governing after the Treaty of York (1237) due to new policies regarding the Borders. Henry III felt that the area needed less personal supervision, which accounted for its eventual decline.<sup>72</sup> However, it seems from evidence regarding the sheriffship that neither Bruce nor Balliol were held in high regard by the king of England at this time.

Accordingly, the accounts remained a problem for both men, who were summoned in 1257 to answer to the sheriff of Essex concerning £24 15s of profit and £34 8s 4½d of small farms in the county of Cumberland, which John Balliol apparently

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<sup>70</sup> *Ibid.*, 97.

<sup>71</sup> *Pipe Rolls of Cumberland and Westmorland*, 179. Albemarle, who had been married to Dervorguilla's sister Christiana, served until 1259-60, when he was replaced by Robert de Mulecaster. Eustace de Balliol, John's brother, was appointed as sheriff of Cumberland and keeper of Carlisle Castle in October 1261 (*CPR*, 1258-66, 179).

<sup>72</sup> *Letters of Henry III*, ii, 124-5; H. Summerson, *Medieval Carlisle: The City and the Borders from the Late Eleventh to the Mid-Sixteenth Century* (Stroud, 1993), i, 121. In the years following, Henry was again pre-occupied with domestic and international political situations to maintain his northern castles. In 1269, Eustace de Balliol, as sheriff, was allowed to spend over £500 'on the keeping and munition of the castle during the disturbance and war in the realm' (*Liberate Rolls*, vi, no. 738; Summerson, *Medieval Carlisle*, i, 126).

owed from his tenure in that county.<sup>73</sup> Two years later, again in Essex, both men owed money to the sheriff for a plea in Cumberland—Bruce had owed 100s ‘because he came not before the justices in Cumberland,’ whereas Balliol owed a surprising £60.<sup>74</sup> This sum appears to be connected with a respited plea in Cumberland involving the two men, which was resolved the next year, when Bruce and Balliol were commanded to appear before King Henry concerning £89 19s 5d, which Bruce had received of the issues of Cumberland (presumably while sheriff). Bruce then discharged Balliol’s debt for £60 from the previous roll and Balliol was further obliged to answer for his tenure in office as sheriff concerning more debts from Cumberland.<sup>75</sup> It is not clear whether the discharge of debt meant that Bruce in fact had paid it, but if this were the case, it would certainly add to further resentment or rivalry during these years. These resolutions, occurring in 1260, came at a time when the families were both supporting King Henry against the king’s opposing barons; therefore, the tensions were somewhat eased between them. Before the 1250s, the relationship between Balliol and Bruce was seemingly friendly, as both men were married into the same family and both served their English king in governmental and military matters. Still, before 1261 when Alexander III fathered his first child, Margaret, the two families surely recognised that a rivalry existed between them, especially since their children were the young king’s nearest heirs.

The appointment as sheriff of Cumberland immediately increased Balliol’s political status: medieval sheriffs were powerful men who held many responsibilities

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<sup>73</sup> *CDS*, i, no. 2095, dated 30 September 1257. This was just after Balliol was admitted back into royal favour after being fined £500 for his transgressions during the Scottish guardianship. Neither Balliol nor Bruce was sheriff at this time in Cumberland, although Bruce was a member of the new Scottish guardianship.

<sup>74</sup> *Ibid.*, nos. 2177-8.

<sup>75</sup> *Ibid.*, no. 2195. This appears to have been the solution to the previous pleas. Other debts included about £226 for debts from previous years while he was sheriff and ‘£48 17s 5d and one pound of pepper, for many debts as in roll forty-three; and £24 15s of the remaining county farms; total £73 12s 5d’ of which £60 was acquitted by Robert Bruce from above (*Pipe Rolls of Cumberland and Westmorland*, 179-80, 182-3, 185, 189; *CDS*, i, nos. 2237, 2095).

and duties, chiefly as locality agents of the king. They were experienced in the activities of the king's business and usually represented (until the mid-1220s) powerful feudal lords, such as the Earl Marshal, Fawkes de Breauté and Hubert de Burgh. By the time John Balliol was serving as sheriff of Cumberland, the political importance of the office had increased so much that with the administrative and political reforms in 1258, the activities of the sheriffs would be carefully monitored in an attempt to lessen their power.<sup>76</sup> By 1258, though, John (I) had already been replaced, and thus during his tenure he was able to have slightly more power, possibly influencing the negotiations which produced his next political endeavour: English co-representative in the Scottish guardianship.

*Balliol's Role in the Scottish Monarchy: the Guardianship, 1251-55*

By the time John Balliol had married Dervorguilla and received her portion of Galloway in southwest Scotland, the Comyn family had earned a powerful place in Scottish politics. As Dr Alan Young suggests, Walter Comyn earl of Menteith probably acted as justiciar of Galloway around 1235, a position which John Comyn of Badenoch, his heir, held in 1258, from 1266 until 1272, and in 1275.<sup>77</sup> Their political roles in Galloway may have given John (I) Balliol an incentive and opportunity to marry one of his daughters, Eleanor, to John Comyn in the mid-1270s.<sup>78</sup> Indeed, when Balliol served as sheriff of Cumberland, he was much closer to his Scottish lands and possibly divided his residence between Carlisle, where he was keeper of the castle, and Buittle, the Balliol stronghold in Galloway, while enjoying his role in the Scottish government.

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<sup>76</sup> W.A. Morris, *The Medieval English Sheriff to 1300* (Manchester, 1927), 167-9.

<sup>77</sup> Young, *The Comyns*, 36; G.W.S. Barrow, *Kingdom of the Scots* (London, 1973), 107. Barrow mentions that there was a break in his term at some point after 1258, for Aymer de Maxwell held the office in 1264.

<sup>78</sup> Young, *The Comyns*, 82.



Although there is no conclusive evidence to prove his residence at Buittle, the proximity would have given him more of an interest in Scottish affairs.

By 1251, John (I) was moving forward in his political career and in that year he was appointed, with Robert de Ros, lord of Wark (Northumberland), as an English representative in the Scottish regency appointed during the minority of Alexander III.<sup>79</sup> Ros was also a northern baron and had married Christina, sister and co-heir of Roger Bertram, a Balliol tenant and kinsman; Ros's father was brother-in-law to Alexander II, having married an illegitimate daughter of William the Lion, which highlights their cross-border connections.<sup>80</sup> This appointment, perhaps influenced by the recent Huntingdon inheritance, presented Balliol with an opportunity to increase his role in Scottish politics, which may have been his intention through his marriage to Dervorguilla. In the years leading up to his appointment, the Scottish nobles faced a crucial political crisis involving the powerful families of the Bissets, the Durwards and the Comyns, which culminated in 1244, when Alan Durward ousted Walter Comyn as the head advisor of King Alexander II, a movement which both Alexander and Henry III had attempted previously.<sup>81</sup> After Alexander's death in 1249 and the transfer of the crown to his young son, Alexander III, King Henry felt it his purpose to intervene in the minority of the child king and of his daughter, Margaret, who had been married to Alexander at Christmas 1251. By 1251, the reins of government had once again fallen to Walter Comyn and his 'party'—including his kinsmen, Alexander and John. Indeed, although Balliol took no direct role in these events, as a new cross-border lord he may have hoped his status would afford him the opportunity to enter the political scene. This may have been his intention when he took part in the 1237 and 1244 Anglo-Scottish treaties, after he had inherited the Huntingdon and Chester holdings by right of

<sup>79</sup> *Flores Historiarum*, ii, 378; *Anglo-Scottish Relations*, no. 10.

<sup>80</sup> *Oxford Dictionary of National Biography* [hereafter *ODNB*], xlvii, 725-7.

<sup>81</sup> Young, *The Comyns*, 37, 47.

his wife, Dervorguilla. His participation in the election of Henry, abbot of Holyrood to the see of Whithorn also demonstrates his desire to play a part in Galwegian politics.

In 1253, Henry of Holyrood, candidate of the Comyn party, was elected to the see of Whithorn in Galloway. Despite his share of lands in the region, which he possessed by right of his wife, Balliol was not 'lord' of Galloway, as the lordship was divided between the three heiresses, with seniority falling upon Roger de Quincy, in right of his wife, Helen, eldest daughter of Alan, lord of Galloway<sup>82</sup>; yet still, Balliol had opposed the election in defence of his 'ancient liberties' and those of the people of Galloway. As Dr Richard Oram explains,

It was assumed that the lords of Galloway possessed the right of patronage of the bishopric, but examination of the elections in the twelfth and thirteenth centuries shows this to be wrong...It followed that if Balliol did possess the patronage of the see then he must have been lord of Galloway, and the circle continues. Closer examination of the dispute, however, demonstrates that its roots lay in the conflicting forms of elections employed, with Balliol acting, supposedly, in defence of rights of the clergy and people of the diocese against the papal innovation of capitular election.<sup>83</sup>

Balliol's intervention, while seemingly 'self-interested and isolated,'<sup>84</sup> suggests an attempt for the cross-border noble to enhance his strength and presence in Galloway; yet his impediment also demonstrates his ability (or claim) to defend the rights of the

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<sup>82</sup> Both of Dervorguilla's sisters were dead by 1253, but Roger de Quincy was 'the pre-eminent power' until his death in 1264 (Oram, *The Lordship of Galloway*, 147). Upon Dervorguilla's death in 1290, the lordship appears to have fallen upon John (II) Balliol, styled 'lord of Galloway' during the proceedings of the Great Cause (*Great Cause*, ii, 57, 67, 68).

<sup>83</sup> Oram, "Dervorgilla, the Balliols and Buittle," 172.

<sup>84</sup> Oram, *The Lordship of Galloway*, 157. Oram makes a clear point that Balliol's protest seemed to 'reflect more the disappointment of an influential lord than a principled defence of ancient popular rights,' because the abbot was consecrated anyway (*Ibid.*, 184).

people and clergy of Galloway, perhaps on behalf of his wife, Dervorguilla. However, this opposition triggers claims that Balliol's opinion was 'alienated' and 'dominated' by the Comyns and the dispute caused 'strained relations' between Balliol and other Scottish lords.<sup>85</sup> Indeed, the Lanercost chronicler seems to believe that the election caused a dispute between the young king of Scotland, Alexander III, and John Balliol, at the time one of Alexander's guardians. This underlying tension may have been one of the reasons why Balliol lost his grasp on the guardianship in 1255.

As Dr Young mentions, because their candidate was successfully elected, the Comyns were able to demonstrate their dominance over Balliol during Alexander's guardianship. Young seems to suggest that Balliol's failure to secure the election in his favour was because of the growing power of the Comyn party,<sup>86</sup> therefore indicating that there may have been an increasing rivalry between the powerful families.<sup>87</sup> This idea that the Comyn faction was dominating Balliol sheds light on the family's behaviour during the kingship of John (II), discussed in Chapters Three and Four. At the same time, though, the domineering role allegedly played by the Comyns might also have been one played by the Balliols. Indeed, John (I) had such ambitious pretensions and was himself perhaps a more aggressive noble than usually perceived. Admittedly, there is the implication that John was attempting to exert himself in his new position as co-guardian and as a powerful English lord yet, in doing so, he found the Comyns a strong obstacle. His acquisition of the Galloway lands by his 1233 marriage to Dervorguilla may have affected the relationship with the Comyns, if only slightly in terms of local interests. Indeed, in 1304, John Comyn, earl of Buchan, petitioned

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<sup>85</sup> *Chronicon de Lanercost*, 59, 62; *Early Sources of Scottish History: 500-1286*, trans. A.O. Anderson (London, 1922), 575; Duncan, *The Making of a Kingdom*, 564; Young, *The Comyns*, 53.

<sup>86</sup> Young, *The Comyns*, 53-4, 61.

<sup>87</sup> The two families, however, later united in kinship by the marriage of Eleanor de Balliol to John Comyn, lord of Badenoch, which might have been a means to end any tensions resulting from these events.

Edward I ‘in recompense of the earl’s right in the Galloway lands of the said king [John Balliol] of which he had much more than his purparty,’ including the lands of Formartine and Dereleye.<sup>88</sup> Yet, the Comyns—who generally enjoyed the support of the Scottish church—in the 1250s surely recognised that Balliol could be considered neither a threat to their power nor a qualified Scottish politician as any familiarity he had with Scottish politics would have been minor at this point. It is true, though, that John may have been given advice from his uncles (Enguerrand and Henry especially), who held prominent governmental positions in Scotland, other kinsmen or networks of Galwegian families associated with Balliol through his 1233 marriage. As with Hugh de Balliol, though, John remained more politically involved in England.

Balliol may also have viewed his elevated position as an opportunity to object to the election of Whithorn. John (I) was successful in delaying the election until October 1254, yet despite his objections and support from the archbishop of York, Walter de Gray (1215-55), Henry was consecrated in 1255.<sup>89</sup> York’s position over Galloway, its suffragan, accounted for the intervention of successive archbishops in 1235, 1253 and 1294.<sup>90</sup>

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<sup>88</sup> *CDS*, ii, no. 1541. Comyn’s claims here remain vague as Formartine is in Aberdeenshire, not Galloway as mentioned by the petition.

<sup>89</sup> *Chronicle of Melrose*, 89-90; *Chronicon de Lanercost*, 59; Anderson, *Early Sources of Scottish History*, 575. According to D.E.R. Watt (*Fasti Ecclesiae Scoticanae Medii Aevi: ad annum 1638* (Edinburgh, 1969), 129) in October 1254, Henry was mentioned simply as abbot and not as bishop-elect. The confirmation of the election took place on 24 February 1255 by the archbishop of York, but perhaps there was yet another delay before consecration (possibly related to the loss of political control in Scotland by the Comyn party). Henry still appeared as bishop-elect on 22 December 1255, but was probably consecrated sometime after this. Interestingly, John (II) Balliol later contested the election of Thomas de Dalton, a Bruce candidate and Henry of Holyrood’s successor, as bishop of Whithorn (see Chapter Four; Appendix D, no. 20; *RRS: Handlist of the Acts of Alexander III, the Guardians, and John 1249-96*, ed. G.G. Simpson (Edinburgh, 1960), no. 368 [hereafter *Handlist*]; *CDS*, ii, no. 708; Oram, *The Lordship of Galloway*, 181).

<sup>90</sup> Traditionally, the prior of Whithorn and his community enjoyed the right of electing the bishop, although this right was occasionally overruled in favour of the secular clergy by the archbishop of York (A. Bellesheim, *History of the Catholic Church of Scotland* (Edinburgh, 1887-90), i, 254-5, 304; ii, 89-90; M.E.C. Walcott, *Scoti-Monasticon: The Ancient Church of Scotland* (London, 1874), 7, 223; A.D.M. Barrell, *Medieval Scotland* (Cambridge, 2000), 46-47; Oram, *The Lordship of Galloway*, 181).

During Balliol's time as co-guardian, he continued to serve Henry in England. In January 1252, he was appointed as an arbitrator when Henry attempted to satisfy Simon de Montfort of his expenses in Gascony, and he received a protection for five years.<sup>91</sup> On 30 May 1253, many Englishmen were given safe conducts to go with King Henry to Gascony, which was threatened with invasion by King Alfonso of Castile.<sup>92</sup> Balliol certainly went over to France before Henry, who arrived in August, evident from a charter dated 23 July 1253 at 'Huitainéglise,' in which he confirmed the abbey of Sery in possession of lands ceded by Henri de Maisnières which Henri had next to the farm of St Séverin.<sup>93</sup> In October, Balliol was also selected, among others, to escort Simon de Montfort to the king because 'the ways [were] dangerous for him.'<sup>94</sup> The English forces remained in Gascony while in the meantime, the Earl Marshal and John Balliol, acting as the king's messengers, relayed the response of the prelates: that they promised to cross into France in the event of an invasion of Gascony and also that a council would meet a fortnight after Easter to weigh the possibility of war.<sup>95</sup> But in April 1254, that option was diverted when a treaty was made with Alfonso, including negotiations for the marriage of Henry's son, Edward, then approaching fifteen, to Eleanor, Alfonso's daughter.<sup>96</sup> Previously, in 1245/6, Balliol had been charged with £30 for thirty fees in Northumberland 'to assist the marriage of the king's son,' which in all probability referred to the earlier defunct negotiations to marry a daughter of the duke of Brabant.<sup>97</sup>

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<sup>91</sup> *CPR, 1247-58*, 154; *Letters of Henry III*, ii, 68-9, dated January 1254 from London.

<sup>92</sup> *CPR, 1247-58*, 230; Powicke, *The Thirteenth Century*, 116. Balliol was still in Gascony in September 1253, when he and his wife were assigned lands of Helen, widow of John, earl of Chester (*CCR, 1253-54*, 167; *Rôles Gascons*, ed. Francisque-Michel (Paris, 1885-96), i, no. 2650).

<sup>93</sup> Appendix C, no. 7; Belleval, *Jean de Bailleul*, 57; Darsy, *Notice Historique sur l'Abbaye de Sery*, 64.

<sup>94</sup> *CPR, 1247-58*, 244, dated 4 October 1253; *Rôles Gascon*, i, nos. 2111, 2154; M.W. Labarge, *Simon de Montfort* (London, 1962), 125.

<sup>95</sup> *Letters of Henry III*, ii, 101.

<sup>96</sup> Powicke, *The Thirteenth Century*, 118-9.

<sup>97</sup> Madox, *History and Antiquities of the Exchequer*, i, 595; Prestwich, *Edward I*, 9.

Since Balliol had been involved in Henry III's affairs in France for most of 1253, as well as his own business there, the timing seems to indicate that Balliol was not directly involved in the election of Henry of Holyrood, but rather made a plea to the archbishop of York concerning it; otherwise, as Professor Watt has suggested, the election had been delayed until October 1254.<sup>98</sup> It could be speculated, too, that Balliol's failure to block the election also influenced Henry III in his decision to remove John (I) from the guardianship in 1255, although this is not wholly convincing. Admittedly, though, Balliol's participation in the Scottish guardianship does not imply that the wealthy lord was motivated enough to take an active role in Scottish politics. While Balliol may have intended to increase his influence in Scotland as a cross-border lord, his affairs in England and France kept him pre-occupied with opportunities to serve Henry III, who was a more important asset to him. Moreover, in August 1254, a year prior to their dismissal, Henry had ordered both Balliol and Ros to withdraw from the Scottish government, perhaps because of their English service in France.<sup>99</sup>

Meanwhile, Alan Durward had gone to Henry III and gained favour with him by serving with the English king in Gascony. Now in royal favour, Durward obtained the support he needed to launch a successful coup in Scotland, support which Henry was willing to give after hearing of the complaints of his daughter and those of her physician, Reginald of Bath.<sup>100</sup> In September 1255, Durward headed the coup which ousted the Comyn party from the Scottish government and Alexander III subsequently issued a letter which stated the change in government: the former group of regents<sup>101</sup>

<sup>98</sup> Watt, *Fasti Ecclesiae Scoticanæ*, 129.

<sup>99</sup> *Rôles Gascons*, i, nos. 3401-2; Duncan, *The Making of the Kingdom*, 564-5.

<sup>100</sup> *Chron. Majora*, v, 501-2; Young, *The Comyns*, 55.

<sup>101</sup> William, bishop of Glasgow; Clement, bishop of Dunblane; Gamelin, bishop-elect of St Andrews; William Wishart, archdeacon of St Andrews; Brother Richard, almoner of the order of the Templars; Walter Comyn, earl of Menteith; Alexander Comyn, earl of Buchan; William, earl of Mar; John Balliol; Robert de Ros; Aymer of Maxwell and Mary, his wife; John Comyn; Nicholas de Soules; Thomas de Normanville; Alexander Uviet; John de Dundemor; David Graham; John le Blund; Thomas fitz Ranulph; Hugh Gurle and his brother, William; David of Lochore; John Wishart; William of Cadzow; William, 'our former chaplain' (Appendix C, no. 8; *APS*, i, 419-20; *Anglo-Scottish Relations*, no. 10).

were replaced by new ones, including Durward, the earls of Dunbar, Strathearn, Fife and Carrick, and Robert Bruce, to serve for seven years.<sup>102</sup> Robert Bruce, although appointed a councillor of this new regime, did not play a major part in Alexander III's minority<sup>103</sup> and, thus, his inclusion here does not betray any rivalry with John (I).<sup>104</sup> The new regents did not serve the full seven-year term, for in 1257 the Comyn faction kidnapped sixteen-year-old Alexander III in an attempt to regain control of the government, which resulted in the conclusion the following year of a compromise establishing a ten-member council consisting of both Comyn and Durward supporters, and excluding Balliol, Bruce and the earls of Fife, Dunbar and Strathearn.<sup>105</sup>

According to Matthew Paris, in 1255, Balliol and Robert de Ros 'were seriously accused on the charge that they had unfaithfully and dishonourably controlled the kingdom of Scotland and the king and queen, whose tutelage had been entrusted to them.'<sup>106</sup> Yet, it can be argued that the 1255 coup had nothing specifically to do with John or Ros, and the accusations against them were not related to their performance as guardians. The Scottish nobles had already been in bitter opposition and battling for control of the government; thus, the overthrow of the Comyn government meant that the expulsion of Balliol and Ros was necessary because of their co-operation with (and possible domination by) the Comyn party, which had evidently neglected Henry's

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<sup>102</sup> Richard, bishop of Dunkeld; Peter, bishop of Aberdeen; the abbots of Dunfermline, Kelso, Jedburgh, and Newbattle; Malcolm, earl of Fife; Patrick, earl of Dunbar; Nigel, earl of Carrick; Malise, earl of Strathearn; Alexander, steward of Scotland; Robert Bruce; Alan Durward; Walter of Moray; David Lindsay; William of Brechin; Hugh Giffard; Roger de Mowbray; Gilbert de Hay; Robert de Meyners; William Douglas; John de Vaux; William Ramsay (*Ibid.*).

<sup>103</sup> Duncan, "The Bruces of Annandale," 97.

<sup>104</sup> The Bruce-Baliol rivalry is touched upon in Grant, *Independence and Nationhood*, Chapter Four; Duncan, *The Making of a Kingdom*, 439; Blakely, "The Brus Family," 94, 97.

<sup>105</sup> *CDS*, i, nos. 2139-40; Young, *The Comyns*, 59; Blakely, "The Brus Family," 97. This council included four members of the Comyn party (Walter Comyn; Alexander Comyn; William, earl of Mar; Gamelin, bishop of St Andrews) and four members of the Durward party (Alan Durward; Alexander the Steward; Robert de Meyners; Gilbert de Hay), as well as the queen mother, Marie, and her new husband John of Acre.

<sup>106</sup> *Chron. Majora*, v, 501-2; *Scottish Annals from English Chronicles*, ed. A. Anderson (London, 1908) [hereafter *Scottish Annals*], 370.

young daughter, the queen. Paris mentions that Queen Margaret was ‘unfaithfully and inhumanly treated among those unworthy Scots’—it appears that her complaints caused Henry to intervene before throwing his support behind Durward.<sup>107</sup>

At this time, the Comyn-controlled government had enough power that the influences of the English outsiders—Balliol and Ros—were not upheld although they (especially Balliol) attempted to edge into Scottish politics without having full knowledge and understanding. As illustrated above, because of Balliol’s services with Henry in Gascony and England, and his personal business in France, he could not have been fully involved in Scottish politics (even in the election of Henry of Holyrood) as he likely wished, and, contrary to Paris’s view, he could not have been involved enough to have been blamed for the treatment of Queen Margaret. If Paris is to be believed, King Henry, ‘knowing that this same John possessed a large quantity of specie, started a serious matter of debate with him, in hopes that, in negotiating peace, he would be able to mutilate somewhat his treasured pile.’<sup>108</sup> This is exactly what Henry seemed to have done by relieving Balliol of some of his positions such as sheriff of Cumberland and keeper of Carlisle Castle. The charges against Balliol, indeed, were serious yet he used his wealth to buy his pardon in 1257, whereas Ros was disinherited.<sup>109</sup>

The year 1255, as an exception, was ostensibly a rough turning point for the wealthy baron. Within a few short months, Balliol would see his power quickly diminished. Just before his loss of power within Anglo-Scottish politics, the unsettled dispute with the bishops of Durham over homage due for Long Newton once again began to simmer and would inevitably have an effect on his position in the Scottish guardianship. Around the summer of that year, John and his men seized the church of Long Newton and held it with an armed force, for which Bishop Kirkham, quite

<sup>107</sup> *Chron. Majora*, v, 502; *Scottish Annals*, 371.

<sup>108</sup> *Ibid.*, v, 528.

<sup>109</sup> *Ibid.*, v, 507, 569; *Scottish Annals*, 373-4; *CDS*, i, nos. 2091-2.



enraged, excommunicated his men. Sir Maurice Powicke claimed that the bishop, however, excommunicated Balliol's men 'in virtue of his episcopal powers, and imprisoned them in virtue of his regality,'<sup>110</sup> powers which the bishops claimed as virtual rulers, although an attack on consecrated land would be enough grounds for excommunication. The bishop waited for the excommunication to take effect and meanwhile, Balliol's men occupied the church for a lengthy forty days. The bishop then called in a number of soldiers, outnumbering Balliol and his brothers. Eventually some of Balliol's men were taken prisoner and sent to Auckland, where the bishop had a residence. It seems that John's brothers—Eustace and Jocelin—were quite surprised with the bishop's actions, and in revenge decided to lay an ambush for him.

King Henry received a complaint from the bishop in August strongly condemning the ambush and that Balliol's men—including Balliol's brothers and Henry fitz Ranulf—were 'lurking in a wood' and while the bishop and his retinue passed by they 'did irreverently insult and most enormously handle himself, his clerks and attendants, with swords and other weapons, taking four of his retainers prisoners to Bernard's castle [Barnard Castle], where they remain.' Undoubtedly, the bishop gave Henry his opinion of Balliol—who, while not present, cannot be ruled out as a co-conspirator in the attack—thus the king wrote to 'his beloved and faithful' John and commanded him to release the bishop's men and give the bishop 'competent satisfaction.'<sup>111</sup> According to Paris, Balliol 'who, more than was becoming or safe for his soul, was covetous, rapacious and grasping, had for a long time, unjustly and severely, molested both the church of Tynemouth and the church of Durham, and had done them incalculable damage.'<sup>112</sup> Paris, though, cannot be someone from whom to

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<sup>110</sup> Powicke, *The Thirteenth Century*, 465.

<sup>111</sup> *CCR*, 1254-56, 217; *CDS*, i, no. 1989, dated 13 August 1255; Surtees, *History and Antiquities of Durham*, iii, 213.

<sup>112</sup> *Chron. Majora*, v, 528; Paravicini, *Early Hist. Balliol*, 41-2.

gain unbiased opinions of John (I) for he was himself a Benedictine monk at St Albans (Herts) and could relate to Bishop Kirkham's ongoing problem with this 'priest-hating, beer-loving lord.'<sup>113</sup>

After this episode, King Henry was quite angry with his faithful subject and probably realised that, since the 1230s, he had allowed Balliol too much freedom to do as he pleased. In addition, Balliol probably took too much confidence from his political role at this time as co-guardian in Scotland and sheriff of Cumberland—he perhaps imagined immunity against the bishop. However, John's reaction in 1255 might also have been an accumulation of his frustrations involving the delayed Huntingdon inheritance and his removal from both the sheriffship and the guardianship. But, it is worth noting again that despite the unrelenting arguments, Henry continued to reward Balliol for his royal services, as if the entire Durham dispute meant nothing. Indeed, the king may have thought that by providing these gifts, and the apparent exchanges he was willing to make for the Huntingdon lands, John (I) would accept his position. Yet, it was this final argument in August 1255 which subsequently led to the loss the following month of Balliol's position as sheriff of Cumberland, keeper of Carlisle castle and as co-guardian in the Scottish government, all in favour of Robert Bruce.<sup>114</sup> Although the Durham dispute and Balliol's loss of the guardianship were not related, the dispute did have a direct contribution to his dismissal in Scottish politics. Balliol perhaps allowed his behaviour and constant struggling with the bishops of Durham to lead to the neglect of his duties as co-guardian, as well as guardian to Henry's daughter,

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<sup>113</sup> Scott, *Norman Balliols*, 251. There does not appear to have been a connection between Matthew Paris and the bishops of Durham. However, Tynemouth Priory was a cell of St Albans, where Paris was a monk.

<sup>114</sup> *CCR, 1254-56*, 220; *CDS*, i, nos. 1991, 1993, 1994. Bruce apparently served as the keeper of Carlisle Castle until 8 April 1268, when he was commanded to deliver it to William de Acre, then appointed sheriff (*Ibid.*, no. 2472).

Margaret. This obviously did not impress Henry, whose opinion of Balliol appeared to be quickly lessening.

Sometime after 1255 but before Bishop Kirkham died in 1260, there was one last, terrific quarrel between them; yet this one had a very important, lasting result. This probably occurred shortly after Balliol was reprimanded for his conduct towards the bishop and his men, and Balliol wanted to settle the score. In 1260, according to the *Cumbrian Chronicle of Lanercost*:

A baron of his diocese, the most famous in the whole of England, *had gotten himself drunk with beer*, quite contrary to the fair esteem beseeming his rank, and had done other evils disrespectful to the Church. When he heard of the audacity of that effrontery the good shepherd admonished him that he should make amends; but inasmuch as pride chooses rather to be confounded than to be corrected, [Balliol] added scorn to effrontery. But the bishop, strengthening his heart, so shrewdly brought back his truant son to his bosom, that with much ceremony at the entrance of Durham Cathedral, before the eyes of all the people, he suffered whipping at the hands of the bishop, and assigned a sum of fixed maintenance to be continued for ever to scholars studying at Oxford.<sup>115</sup>

The bishop's choice of establishing a college at Oxford University was not a coincidence, as Frances Paravicini points out. The University already had an established Society of Clerics, made possible from money donated by William of

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<sup>115</sup> *Chronicon de Lanercost*, 69; Paravicini, *Early Hist. Balliol*, 46-7; Hine, *History of Hitchin*, i, 32; *Hist. Northumberland*, vi, 45. Two sources, Paravicini and Hine, mention excerpt in italics. Hodgson (*ibid.*) implies that the 'evil disrespect' was when Balliol damaged some churches belonging to the bishop (perhaps the church of Long Newton?). Of course, Lanercost Priory could have been affected as well given this account in the chronicle, although surely the chronicler would include the specifics of any incident. This scene where Balliol was virtually put on display would echo that of King John in 1296, when he was stripped of his regalia after renouncing his crown and the kingdom of Scotland to Edward I.

Durham (d. 1249) for the support of the clerks there.<sup>116</sup> Thus, when Bishop Kirkham demanded that Balliol endow the poor students at Oxford with weekly stipends of eight pence, it was because the bishops had a previous, and apparently strong, relationship with the University.<sup>117</sup>

John Balliol's political career, almost destroyed by the convergent situations in 1255, still remained almost wholly English despite his small, short-lived move into the Scottish government (in which he was there as an English representative). He had overtaken his father's powerful position enjoyed under King John as co-guardian of northern England yet, again, John (I) became too overconfident with his significant roles. Whereas Hugh de Balliol's position seemed comparatively isolated, John (I) was able to hold office as sheriff and guardian, as well as serving the English king in France. In addition, as the husband of an heiress to the Huntingdon estates, he was in an equally rewarding position from either country—his lands and wealth were increased in England, and his heirs were put in line for the Scottish, and potentially the English, succession.

Balliol was officially admitted back into the king's favour in 1257 despite the previous transgressions against Henry's daughter and King Alexander, but it cost him an impressive £500, one-sixth of his landed income. As Matthew Paris stated, Balliol 'cautiously made peace with the king by supplying him in his necessity with money, of which he possessed abundance.'<sup>118</sup> Although Balliol was quick to pay some of his fine, the satisfied king cancelled the remaining debts<sup>119</sup> and Balliol was even granted the

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<sup>116</sup> William is reputedly the founder of Durham Hall, now University College, Oxford (*ODNB*, xvii, 405-6).

<sup>117</sup> Paravicini, *Early Hist. Balliol*, 8, 47; *Chronicle of Melrose*, 121. The date for the donation of William of Durham is untraceable. Although there is no concrete evidence to support John (II)'s education at Durham, he may have been undergoing his clerical training there during this time.

<sup>118</sup> *Chron. Majora*, v, 507.

<sup>119</sup> *CPR, 1247-58*, 575, dated 12 August 1257; *CDS*, i, nos. 2091-2. Here he paid £100 into the wardrobe, and would pay the remainder later. According to *CPR, 1247-58*, 620 and *CDS*, i, no. 2111 (both dated 15 March 1258), he had paid 550 marks into the Wardrobe (£100 mentioned previously, and another 400

honour of escorting the king and pregnant queen of Scotland to Henry some years later, proving that he had won back the king's confidence.<sup>120</sup> Henry's financial situation underlines the significance of Balliol's fines. Although the reign was financially sound in the early 1250s and the king had successfully raised enough gold to fund his Gascon expedition in 1253-54, by October 1254, Henry was borrowing money and returned to England with many debts. Upon his return, he began saving gold that he received through gifts and fines and by offering liberties and concessions, which he had done previously to build up his treasure. His expenditure increased, though, with his planned crusade, the 'Sicilian business' in which his son, Edmund, was to secure the throne of Sicily as well as the 1257 expedition to Wales.<sup>121</sup> By the time of the political crisis in 1258, Henry was complaining of his 'poverty and extreme need' and certainly saw Balliol's heavy fine as a way to help relieve his financial pressures.<sup>122</sup>

After his remittance, Balliol's first business was to travel back to Scotland. Henry was in Chester in September where Balliol gave him a payment for the fine mentioned above. Balliol was given a protection to set out for Scotland in September 1257, most likely spending the winter at his castle of Buittle in Galloway.<sup>123</sup> Evidence of this comes from a parliament of Alexander III, to be convened three weeks from Easter 1258 at Stirling. Alexander had requested that Henry send 'his provident and discreet magnates' to attend and Henry selected Balliol along with Roger de Quincy, earl of Winchester, and the abbot of 'Burgh,' yet 'on account of short notice, the distance of the place, and its inaccessibility,' Henry requested that the representatives

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marks 'the next Friday'). This equalled only £366 pounds of the original £500, and the remainder was cancelled.

<sup>120</sup> The earl of Winchester and John Balliol were commanded by Henry III 'to conduct the king and queen of Scotland personally with the messengers' (*CPR, 1258-66*, 90; *CDS*, i, no. 2198, dated 17 August 1260). Balliol also swore with other barons that he would keep the king's promises concerning Queen Margaret.

<sup>121</sup> Carpenter, *The Reign of Henry III*, 118-20, 123; *Chron. Majora*, v, 487-8.

<sup>122</sup> Carpenter, *The Reign of Henry III*, 123-5.

<sup>123</sup> *CPR, 1247-58*, 578; *CDS*, i, no. 2094.

meet in Roxburgh on the same day as the Stirling parliament.<sup>124</sup> Balliol's location in Galloway, or in Northumberland, as well as Roger de Quincy's residence in Scotland, would have facilitated the presence of these lords at any such parliament. The contemporary *Chronicle of Melrose* states that the Englishmen's 'pretended object was to sooth the people, and to establish peace,...but it was generally reported that their true purpose was to lay hold upon the king's person once more, and carry him off with them into England.'<sup>125</sup> Later, in September, Balliol, the earl of Hereford and the earl of Albemarle went to Alexander III on behalf of Henry 'in order to restore peace between the aforesaid traitors [the Durwards] and their opponents [the Comyn faction].'<sup>126</sup> The result of these negotiations was a treaty, drawn up in November 1258, which sought reconciliation between the two factions.<sup>127</sup> What these actions by Henry suggest is that by 1258, he had forgiven Balliol and was willing to restore him to his 1251-55 role as representative in Scotland. Surely some of this reconciliation had to do with Balliol's paid fine, but it is also suggestive that Henry's attitude toward him was not threatening to his political position.

In 1259, at the advice of the pope, Henry sought a peace with France to strengthen the relations between the two kingdoms and thus perhaps weaken the opposing English barons by granting concessions to Montfort; Henry also discarded his persistent idea of trying to recover the provinces lost by his father, King John, which had been the main reason for his failed expedition into Gascony in 1230. A truce was

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<sup>124</sup> *CCR, 1256-59*, 300; *CDS*, i, nos. 2114-5; M.E. Cumming-Bruce, *The Bruces and the Cumyns* (Edinburgh, 1870), 65; Duncan, *The Making of the Kingdom*, 571-2. 'Burgh' may be a mistake for Bury St Edmunds (Suffolk). The parliament was supposed to last about three weeks. Henry also had to hold his own parliament 'on diverse difficult matters'—presumably related to either the rising opposition of the barons, or the threshold of war with Wales. Concerning the Welsh expedition, Balliol and others were given letters requesting them to be present with forces around 16 June; as Easter fell on 24 March this year, he would have had time to answer the summons following the Scottish parliament.

<sup>125</sup> *Chronicle of Melrose*, 92.

<sup>126</sup> *Ibid.*, 183-4; Anderson, *Early Sources of Scottish History*, 591-2.

<sup>127</sup> Young, *The Comyns*, 58-9. Despite Henry's influence, Barrow states that the treaty was, in-fact, anti-English (Barrow, *Kingship and Unity*, 152).

petitioned in the beginning of 1259, and was concluded by the end of the year. John Balliol was one of Henry's loyal barons who took part in these negotiations and was given a protection on 8 March to cross the seas. Henry later sent a letter to the king of France, notifying him that he was sending as ambassadors 'Simon de Montfort, Richard de Clare, Peter de Savoy, John Mansel, John Balliol and Robert Walerand to expedite the peace; and to receive those things which by the peace ought to be assigned to the king.'<sup>128</sup> The peace was drawn up on 20 May 1259 at Westminster, and on the same day Henry 'gave power to Richard, earl of Gloucester, John de Bayllol and Robert Walerand' to make an award in the king's name or to appoint arbitrators 'in all contentions, quests and demands between the king and Simon de Montfort, and the countess his wife in Wales and Ireland.'<sup>129</sup>

By the terms of this treaty, King Henry retained Gascony, but formally renounced his rights in Normandy, Anjou, Maine, Touraine, and Poitou, while King Louis gave in return Quercy, the Agenois, a part of Saintonge and others. Louis also gave the sum needed to support five hundred knights for two years as a measure of protection against the rebellious barons. Following the treaty, Henry swore fealty to Louis for Gascony in the presence of his barons, including Balliol.<sup>130</sup> The following April (1260), the bishop of London, Balliol, Walerand and Geoffrey de Burleyfont were sent back to England to expound to the people 'the king's state and pleasure and other affairs of his; and they are to place implicit trust in them in what they say on these matters, signifying to the king their good pleasure in regard to them.'<sup>131</sup> This was

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<sup>128</sup> *CDS*, i, no. 2154; *CPR, 1258-66*, 18. Balliol and the others did not actually go to France until May.

<sup>129</sup> *Foedera*, I, ii, 45-7; Burn, *A Defence of John Balliol*, 87.

<sup>130</sup> *Foedera*, I, ii, 50-1, dated October 1259; *English Historical Documents*, iii, 376-9; *CDS*, i, no. 2184; Powicke, *King Henry III and the Lord Edward*, 411. On 6 December 1259, Balliol was given a protection from Paris (*CDS*, i, no. 2172; *CPR, 1258-66*, 107; Stringer, *Earl David*, 188).

<sup>131</sup> *CPR, 1258-66*, 121; R.F. Treharne, *The Baronial Plan of Reform, 1258-1263* (Manchester, 1932), 231-2.

Balliol's second appointment as messenger for the king, the other being during the Gascon expeditions in the early 1250s.

While in France, Balliol attended to personal business at two *parlements* of the French king. In Paris on 9 February 1260, Balliol appears to have been involved in an unknown and vague plea with the count of Saint-Pol in which the count claimed that 'Lord John does not have ward of me, nor of mine, nor of himself, nor of his.'<sup>132</sup> One year later at another parliament, Balliol lost a dispute with the lord of Caumont involving a certain horse which he owed to Caumont.<sup>133</sup> During these years, in the late 1250s, Balliol portrayed himself as a mature politician and, approaching fifty years old, was likely becoming more respected as such.

### The Barons' War

At the same time, Henry was experiencing his own troubles with difficult barons—a situation which later exploded into civil war. The Barons' War was fought between the rebellious barons under the English king's brother-in-law, Simon de Montfort, earl of Leicester and those nobles loyal to Henry III.<sup>134</sup> Although Henry III and his new brother-in-law seemed to quarrel incessantly—coming mostly from

<sup>132</sup> *Actes du Parlement de Paris*, I, ii, no. 418: "Dominus Johannes non habet gardam de me, nec de meis, nec ipse, nec sui." In June 1299, a certain Guy, count of Saint-Pol took part in Anglo-French negotiations which included the release of King John Balliol into papal custody the following month (AN J632/32; *Inventaire Chronologique des Documents Relatifs à l'Histoire d'Ecosse, etc.*, ed. A. Teulet (Edinburgh, 1839), 19; *Gascon Register A (Series of 1318-19)*, ed. G.P. Cuttino (London, 1975), ii, no. 314 (at page 656). In 1311, Saint-Pol's daughter, Isabel de Châtillon, was married to William de Guines, grandson of Ada de Balliol, King John's sister (see Appendix A).

<sup>133</sup> *Actes du Parlement de Paris*, I, ii, no. 549, dated 9 February 1261.

<sup>134</sup> The earldom of Leicester, which belonged to Montfort's grandfather, had been seized by King John in 1207 and subsequently given to Ranulf, earl of Chester, at the request of the pope and Montfort had been very anxious to regain it. Henry provided Montfort with his lands and their revenues in 1231 and later Montfort became even closer with the English king when he married Henry's younger sister, Eleanor, in 1238, finally receiving the title of earl of Leicester (1239). The king approved the marriage, but no discussion had been made with the magnates about it. This somewhat enraged the barons, having already been displeased with the influence of foreigners at court. Moreover, Eleanor had been a widow since she was sixteen, and at the time made an oath of chastity. Her marriage to Simon de Montfort, thus, caused a stir in the religious sector (*Chron. Majora*, iii, 524; J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994), 23).



differences in character—the two men were on fairly good terms. However, tension arose in the early 1240s while Montfort awaited the settlement of his wife's dower claims, which Henry appeared to be reluctant to provide.<sup>135</sup> In 1248, Simon was appointed as king's lieutenant in Gascony for a period of seven years, although he would have preferred to take the cross with Louis IX. However, the situation slowly broke down and in 1252 Henry demanded that Montfort appear to defend himself against the complaints of the Gascon vassals.<sup>136</sup> As seen above, Balliol had taken part in some of these negotiations and proceedings, which only added to the strained relationship between Henry and Montfort.

During a parliament held in Oxford in June 1259, a group of twenty-four English barons, those who resisted Henry's methods of government, put forth a series of articles, called the Provisions of Oxford, designed to control the king's actions. The Provisions established both an advisory group of twenty-four 'good men' of England to treat especially of aids, a council of twelve, who reported to parliament at least three times a year, and a king's council, comprised of fifteen men. John Balliol was among the twenty-four 'good men' (three bishops, seven earls and fourteen barons<sup>137</sup>) and the council of twelve (one bishop, two earls and nine barons<sup>138</sup>), a reflection of his status at this time. He was also among a group of four 'counsellors' appointed by the barons for

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<sup>135</sup> Powicke, *The Thirteenth Century*, 107, 126. The countess of Provence, whose daughter was married in 1243 to Richard of Cornwall, helped Montfort and Henry reach an agreement although this was still unresolved in 1259.

<sup>136</sup> *Ibid.*, 110-3.

<sup>137</sup> The bishops of Worcester, London, Salisbury; the earls of Leicester, Gloucester, Hereford, Albemarle, Winchester, Oxford, Norfolk (Roger Bigod, Earl Marshal); Peter de Savoy; John fitz Geoffrey; John de Gray; John Balliol; Roger de Mortimer; Roger de Montealt; Roger de Sumery; Peter de Montfort; Thomas de Gresley; Fulco de Kerdiston; Giles de Argenton; John Kyriel; Philip Basset; Giles de Erdinton.

<sup>138</sup> The bishop of London; the earls of Winchester and Hereford; Philip Basset; John Balliol; John de Verdun; John de Gray; Roger de Sumery; Roger de Montealt; Hugh Despenser; Thomas de Gresley; Giles de Argenton.

Prince Edward, following the prince's submission to the ordinances.<sup>139</sup> The task of Balliol and the other three men was to 'make arrangements for the state of [Edward's] household and of the household of the lord king. The lord king has often begged [the barons] that none but Englishmen shall stay around him, and so it will be.' This no doubt confirms Balliol's status among his peers as a trustworthy Englishman.<sup>140</sup>

The Provisions also required all aliens of England to surrender the revenues and castles in their possession.<sup>141</sup> Although King Henry, Prince Edward and others were coerced into signing these terms, Henry later succeeded in obtaining a bull from Pope Alexander IV, on whom Henry relied for advice, which revoked the Provisions.<sup>142</sup> The Bruce and the Comyn families were not included in these councils because they were more involved in Scottish politics; furthermore, Balliol appears to have been the only cross-border landholding representative. He was, therefore, trusted in his loyalties and services by both the earls and barons and the 'commonalty' (those supporting Montfort)—which obviously reflected his high position among the nobility.

Since October 1261, Simon de Montfort had been in France but following a request by some of the barons, he returned to England in April 1263. The barons, excluding the royalists, now consisted of young men, such as Gilbert de Clare (son of Richard de Clare, earl of Gloucester), Henry de Almain (son of Richard of Cornwall, the king's brother), Roger de Leyburn and John de Warenne. Upon Montfort's return, the barons sent their demands (including the acceptance of the Provisions) to the king

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<sup>139</sup> The only mention of this group of four is in a letter, around 18 July 1258, from a member of the king's court about the parliament at Oxford. Others in the group of four were John de Gray, Stephen de Longespée and Roger de Montealt (*Documents of the Baronial Movement*, no. 4).

<sup>140</sup> There does not appear to be enough resentment from Balliol towards Henry—because of his ongoing disputes with Durham and Henry's reluctance to grant the full Huntingdon inheritance—to warrant any sympathies towards the opposing barons. However, Matthew Paris does insinuate that Balliol's loyalties may have been wavering, as Henry 'strove with utmost endeavour to ensnare' him (*Chron. Majora*, v, 569). Given Paris's exaggerations and biased towards royalist barons, though, this claim could be considered an attempt to blacken John's commitment to the king.

<sup>141</sup> *Select Charters*, 369-411; *Annales Monastici*, i, 445, 449-50 (*Annals de Burton*); *Documents of the Baronial Movement*, no. 5.

<sup>142</sup> Maddicott, *Simon de Montfort*, 207, 209; Labarge, *Simon de Montfort*, 195.

and stated that all those opposed to them—besides the royal family—would be treated as public enemies.<sup>143</sup> The diminution of the authority of the Welsh leaders from the 1240s also created problems in that region for Henry III. He had claimed rights of homage of all the Welsh nobility in 1247 and further threatened the inheritance and authority of Llewellyn, the future prince.<sup>144</sup> In 1263, Llewellyn began to unite the Welsh and then attacked the lords of the Marches, who were loyal to Henry, and thus allied himself with Montfort.<sup>145</sup> Yet, when Montfort forfeited the lands of John Mansel (Henry's clerk) in favour of Montfort's son, the older barons rejected and withdrew their backing of Montfort, giving Henry an increase in support.

Increasing instability shook England, when in January 1264, King Louis of France agreed in the Mise of Amiens that the Provisions of Oxford were invalid, further claiming that Henry's right to appoint his ministers should be restored to him.<sup>146</sup> At this crucial stage, the barons rejected Louis's decision, resulting in civil war, first in Wales and on the Welsh Marches, then in Gloucester. Montfort and his barons also began seizing lands of the 'enemies' upon the rejection of the Provisions. Hostilities were also apparent in the north, where Robert de Neville had written to Henry asking that Robert Bruce, John Comyn, John Balliol, Henry Percy<sup>147</sup> and others, including Eustace de Balliol and John Eyville, 'be ordered to assist me in the defence of the parts north of the Trent.'<sup>148</sup> Although Balliol's recent behaviour in Durham and Scotland was perhaps

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<sup>143</sup> Powicke, *King Henry III and the Lord Edward*, 438.

<sup>144</sup> Prestwich, *Edward I*, 16-17.

<sup>145</sup> *Chronicle of Melrose*, 110n.

<sup>146</sup> *Foedera*, I, ii, 83; *Letters of Henry III*, ii, 251; Maddicott, *Simon de Montfort*, 258. King Louis's decision was upheld by Henry's supporters who said 'whatever the lord king of France orders and decrees...we will observe in good faith' (*Documents of the Baronial Movement*, no. 38). In the Mise of Amiens, Louis does not appear to have taken any personal stance on the lords, for example Balliol, who held lands in France.

<sup>147</sup> Previously an adherent of Montfort, Percy (1235-1272) had been in the following of John de Warenne, his future father-in-law (Lomas, *The Percys*, 37).

<sup>148</sup> *Letters of Henry III*, ii, 255. Treharne (*The Baronial Plan of Reform*, 336) says there was an association of eleven 'keepers' of the northern counties, including the seven mentioned above, although he gives no other names.

still in Henry's mind, he was appointed with these barons as *custos pacis* of Cumberland, Derbyshire, Lancashire, Northumberland, Westmorland and Yorkshire; he was also given a mediator role in taking nobles (including Gilbert de Umfraville) into Henry III's peace after the Dictum of Kenilworth (1266).<sup>149</sup> His position in the north, therefore, was still valued and he remained a trusted friend despite his earlier defiance.

In April 1264, the royal army celebrated a victory when King Henry and his 'most illustrious knights,' including Prince Edward, John Balliol, Henry Percy, John Comyn and Robert Bruce, captured the castle of Northampton.<sup>150</sup> Defending Northampton castle were Peter de Montfort and Simon the younger, both of whom were captured. In retaliation, Simon the elder and Gilbert de Clare captured the castle and city of Rochester. Following Northampton, King Henry and his forces—likely including Balliol, but excluding Prince Edward and his army who had taken an alternative route—travelled to Nottingham, but upon hearing of the elder Montfort's victory at Rochester, the army drove south and secured control of the Cinque Ports, before proceeding to Lewes (arriving on 6 May) where the castle of Earl Warenne stood.<sup>151</sup> It was at the battle of Lewes on 14 May that the royal army was routed by Montfort's forces. King Henry, Prince Edward and many of the royalist barons, including Balliol, Bruce and Comyn, surrendered to Montfort the following day, when the Mise of Lewes was reached.<sup>152</sup> Fordun states that John Comyn 'and some others of Scotland, at the Scots' king's bidding, had come to King Henry's rescue,'<sup>153</sup> thus

<sup>149</sup> *CinqPM*, Misc. i, no. 847; *CPR*, 1258-66, 599, 613-4; *CDS*, i, no. 2399; iv, no. 1759; see below.

<sup>150</sup> *Flores Historiarum*, ii, 488; *Willelmi Rishanger, Chronica et Annales*, ed. H. Riley (London, 1865) [hereafter *Rishanger*], 21; *The Chronicle of Walter of Guisborough*, ed. H. Rothwell, Camden Society, lxxxix (London, 1957), 188-89. Other nobles present were Richard of Cornwall, Roger de Clifford, Roger de Leyburn, Roger de Mortimer and William de Valence, Henry's half-brother.

<sup>151</sup> Powicke, *The Thirteenth Century*, 187; *English Historical Documents*, iii, 123-4. The earl of Warenne, although first objecting to the Provisions, was for a time one of Montfort's supporters, a few months before the Mise of Amiens.

<sup>152</sup> *Flores Historiarum*, ii, 496; *Chronicle of Melrose*, 99; *Annales Monastici*, iii, 232 (*Annales Prioratus de Dunstaplia*); *English Historical Documents*, iii, 207; D. Carpenter, *The Battles of Lewes and Evesham, 1264/65* (Keele, 1987), 33-35.

<sup>153</sup> *Chron. Fordun*, i, 302; Young, *The Comyns*, 138.

implying that Alexander III had intervened or was otherwise involved in the baronial conflict. Yet, Comyn and Bruce, as English barons, owed military service to Henry III (as well as to Alexander for their Scottish lands), so Fordun's implication that Alexander III initiated their service was merely a glossing over of their English connections (after all, Fordun's source was clearly pro-Bruce), as well as Alexander's feudal obligation to supply knights due to his possession of the Cumbrian estates.

In the Mise of Lewes, the king was obliged to observe the Provisions of Oxford, to remove the foreigners (and traitors) from his council, and to restore the barons to their lands and goods. Another clause consisted of plans for two panels of arbitrators, while other clauses related to the negotiations of the royalists and the freeing of Peter de Montfort and Simon the younger, who had been taken prisoner at Northampton.<sup>154</sup> According to the annals of Dunstable, Balliol and the others were 'allowed to go home, on leaving hostages for themselves and the lord king, viz, the lord Edward and the lord Henry, son of the king of Almain, that they would come to parliament when summoned and stand trial by their peers'—peers who at this time were no doubt the opposition.<sup>155</sup>

Seemingly, in exchange for these terms, King Henry and Edward would remain in captivity under Montfort. One cannot imagine, however, Simon's goal of keeping the English king and his heir hostage because Montfort's aim was not to usurp the throne and oust the royal family. It seems to have been a plan more to satisfy the differences between the two men than a genuine *coup d'état*. This captivity would last for fifteen months, during which time Henry issued various letters patent under duress from Montfort. In addition, while Montfort was the leader in England, he managed to

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<sup>154</sup> Maddicott, *Simon de Montfort*, 272; Powicke, *The Thirteenth Century*, 190. The document no longer exists, but was reconstructed from chronicles. It is unlikely that Balliol was considered one of the 'foreigners' since his family had long been established in England.

<sup>155</sup> *Annales Monastici*, iii, 232 (*Annales Prioratus de Dunstaplia*); *English Historical Documents*, iii, 207; Maddicott, *Simon de Montfort*, 273, 282. Balliol was given a safe conduct from Lewes on 14 May 1264 to go to his lands and remain (*CDS*, i, no. 2354). Powicke also mentions that the castles in royal hands were to be transferred (*Powicke, The Thirteenth Century*, 190).

initiate many reforms (yet in Henry's name) and has been credited with forming the House of Commons, although this is much disputed.

John Balliol and his eldest son, Hugh, both supported the king's actions and fought with the royal army at Lewes,<sup>156</sup> and the barons must have known Balliol's importance and, as was the case with many royalists, required him to accept the Provisions. Before the outbreak of civil war, in August 1263, Balliol and his household were given safe conducts until 10 September in order to observe 'the constitutions made at Oxford and to come to the king offering to stand to the judgment of the nobles if he has committed any excesses contrary to the said provisions.' It was anticipated that Balliol would refuse to observe the Provisions, and as a guarantee an additional safe conduct was given for Hugh Balliol, 'who is coming to speak with the king for his father, and household.'<sup>157</sup> In September, it was announced that Hugh

came to the king and made an oath that his father and himself would observe the provisions and statutes made at Oxford; the king by the advice of his nobles, directs all the said John's lands and chattels there [Suffolk] lately taken on account of the disturbance of the realm, to be restored to Hugh on behalf of his father. Similar letters for John in the counties of York, Leicester, Lincoln, Derby, Northumberland, Bedford, Huntingdon, Middlesex, Essex and Hertford.<sup>158</sup>

It is uncertain whether or not Hugh—as the Balliol heir—was used as a hostage to ensure John's observation of the Provisions, but his declaration to observe the terms in the presence of Simon in exchange for the seized lands suggests that this was likely the case. John Balliol, though, was by no means the only baron to lose possession of

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<sup>156</sup> *Hist. Northumberland*, vi, 51. There is no evidence confirming if Hugh Balliol was captured with his father or escaped. Hugh's brother, Alexander, may have also taken part in the war, being a later crusader and friend of Prince Edward.

<sup>157</sup> *CPR*, 1258-66, 274.

<sup>158</sup> *CCR*, 1261-64, 244, 258; *CDS*, i, no. 2348.

his lands and castles during this time. After the royalist defeat at Lewes, other lords were required to surrender their castles, such as the earls of Cornwall and Surrey, Peter de Savoy and Peter de Brus, who yielded his castle of Skelton in Yorkshire as security for his good behaviour. Prince Edward himself was not immune to the loss of his possessions, as Chester, Newcastle-under-Lyme and the Peak, were all to be surrendered to Montfort in exchange for an equivalent elsewhere.<sup>159</sup>

Further evidence which suggests that Balliol's lands were taken by Simon and his followers comes from mandates in January 1265. These were sent to the bailiffs and men of Great Yarmouth asking them 'to understand that Simon de Montfort has the keeping of the lands of John de Balliolo in those parts, as to their yearly farm of £55 which they have been accustomed to pay; and they are to pay it to the said Simon at the same terms as they used to pay it to the said John; until further order.'<sup>160</sup> Under pressure from Montfort, Henry consented to a peace between himself and the barons in March 1265 and demanded from his loyal barons a further observance of the peace. On 15 March, Balliol, in the king's presence (and certainly Simon's), 'of his own free will committed his castle called Castle Barnard as such security of the peace to Hugh le Despenser, saving to R[obert Stichill], bishop of Durham [1260-74], his right and royal liberty, to keep as is agreed between the king and his barons and the said John.'<sup>161</sup> The inclusion of Bishop Stichill is especially significant because it points to the fact that the bishops of Durham did indeed establish a claim to the rights to Barnard Castle. Stichill, however, appears to have had divided loyalties during the Barons' War and at this time

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<sup>159</sup> *CPR, 1258-66*, 321-3, 326, 333, 344, 414-5; *CCR, 1264-68*, 104-5; Blakely, "The Brus Family," 82; Maddicott, *Simon de Montfort*, 309-10, 319-20, 325. In December 1264, John de Gray, constable of Nottingham granted Nottingham castle to Hugh Despenser, yet there are no indications as to whether Balliol was still sheriff and keeper of it (*CPR, 1258-66*, 394, 397-8).

<sup>160</sup> *Ibid.*, 399; Maddicott, *Simon de Montfort*, 310.

<sup>161</sup> *CPR, 1258-66*, 414; Burn, *A Defence of John Balliol*, 100. Despenser was one of Montfort's closest friends and followers who died at the battle of Evesham. A few days later, Balliol, 'staying in the realm,' was given a safe conduct for one year 'on condition that he do and receive justice in the king's court' (*CPR, 1258-66*, 415).

must have been benefiting from his current position. Apparently supporting Montfort, he was sued after Evesham for his transgressions; yet, in 1268, he was urged by Cardinal Ottobuono, papal legate to England, to restore the lands of nobles recently dispossessed (Stichill himself held part of Peter de Montfort's lands).<sup>162</sup> Montfort and his followers surely saw John Balliol as a threat to their cause and the only precaution they could take was to secure Balliol's strongest castle. Some of Balliol's castles and lands in Huntingdon were apparently seized by or otherwise came into possession of Richard de Hemmington, who had also given Fotheringhay Castle to Baldwin Wake, 'an enemy of the king,' causing Balliol financial damage of about 200 marks because he did not regain possession until 1267. At the attack on Fotheringhay, Wake and his men had also burned several houses and had driven Balliol's cattle away.<sup>163</sup>

After Henry's capture at Lewes, Balliol and several of the king's men, including Peter de Brus and Robert de Neville, refused to go to Henry despite many 'urgent' requests from the king (more likely Montfort). These letters are dated 3 June, 10 and 18 July and 5 August 1264, respectively, and with every request the urgency is more evident.<sup>164</sup> It is doubtful that these men decided to travel to the king, although the last safe conduct guaranteed an escort from Bishop Stichill presumably from Durham to York 'for their security.'<sup>165</sup> Finally, in December 1264, Henry sent another letter stating:

Whereas Edward, the king's son, for the security of peace in the realm,  
became a hostage...the king has many times commanded John de Baliol,

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<sup>162</sup> Maddicott, *Simon de Montfort*, 305; *VCH: Durham*, ii, 15.

<sup>163</sup> NA JUST1/618 m.7; Carpenter, *The Reign of Henry III*, 321; Savage, *Balliofergus*, 7; *CDS*, i, no. 2460 (plea of Balliol versus Hemmington dated c. 25 November 1267, two years after the end of the Barons' war). Interestingly, neither Robert Bruce nor John Comyn, who were also captured at Lewes, appeared to have their lands confiscated by Montfort and his men.

<sup>164</sup> *Letters of Henry III*, ii, 256, 259, 269; *CCR, 1261-64*, 375; *CPR, 1258-66*, 336; *CDS*, i, no. 2357. Another, dated 24 August, included Balliol's brother Eustace (*Ibid.*, no. 2359; *CPR, 1258-66*, 339, 343).

<sup>165</sup> *CDS*, i, nos. 2354, 2357, 2359.



Peter de Brus, Robert de Neville, Eustace de Baliol, Stephen de Menil, Gilbert Haunsard, Ralph son of Randolph, Adam de Gesemuth, Robert de Stotevill of Acton and others to come to him and discuss these matters, and they have put off doing this whereas the king is moved. The king commands them once more to come to him for this purpose to London, and for their greater security sends John de Burgo to conduct them, and he has commanded John de Vescy, Henry de Hastings, John de Eyvill and Adam de Novo Mercato to abstain from molesting them.<sup>166</sup>

This is a clear defiance of the conditions of release of Balliol and the other lords as well as the Provisions of Oxford. John's hesitation or refusal to answer the king's letters to appear before him can be interpreted in different ways: firstly, that Balliol refused to yield to Montfort, if indeed the letters were written under duress; secondly, that he feared further seizure of his lands; or thirdly, as mentioned earlier, when summoned he would stand trial by his peers (i.e. the opposing barons with whom in 1258 he had agreed to the Provisions) and could face grave consequences now that the government was in the hands of Montfort.

Balliol and his associates, 'who maintained their fealty to his lordship the king,' continued to fight in the absence of Henry III, and had gathered in Chesterfield on 15 May 1265, where a great slaughter ensued and Robert de Ferrers, earl of Derby was captured.<sup>167</sup> A few months later Henry was able to regain control of the government following the victory at the battle of Evesham (4 August), in which Simon de Montfort

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<sup>166</sup> *CPR, 1258-66*, 397-8. This Henry de Hastings is the son of Henry de Hastings and Ada, sister of John, earl of Chester. Henry the elder had died in 1250, when the Hastings's share of the Honour of Huntingdon fell to the younger Henry (d. 1269). In another attempt to see his men, the king issued safe conducts for Balliol, Peter de Brus, Robert de Neville, Eustace de Balliol, and others on 17 January 1265 (*CPR, 1258-66*, 400; *Foedera*, I, ii, 93). John de Eyvill, likely the same who was meant to defend the northern parts with John and Eustace de Balliol in early 1264, undoubtedly had since defected to Montfort's camp.

<sup>167</sup> *Annales Monastici*, iii, 241 (*Annales Prioratus de Dunstaplia*); *English Historical Documents*, iii, 191.

was killed, marking the end of the Barons' War. Finally, Henry was restored to power and all discharges of debts sealed with his seal—while in the hands of Montfort—were voided.<sup>168</sup> In October 1265, following his restoration, Henry gave Montfort's forfeited earldom of Leicester to Prince Edward and all the lands which had formerly belonged to Montfort and Nicholas de Segrave.<sup>169</sup> The final settlement of the war was made in the autumn of 1267 when the Statutes of Marlborough were drawn up.<sup>170</sup> These were based, more or less, on the Provisions of Oxford; thus, although Simon de Montfort died, some of the barons' demands were finally met. Soon afterwards, John Balliol was appointed as a keeper of the city of London, a post suited for those who were resolute and loyal and which would relocate Balliol closer to the king, although this appointment was probably only titular and secondary to his role as mediator for Henry in the north (as discussed below). Among the others appointed to this honour were Humphrey de Bohun, Roger de Leyburn and Robert Walerand.<sup>171</sup>

Following the victory at Evesham, letters of credence were sent to all persons owing military service to the king. Because of the king's ill health, Balliol, Peter de Winchester and Henry de Almain were requested to go in his place to Northampton to meet those summoned. They were further given power to receive fines from those persons, including the bishop of Durham and Peter de Brus, who owed service to Henry for the defence of the north.<sup>172</sup> After these orders were met, the men were to assemble

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<sup>168</sup> *Foedera*, I, ii, 97, 101; these documents begin on 7 August 1265.

<sup>169</sup> NA C53/54 m.4; *Foedera*, I, ii, 102-3, dated 26 October at Canterbury. Balliol was at Canterbury with Henry at this time, but he was not named as a witness on this document.

<sup>170</sup> *English Historical Documents*, iii, 384-92. Balliol had set out for Scotland in late June 1267, on duty for the king (*CPR*, 1266-72, 78; *CDS*, i, no. 2434). This could have been to gain support from Alexander III for the upcoming Statutes of Marlborough, which were signed on 18 November 1267.

<sup>171</sup> Burn, *A Defence of John Balliol*, 103-4. Humphrey had supported Montfort and the barons in 1259, yet following the Provisions of Oxford, he threw his support behind the king, being captured at Lewes. His son, Humphrey the younger, continued to support Montfort (prompting confusion) and was captured at Evesham and died a few weeks later on 27 August 1265.

<sup>172</sup> *CPR*, 1258-66, 520, 595, 601, dated 10 December 1265; Blakely, "The Brus Family," 83. Peter had served forty days in the north under the command of Henry de Almain and John Balliol. Other men mentioned for service were Nicholas de Bolteby, Henry de la Wale, Ralph fitz Randolf and William, baron of Craistok.

at Northampton in order to travel towards Kenilworth castle with the king ‘to attack his enemies and take that castle.’<sup>173</sup> A massive siege took place at Kenilworth and afterwards, a surrender—the Dictum of Kenilworth—was arranged by the papal legate and Henry de Almain (acting for the king), which allowed all former adherents of Simon de Montfort to recover their estates, provided they paid a sum of money equal to the annual value. Many of Henry’s barons were at Kenilworth to arrange the Dictum, including some Montfort partisans, and the settlement illustrated the efforts made for peace within the kingdom.<sup>174</sup>

#### *Balliol’s Final Years in Service, 1267-68*

In 1267, an aged (about fifty-seven), and no doubt weary, Balliol together with Robert Bruce, his son Robert (father of Robert I of Scotland), Gilbert de Umfraville and Eustace de Balliol bound themselves to aid King Henry and Prince Edward ‘with all their power against all who come to injure them in England,’<sup>175</sup> thus these Anglo-Scottish barons formally announced their loyalty once more to the king—something which never faltered during Balliol’s life. For their services, both men seemed to have enjoyed an equal number of political appointments, although Balliol may have been the favourite.<sup>176</sup> Indeed, Balliol served his king and his country, and was well rewarded for it, as his family enjoyed one of the highest positions in medieval England, which would

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<sup>173</sup> *CPR*, 1258-66, 664. Also included were Robert Bruce and Robert de Neville.

<sup>174</sup> NA C53/54; *Flores Historiarum*, iii, 12; *English Historical Document*, iii, 380-4; Maddicott, *Simon de Montfort*, 365; *Select Charters*, 407-11; *Documents of the Baronial Movement*, no. 44, dated 22 November 1266.

<sup>175</sup> *CDS*, i, no. 2429, dated 19 April. Each of the men had sent patent letters to the king with the same date.

<sup>176</sup> Bruce was appointed co-guardian of Alexander III, keeper of Carlisle Castle, and sheriff of Cumberland, yet only after Balliol was removed from those positions. Bruce seems to have held Carlisle Castle later in 1267 (*CPR*, 1266-72, 24) and may have been sheriff of Norfolk although this may be a mistake for another Robert de Brus, as had been the case before (*CDS*, i, nos. 1495, 1769; Barrow, *Robert Bruce*, 23-4). Bruce does not appear to have been given small gifts, such as deer and wine, as Balliol had, which may have given the Bruces reason to fear English favouritism of John (II) Balliol during the succession crisis of 1290-92.

rise further when John (II) Balliol became king of Scotland in 1292. Months before John's death in 1268, Henry made an honourable gesture when Balliol, Bruce and Henry de Hastings—who all held the Honour of Huntingdon—were 'quit of murage, toll and murder, and of the dues pertaining to murder.'<sup>177</sup> Interestingly, these three men were known to be in a close line of succession to the Scottish throne by right of their wives (or in Hastings's case, his mother), and the pardon thus hinted that the English crown was also aware of the families' close relationship to the Scottish crown. What is indeed notable was the fact that King Henry, no matter how much land and how many gifts he offered to John, never granted him a higher position in government. He surely had potential to become a greater cross-border and may have been more prominent in the government. However, Henry III appeared to have only given Balliol enough to enjoy a wealthy and influential lifestyle and to keep him loyal, but not enough which allowed him a great amount of personal control.

John Balliol continued in the king's service for the next two years, although rather inactive, until his death in October 1268. He appeared as a witness for many of Henry III's charters in May and June 1267 from Stratford and London.<sup>178</sup> Besides his departure for Scotland in late June for Henry's affairs concerning the Statutes of Marlborough, Balliol also travelled to France. In June 1266, he travelled to Paris and gave homage to Louis IX for his lordship of Bailleul.<sup>179</sup> In March 1267, Balliol was visiting his ancestral lands in Picardy, as he acted as negotiator between two lords in Ponthieu, Hugh de Vaudricout and Drieson de Graussart. The two men had been virtually at war when the countess of Ponthieu appointed herself and 'Jehans, sire de

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<sup>177</sup> *CDS*, i, no. 2475, dated Easter term 1268. It is surprising that Henry de Hastings is included with this honour, as he probably just returned to the king's favour following his support of Montfort.

<sup>178</sup> NA C53/54, dated from Stratford: 20, 24, 28 May and 4, 7, 10, 12 (2 charters) and 16 (4 charters) June 1267; dated from St Paul's London: 21, 23, 26, 27 June 1267.

<sup>179</sup> AN J622/29; JJ2 f.16d.; *Layettes du Trésor des Chartes*, iv, no. 5168; Appendix C, no. 9. It is unclear why Balliol was giving homage for Bailleul at this time, unless it was merely an act of faith to the French king or in preparation for Hugh Balliol's inheritance.

Bailleul' to arbitrate between the lords. The deed proved to be successful and the quarrelling ended with a marriage between the daughter of one and the son of the other.<sup>180</sup>

Henry again granted Balliol a protection in February 1268 to travel to Galloway 'for the king's business and his own,' intending to stay until November although he had returned to his Northumberland barony of Bywell by June.<sup>181</sup> Between 17 October 1268 and his death a few days later, it appears that John made an oblation of £22, possibly because of his rapidly failing health.<sup>182</sup> Continuing in Henry's services almost until the day of his death, Balliol again received a protection on 21 October to travel to France on the king's and his personal business, yet he never departed as within days he was dead, at the age of about fifty-eight.<sup>183</sup> Upon hearing this news, Henry III 'wishing to do a special grace' to Dervorguilla commanded the prior of Wymundham 'to deliver to her all the lands which her husband held of her heritage.'<sup>184</sup>

For services to King Henry for nearly four decades, Balliol was rewarded well with political appointments and lands as well as numerous personal gifts, which became more frequent after 1265. Following the Dictum of Kenilworth, Henry rewarded him well, 'in recompense of the losses that he sustained...300 marks out of 600 wherein Gilbert de Umfraville was bound to Simon de Montfort.'<sup>185</sup> Indeed Umfraville, earl of

<sup>180</sup> Belleval, *Jean de Bailleul*, 57, 59; *Hist. Northumberland*, vi, 48; Burn, *A Defence of John Balliol*, 111; Huyshe, *Dervorguilla*, 44.

<sup>181</sup> *CPR, 1266-72*, 198. Charters dated 19 June 1268 place Balliol at Bywell (*Liber de Dryburgh*, nos. 9-10; Appendix C, nos. 10-11).

<sup>182</sup> *Extracts from the Pipe Rolls for the Counties of Nottingham and Derby*, ed. J.P. Yeatman (London, 1887), 146, dated as 53 Henry III, which ran from 17 October 1268-69. Because the timing of this is restricted, it may have been made by Dervorguilla for John's soul a few days after his death. No other details are given. It is interesting to note that an oblation can also be an offering of oneself or a child into the service of the church, which might also support the clerical training of John (II), who would have been about nineteen at this time.

<sup>183</sup> *CPR, 1266-72*, 266.

<sup>184</sup> *CCR, 1264-68*, 487. On 24 October, Dervorguilla was mentioned as 'widow of John Balliol, lately deceased' (*CDS*, i, no. 2501). Huyshe has suggested that Balliol was possibly in France when he died, although it is more probable that he died before leaving (Huyshe, *Dervorguilla*, 44).

<sup>185</sup> *CPR, 1258-66*, 599; *CDS*, i, no. 2399, dated 30 May 1266. Umfraville had made a fine with Montfort for 1,200 marks, 600 of which he paid. Of the remaining 600 marks, John Balliol received half and the other half was pardoned (*CPR, 1258-66*, 613-4). Umfraville had fought with John Balliol's northern

Angus since 1245, had supported Montfort at one time, yet he only ‘went with horses and arms but did not wrong and immediately came to Sir J. de Bailol to have the king’s peace and afterwards behaved well.’<sup>186</sup> In recompense for his losses and services to the English king during the Barons’ War, Henry granted Balliol £16 worth of land of Henry de Hastings, named in Chapter One.<sup>187</sup> In October 1265, inquisitions were taken as to the extent of lands of ‘Border rebels slain or present at the battle of Evesham’; William de Insula and Thomas del Yle and Wiscardus also ‘plundered’ but came to the king’s peace in the presence of Balliol and his associates.<sup>188</sup> This implies that Balliol had now taken on the role as mediator concerning the defeated barons (more specifically those on the Borders, where Balliol held his own lands), certainly a strong position to have at this crucial point and especially significant to Balliol’s status in northern England. Balliol now held an important and recognised role in English politics and had become a respected Anglo-Scottish statesman.

Balliol was further rewarded with the lands of Mauger le Vavassur, ‘the king’s enemy’ in Yorkshire,<sup>189</sup> and even some of the lands of Henry de Hastings, who had lately become ‘the king’s enemy, now in prison.’<sup>190</sup> Balliol was rewarded well for his unwavering service to the king. In March 1258 he was discharged for common summons in the county of Derby because he was in the king’s service.<sup>191</sup> After the Provisions of Oxford were drawn up, Henry appointed many of his most loyal and powerful barons as military wardens in the southern, western and northern shires—

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army against the barons before Evesham. When King John Balliol broke with Edward I in 1296, Umfraville gave fealty to Edward.

<sup>186</sup> *CInqPM*, Misc. i, no. 847. On 16 June 1267, Balliol witnessed a grant to Umfraville from King Henry for free warren in Northumberland (*CDS*, i, no. 2432).

<sup>187</sup> *CDS*, i, no. 2488, dated 15 September 1268. Although Hastings was in effect pardoned for his transgressions, as above, he still lost some of his lands.

<sup>188</sup> *Ibid.*, iv, no. 1759, dated 8 October.

<sup>189</sup> *Ibid.*, i, no. 2405, dated c. 6 October 1266.

<sup>190</sup> *CPR*, 1258-66, 557, dated 18 February 1266; See also Chapter One. Balliol received all the lands, less one quarter which was left to Henry’s wife, Joan, ‘for the maintenance of herself and her children.’

<sup>191</sup> *CDS*, i, no. 2123.

Balliol, Robert de Neville, the sheriff of Yorkshire and eight others were given the shires north of the Humber and Mersey rivers.<sup>192</sup>

Moreover, shortly after Balliol returned from witnessing the 1259 treaty with France, he and his heirs were granted a market ‘every Monday and a fair every year on the feast of St Bartholomew at Newbiggin, [in] the manor of Woodhorn [in Northumberland]’—Balliol then received 200 marks for his expenses while serving in Flanders, mentioned above.<sup>193</sup> Unfortunately, Balliol never received this gift and the king—likely while they were at Clarendon<sup>194</sup>—decided to grant him instead the ward of the lands of the deceased Walter de Wassingele and the marriage of his heir to one of Balliol’s daughters.<sup>195</sup> It is very likely that Henry’s need for money at this time explains the non-payment of 200 marks and the award of marriage. Indeed, Henry’s financial difficulties of 1254-58 account for these grants to Balliol, who, although in need of these rewards, obviously realised what was necessary in order to secure Henry’s favour and retain his degree of power and influence.

Following the Barons’ War, Balliol was also rewarded with new positions in the English government, being appointed sheriff of Nottingham and Derby—serving in 1260, 1261 and 1263—while in 1262, he was keeper of Nottingham castle.<sup>196</sup> In November 1261, Balliol was appointed keeper of the Honour of Peverel, represented in Essex by two manors originally held by William Peverel (d. 1132), bastard son of

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<sup>192</sup> Powicke, *King Henry III and the Lord Edward*, 453n.

<sup>193</sup> *Charter Rolls*, ii, 16, 38; *CDS*, i, no. 2190, dated 18 May 1260.

<sup>194</sup> Balliol witnessed a charter dated 3 September, the day before this marriage proposal (NA C53/50 m.4).

<sup>195</sup> *CPR, 1258-66*, 92; *CDS*, i, no. 2201, dated 4 September 1260. The marriage never took place as none of the Balliol daughters married into that family; again, it may have only reflected an award of marriage and not a contracted marriage to a Balliol daughter. The value of the intended marriage is not known, although it may have been 200 marks, which the king promised to Balliol for his services in France and England. This sum is very low, considering two years later, when the awards of marriage valued £500-1,000.

<sup>196</sup> *CPR, 1258-66*, 200; *CDS*, i, no. 2288; *Extracts from the Pipe Rolls for the Counties of Nottingham and Derby*, 142; Stringer, *Earl David*, 188; Burn, *A Defence of John Balliol*, 88. In addition, Balliol was also given continuous protections, lasting from June 1262 until after February 1263 (*CPR, 1258-66*, 217, 244).

William the Conqueror, although the exact nature of this appointment is unclear.<sup>197</sup> King Henry was very generous with his ‘beloved and faithful’ John, giving him frequent gifts of deer and wine during the early 1260s. He received four cattle in December 1261, and the following April, Henry gave Balliol three bucks in Sherwood Forest, which Balliol claimed he never received. In this instance, Balliol stole a stag, a ‘hind’ and a buck without the king’s permission. Yet interestingly, not only did Henry pardon the offence, but two months later the king gave Balliol four other deer and three barrels of wine.<sup>198</sup> Balliol also seems to have been ‘*custos haye de Beskewod*’ in July 1262, being commanded to permit Henry de Candover and John Luvel, the king’s hunters, to take twenty deer and one hundred red-deer for the king.<sup>199</sup> Henry may have given these gifts to the Balliol family for the marriages of their children, some of whom at this time might have been at marriageable age.

Henry III also provided John Balliol with several other awards of marriage, giving him the privilege of arranging matches between English families. As stated from the patent rolls of 1262, Henry awarded Balliol ‘in consideration of his services...the use of one of his sons or daughters in a marriage of an heir of the yearly value of £500 to £1,000.’<sup>200</sup> After this award was cancelled, it was next suggested that Balliol would be granted ‘as above, saving to Robert Walerand [one of Henry’s most trusted counsellors] his provision of the marriage of a girl according to the form granted to

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<sup>197</sup> *Ibid.*, 191; *VCH: Essex*, i, 346; vii (1978), 133. There were, in fact, three honours of Peverel: the first being that of London, the second, of Nottingham, and the third and less significant, of Dover. Considering Balliol’s position of sheriff, it was certainly the Honour of Peverel of Nottingham to which Balliol was entitled.

<sup>198</sup> *CCR, 1261-64*, 9, 43, 62-3; *CDS*, i, no. 2298. Balliol seems to have been given six oak trees in January 1255 in the forest of Clive (*CCR, 1254-56*, 26).

<sup>199</sup> *CCR, 1261-64*, 66. This may have been the present day Bestwood in Nottinghamshire, which formed a part of Sherwood Forest (C. Brown, *A History of Nottinghamshire* (London, 1891), 26-7).

<sup>200</sup> *CPR, 1258-66*, 200, dated 10 February 1262. Indeed, Balliol was very likely with King Henry when these grants of marriage were proposed, as he witnessed one of the king’s charters dated 2 February 1262 from Westminster, just a week earlier (NA C53/52 m.5).



him.<sup>201</sup> This award, too, was cancelled although Balliol was appointed instead as keeper of the castle of Nottingham.<sup>202</sup> Henry was undoubtedly changing his mind concerning the award of marriage, although why he did so is unknown. Within a few days of the previous grants, on 21 February 1262, for Balliol's 'laudable service' the king presented him with the marriage (and probably the wardship) of 'Robert, heir of Thomas de Gresley, lately deceased, and of the firstborn son of said Robert,' to the value of £500 to £1,000, which Henry had promised, although nothing ever materialised from these promises.<sup>203</sup> Indeed, the value of these awards must surely be reflective of the wealth and status of the family during Henry III's reign.

As evident from John (I)'s political career, it is certain that the Balliols were a very ambitious and independent family—not 'puppets' of the English crown—although in later years the role of John (II) and Edward Balliol in English service, on the surface, appears to have been just that. John (I) may have not had a desire to become the right-hand man of Henry III but he nevertheless strove for political recognition, status and perhaps a title, in particular with regards to northern England. With each gift from the king or an award of marriage, it would seem that Balliol was approaching that recognition. However, the great struggle for power with the bishops of Durham and subsequent events in the guardianship of Scotland evidently led to Henry's doubts as to Balliol's political capacities. In both instances, Balliol saw his positions in northern

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<sup>201</sup> *CPR, 1258-66*, 200. Some years later, Walerand was given the daughter and heir of John de Gatesden with £200 of his land, quite a reduction from Balliol's promised £500-1,000 (*CInqPM*, i, no. 706, dated 12 April 1269).

<sup>202</sup> *CPR, 1258-66*, 200; *CDS*, i, no. 2288. Balliol received 50 marks yearly as his fee.

<sup>203</sup> *CPR, 1258-66*, 200-1; *CDS*, i, no. 2292, dated 21 February 1262. Thomas de Gresley was one of the barons appointed to the various committees of the Provisions of Oxford along with John Balliol. Incidentally, Alexander Sinclair, in his *Heirs of the Royal House of Baliol*, claims that a marriage was contracted between Hawise de Burgh and Thomas de Gresley (d. 1284), perhaps a son of the above Robert. Hawise de Burgh was the daughter of John de Burgh and Cecilia de Balliol, the third daughter of John (I) and Dervorguilla; thus, the marriage seemingly went to a granddaughter.

England and Scotland being placed into the hands of Robert Bruce in 1255, perhaps giving way to the underlying rivalry between the two families.<sup>204</sup>

Although Balliol remained deeply involved with English domestic affairs and also with Anglo-Scottish relations, during his life he still maintained a close relationship with France. His frequent travels to his ancestral lands, involvement with Anglo-French relations in 1259-60 as well as his homage to Louis IX in 1266 portray him truly as a man of three realms. As will be seen in the following chapters, this relationship, although strongest under John (I), would be slowly diminished firstly with the downfall of King John and secondly with the rise of Edward Balliol to the kingship of the Scots.

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<sup>204</sup> *CCR*, 1254-56, 220; *CDS*, i, nos. 1991, 1993-4, 2013; *Flores Historiarum*, ii, 411; *Foedera*, I, ii, 4-5.

### Chapter Three

*Sir John (II) Balliol: Pre-Kingship and the Great Cause, 1278-92*  
*'He who shall be king...'*<sup>1</sup>

Because John (II) Balliol was the fourth and youngest son of John (I) and Dervorguilla, the possibility that he would inherit the lands and titles of his father and brothers seemed remote in 1268. His brothers (excluding Alan) had died in only their thirties, perhaps as a result of their careers as knights and crusaders, which opened possibilities for John (II) in 1278. Yet, as a younger son of a very pious mother (who was his only parental figure after 1268<sup>2</sup>), it appears that originally John (II) intended to make a career in the clergy and existing contemporary evidence of his clerical education indicates that he attended school in Durham.

The claim comes from the fourteenth century chronicle *Historia de Statu Ecclesiae Dunelmensis* by Robert de Graystones, a monk of Durham (d. c. 1340) who wrote about a dispute between Richard de Hoton, prior of Durham and Ralph de Neville, lord of Raby.<sup>3</sup> In September 1290, the two men were arguing about a buck which was due yearly from the latter to the monastery of Durham, as part of the service Neville was bound to render for the tenure of his lordship of Raby. Neville demanded that he should dine with the prior, to be served by his own men, and the stag to be cooked by his own people in the convent's kitchen. The prior disagreed, as being contrary to custom, and the quarrel became violent with Neville and his followers being driven out. As Neville left, he invited Balliol to join him but Balliol refused, saying that he had attended the schools of Durham for a long time and had never heard of such a claim as that mentioned by Neville. This is a strong example of Balliol as an obedient

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<sup>1</sup> *Great Cause*, ii, 30-1.

<sup>2</sup> See below for a possible, yet inconclusive, theory that John's uncle, Hugh, served as a fatherly figure.

<sup>3</sup> *Historiae Dunelmensis scriptores tres*, ed. J. Raine, Surtees Society, ix (Edinburgh, 1839), 74; *Hist. Northumberland*, 53-4; *Durham School Register*, eds. C. Earle and L. Body (2<sup>nd</sup> edn., London, 1912), 32. The lordship of Raby is near Barnard Castle.

figure—someone who refused to disobey the authority of a clergyman because of the forcefulness of a local lord, quite contrary to his father’s behaviour regarding the clergy and which also indicates loyalties to Durham, his early educational institution.

John (II)’s possible education at a Durham school gives credence to the suggestion that, as part of his 1255 penance for transgressions against Bishop Kirkham, John (I) was to have one of his sons educated at their schools. This might be justified when considering the status of the Balliol family during John (II)’s childhood. Given their enormous wealth, it is indeed unusual that a private schoolmaster or chaplain was not hired to teach the Balliol children at home.<sup>4</sup> Regardless of the terms of John (I)’s penance, the story given by Graystones has been accepted by historians as providing the evidence that John (II) was trained for the clergy.<sup>5</sup> He was certainly literate, being able to read aloud a written petition in Latin before King Edward I in 1293, and this may have aided him during the proceedings of the Great Cause.<sup>6</sup>

In November 1278 when he was about twenty-nine years old, John (II) Balliol inherited his paternal lands following the death of his elder brother, Alexander.<sup>7</sup> He would not receive his mother’s Scottish inheritance until her death in 1290, with the exception of certain lands given to him by Dervorguilla in March 1281, perhaps as a wedding gift, including Lothingland, ‘Greater’ Yarmouth, ‘Lesser’ Torksey and Tottenham manor.<sup>8</sup> Without the extensive Scottish inheritance, then, Balliol’s political role in that realm would be minimal, as will be discussed below. His inheritance in

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<sup>4</sup> N. Orme, *From Childhood to Chivalry: the education of the English kings and aristocracy 1066-1530* (London, 1984), 73. Although, as Orme mentions, clerical training was best done in a religious community (*Ibid.*, 48) and it may have been more plausible that John, as a younger son, was educated away from home.

<sup>5</sup> Stell, “The Balliol Family,” 161; Duncan, *The Kingship of the Scots*, 240.

<sup>6</sup> *Great Cause*, ii, 283. The petition concerned the MacDuff case, appealed to Edward in 1293, which will be discussed later.

<sup>7</sup> *Cal. Gen.*, i, 261. Neither Alexander nor John (II) appeared at Westminster when Alexander III gave homage to Edward I in October 1278 (*Anglo-Scottish Relations*, no. 12).

<sup>8</sup> *CDS*, ii, no. 189. Shortly before her death, in November 1289, Balliol and his wife were granted £55 yearly for Yarmouth from his mother (*CCR, 1288-96*, 27).

1278 probably ended any potential career in the clergy (at twenty-nine, John may have been ordained already).<sup>9</sup> It is possible that this had been his intended path, as wardrobe accounts from May 1278-79, in which Balliol was paid 14*d* per day ‘for his wages,’ suggest that he may have been in Edward I’s service, possibly as a clerk in the royal household because of his literacy and early training.<sup>10</sup>

In 1279, John (II) also gave homage to the bishop of Durham, Robert of Holy Island (1274-83), for his newly inherited stronghold at Barnard Castle.<sup>11</sup> This act of homage could be used to justify the bishops’ arguments that they held jurisdiction over Barnard Castle, which John (I) had stood firmly against. Although it implies that the Balliols did indeed owe homage to the bishops and not the king for their lands in Durham, it may also be the first example of John (II)’s amity toward Durham which he would display towards Bishop Anthony Bek (1283-1311) in the 1290s.<sup>12</sup> Again, the homage points to John (II) not as an independent political figure, but rather as a lord who was obeying authority.

At the time of his inheritance, John (II) also inherited the debts of his father and brothers, including a debt of £20, which was paid by ‘lord Henry,’ to the priory of Durham.<sup>13</sup> Around June 1281, Balliol was given respite of £100 of his inheritance relief, the total of which is unknown, but was perhaps £300, as was required from

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<sup>9</sup> John (II) was probably not ordained as a subdeacon, deacon or priest because of the irrevocable vow of celibacy; he could have been ordained in a minor order, though, which allowed for marriage and lay employment (N. Orme, *English Schools in the Middle Ages* (London, 1973), 14). A contemporary example of this comes from Gilbert Marshal, third son of William Marshal, who in 1234 succeeded to his father’s earldom of Pembroke at the age of thirty-four, married and took up the life of a knight (*Chron. Majora*, iv, 135; Orme, *From Childhood to Chivalry*, 40).

<sup>10</sup> NA C47/4/1 m.33d., from 26 May (1278?) for sixty-five days. Separate entries in m.36d., m.46 and m.47d., dated to 10 November 1278-79, mention a ‘John de Baylof (or Baylof)’ who may not have been the same person.

<sup>11</sup> *CCR, 1272-79*, 579.

<sup>12</sup> Bek himself, in order to receive his clerical training, attended Merton College, Oxford for three years (c. 1266-69), a college founded by Walter Merton around the same time as Balliol College (C.M. Fraser, *A History of Antony Bek, Bishop of Durham 1283-1311* (Oxford, 1957), 10). Although there is no further supporting evidence, this fact could provide an earlier link between the Balliols and Anthony Bek.

<sup>13</sup> It was perhaps Henry de Horneby, who appears in the line immediately above this entry. The reason for the debt is unclear (*Extracts from the Account Rolls of the Abbey of Durham* (Edinburgh, 1899), ii: *Rotuli Bursariorum 1278-1371*, 488).

Alexander in 1278 for Hugh's unpaid relief.<sup>14</sup> This was perhaps a favour from Edward I, as Balliol was recently married to the king's cousin, Isabella de Warenne, daughter of John de Warenne, earl of Surrey. Isabella was apparently very concerned about their debts, and in August 1284, she wrote to Robert Burnell, bishop of Bath and chancellor of England, regarding an alleged debt to the king for 300 marks which the sheriff of Northumberland was to receive. In her letter, she beseeched the bishop's intervention so that they and their people might be left in peace until the next parliament, in order for them to learn 'what the debt is, by searching the king's rolls'; she asked for the bishop's help and mentioned that she also wrote to 'Ma Dame la Regne' [Edward's wife, Eleanor] begging her to aid that their debts be '*estales*' to parliament; she finally added that they could not have respite from the sheriff if the debt was not paid at Easter.<sup>15</sup> By 24 August, King Edward 'at the instance of his beloved cousin, Isabella,' gave respite to John (II) for all his debts until November.<sup>16</sup> This treatment is surely indicative of the established relationship between the Balliols and the English royal family since at least the early thirteenth century, as it illustrates the favour which Balliol and his wife had with the king of England. Admittedly though, Isabella's involvement here suggests that she provided a personal link between the crown and the Balliols after 1281, which would indeed lessen John's own authority after her death (November 1289 x 1290-92?).<sup>17</sup>

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<sup>14</sup> *CDS*, ii, nos. 118, 195. In addition, Alexander had a debt of 110 marks sterling borrowed from Florentine merchants in 1278 (*CDS*, ii, no. 117).

<sup>15</sup> NA C47/22/3/7; *CDS*, ii, no. 254, in French. It does seem unusual that Isabella would handle this, unless John (II) was in France at this time or it concerned her own lands as well. There does not appear to have been any immediate links between Burnell and Anthony Bek, who had just become bishop of Durham.

<sup>16</sup> *CDS*, ii, no. 257; *Chancery Warrants*, i, 22. Balliol was also acquitted of all summonses for common pleas in Suffolk in December 1285 (NA E159/58 m.3d.; *CCR*, 1279-88, 407).

<sup>17</sup> *Hist. Northumberland*, vi, 73. This source states she died before the treaty with France (23 October 1295); she was living in November 1289 (*CCR*, 1288-96, 27). There is a portrait of her, as queen, with King John in the Seton Armorial of 1591, yet this is hardly conclusive evidence that she survived past 1292 (NAS RH2/8/11). As a widower, it was certainly possible that a potential marriage with a Scottish noblewoman, perhaps a Comyn bride, may have been discussed at some point in King John's reign.

Balliol's financial trouble following his inheritance, was related to the unpaid debts left by his elder brothers, caused by both relief due and terces to their respective widows (and John's mother). There is sufficient evidence to justify these large debts for when Hugh died in 1271, he owed 'a large sum of money both for his father's and his own debts,' including ten marks and two horses owed to the executors of his father's will in 1269.<sup>18</sup> When Alexander inherited the lands in 1271, he was pardoned the relief 'at the instance of Edward the king's son,' perhaps due to Edward's gratitude for Alexander's participation in the Crusades.<sup>19</sup> Surely the Balliols were on friendly terms with their English king, especially in the 1280s, as displayed by the name given to John (II)'s heir: Edward (b. c. 1282). John (II) was likely expected by both his family and Edward I to continue (like his father and brothers) as a close servant of the English king, which could explain his marriage to the king's cousin. However, the link between Edward I and John (II) remained less familial than that of Henry III and John (I), or even the relationship between Hugh and Alexander Balliol and the lord Edward.

In addition to this, according to the late fourteenth century Yorkshire *Chronicle of Melsa*, Edward I was the godfather of Edward Balliol, having lifted him from the holy font at his baptism.<sup>20</sup> Dr Nicholas Orme states that godparents were present at the baptism and the senior godparent of the same sex as the infant (Edward I in this case) would lift the child from the font and name it. The fact that Edward I gave the child his own name emphasises 'the close relationship, social as well as spiritual, which baptism was considered to create between godparents and their children'; in addition, if a

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<sup>18</sup> CDS, i, no. 2600; *Oxford Balliol Deeds*, no. 598; Paravicini, *Early Hist. Balliol*, 83; Savage, *Balliofergus*, 24.

<sup>19</sup> CDS, i, no. 2644.

<sup>20</sup> *Chronica Monasterii de Melsa*, ed. E.A. Bond (London, 1866-67), ii, 362; Nicholson, *Edward III and the Scots*, 71. The *Chronicle of Melsa* is from the abbey of Meaux (Yorkshire), a Cistercian house built around 1150 in Holderness near Beverley. It was founded by William le Gros, earl of Albemarle, a powerful nobleman and lord of Holderness in Yorkshire. He already founded a Cluniac abbey (St Martin) near Aumale, France, Thornton abbey (Augustinian) on the Humber and Vaudey (*Vallis Dei*) abbey (Cistercian) in Lincolnshire (*Chronica de Melsa*, i, xii-iv).

godparent saw their children in trouble or need and did not relieve them they risked penance in purgatory.<sup>21</sup> This certainly brings the relationship between the Balliols and the royal family into a new light: not only would Edward have been nearby (or present) when the birth occurred, as christening was usually performed within one or two days of birth, but he also pledged to look after the child in times of need. It also partly justifies the willingness of the English crown to support Edward Balliol after 1296, and perhaps to advance his career as a knight. Moreover, the relationship established a greater link to the Plantagenet dynasty, as it was the same name King Edward would give his son born in 1284. It does not imply any royal pretensions in England or Scotland, but it may be indicative of John (II)'s ambitions of acquiring the status and wealth of his father. Most importantly, though, the kinship between Balliol and the king, through the Warenne marriage, highlights the king's attitude toward the family up to this moment, as well as after 1296.

Balliol had married Isabella de Warenne around 9 February 1281,<sup>22</sup> when he would have been almost thirty-two years old and in possession of his paternal estates for three years. For Balliol, this marriage was well arranged as Warenne, despite a short time as supporter of Montfort during the Barons' War, was a staunch supporter of the crown and had much status. The family was powerful with the earldom of Surrey, including Lewes and Reigate castles, and from 1282 lands in Bromfield and Yale, which made Warenne one of the most important of the Welsh Marches lords. Ironically, he would later defeat his son-in-law and the Scots in 1296 to become Edward I's right-hand man and lieutenant in Scotland.<sup>23</sup> During the reign of Henry III,

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<sup>21</sup> Orme, *From Childhood to Chivalry*, 10.

<sup>22</sup> *Annales Monastici*, iv, 284 (*Chronicon Thomae Wykes*); *CCR*, 1279-88, 75-6. Wykes gives the year as 1279; the *CCR* states 1281, which has become accepted as accurate; it is corroborated by Dervorguilla's grant in March 1281 and the respites by Edward to Warenne and John (II) in February and June, respectively.

<sup>23</sup> *Annales Monastici*, iv, 217-8 (*Chronicon Thomae Wykes*); Watson, *Under the Hammer*, 7; Prestwich, *Edward I*, 68; *ODNB*, lvii, 395-9.



Warrenne was ordered to pay 8,400 marks to the king, yet, in 1281, ‘because the earl [had] expended much’ over his daughter’s marriage, Edward granted Warrenne respite for three years, apparently just days after the wedding.<sup>24</sup> This respite could have enabled Warrenne to pay Balliol a dowry—he received at least fifty acres in Sondersokne (Rutland) worth £4 18s<sup>25</sup>—or it could suggest that Warrenne was being compensated for marrying his daughter to a minor ex-cleric rather than a royal male or an heir to an earldom. The fact that Balliol was also set to inherit a substantial amount of the Galloway and Huntingdon estates on his mother’s death might have been enough to persuade Warrenne to accept the match. The marriage may have been a favour to Edward I, who perhaps needed a less expensive match for his cousin, Isabella, because of the increase in expenses incurred by the Welsh war of 1282-83, which created a crown expenditure of about £120,000.<sup>26</sup> In fact, the royal revenue in 1275 was just over £81,000, yet in 1283 it had plummeted to £42,765.<sup>27</sup> It can be assumed that Balliol received more of a dowry than fifty acres, which, because of his debts, he very likely welcomed. Yet, as suggested from Isabella’s letter in 1284 to Burnell, either the dowry did not help their fiscal problems, or their lands had not yielded enough money.

Balliol’s relationship with the royal family is illustrated by Wykes, who mentions that John was in the king’s custody at the time of the marriage, possibly awaiting royal consent because of Balliol’s financial situation and any outstanding debts to the crown.<sup>28</sup> The high-profile marriages of Hugh and Alexander Balliol were

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<sup>24</sup> *CCR, 1279-88*, 76, dated 10 February. The debt was said to have been by 200 marks per year (putting the original debt in 1239), but the matter was more likely related to an event in 1270, when Warrenne was in a certain feud, which turned violent, with Alan de la Zouche and his son over a manor. Henry III threatened Warrenne with a siege and the earl duly submitted to the king and received a fine of 10,000 marks (*ODNB*, lvii, 397). The 8,400 marks which Warrenne was to pay might have been the remaining amount. In 1268, Warrenne’s daughter, Alice, married Henry de Percy (d. 1272).

<sup>25</sup> *CDS*, ii, no. 739. These lands were seized in 1296 after Balliol’s renouncement of fealty.

<sup>26</sup> Prestwich, *Edward I*, 237.

<sup>27</sup> M. Prestwich, *War, Politics and Finance under Edward I* (Aldershot, 1991), 179.

<sup>28</sup> *Annales Monastici*, iv, 284 (*Chronicon Thomae Wykes*); S.L. Waugh, *The Lordship of England: Royal Wardships and Marriages in English Society and Politics 1217-1327* (Princeton, 1988), 234; Stell, “The Balliol Family,” 160.

certainly arranged by Henry III because of their father's influence; however, with John (II), there was no fatherly influence, suggesting that the Balliol family—without their patriarch—had remained in royal favour after 1268. In addition, if John (II) was a ward of the English crown, Edward I perhaps intervened in the marriage either because of the vast Balliol lands, the family's political value, or their place in the Scottish succession.

At first, the benefits of becoming a wealthy northern English lord were seemingly few as Balliol's life before his inheritance hardly equalled his brothers' military campaigns and political appearances. Balliol's presence in politics was slightly increased following the inheritance and his well-matched marriage to the daughter of Edward I's right-hand man, although given this, Balliol managed to maintain a lower profile, which may have been his original intention prior to the Scottish crisis from 1286 to 1290.<sup>29</sup> He appears to have travelled regularly to France, presumably to manage his French estates in Picardy in the early 1280s and perhaps in 1289.<sup>30</sup> Sometime in September 1282, Balliol travelled there, apparent from his ratification—along with his uncle Hugh de Balliol—'in his capacity as *seigneur suzerain*' of the foundation of a chapel at Longuemort (now part of present-day Tours-en-Vimeu, Picardy) by Jean and Philippe de Longuemort.<sup>31</sup> Although Hugh (a younger brother of John (I)) could be viewed as a fatherly figure to John (II), there is not sufficient evidence to support this. Hugh, who was in possession of the Balliol demesne of Hélicourt (until his death without issue in 1292, at which time it fell to John), lived in

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<sup>29</sup> He still had not inherited his mother's fortunes, therefore his wealth was slightly less than it would become.

<sup>30</sup> *CPR, 1281-92*, 315. Balliol was granted a safe conduct dated 8 May 1289, the same date as a letter from Edward to Pope Nicholas IV (1288-92) concerning a crusade, although it does not seem possible that the two affairs are related (*Foedera*, I, iii, 47). Balliol's travels do not seem to coincide with Edward's campaigns in Gascony in 1286 to 1289, but rather are more likely related to his homage to the new French king, Philip IV, who acceded in 1285, and the management of his Picard estates.

<sup>31</sup> Belleval, *Jean de Bailleul*, 63; Belleval, *Nobiliaire de Ponthieu et de Vimeu*, ii, 191, dated 28 September 1282. Jean and Philippe were brothers and endowed the chapel with 24 *journaux* of land at 'Hamercourt.' There was a connection between Tours-en-Vimeu (about 13 km from Abbeville) and the Balliol family as Enguerrand de Balliol of Dalton (brother of Hugh (d. 1229)) was also lord of Tours-en-Vimeu (Stringer, *Earl David*, 187).

France and does not appear to have ever been in England; furthermore, there is no other trace of Hugh after this act, and nothing conclusive before this year which suggests he influenced John (II).<sup>32</sup>

Meanwhile, Balliol had been called among other knights by Edward I to serve against the Welsh in April and May 1282, in March and June 1283, and again in June 1287.<sup>33</sup> Whether Balliol took an active part in military services, as his father and brothers had done for Henry III, is not known, although in all probability, he did not. He was given protection to go overseas from 4 August until 1 November 1283, and later paid scutage (relief from military service) for his lands in Northumberland and Hertford; yet in October 1285 he was mentioned as being 'with the king,' presumably in Wales.<sup>34</sup> Balliol's absence in military affairs can certainly be related to his education at Durham; he was a young man trained for the clergy, unskilled in the arts of war and, although he owed military service to the crown, he may have been religiously against it. This partly explains his behaviour after the death of Alexander III when he did not take up arms, as his fellow contender Robert Bruce did, which will be discussed below. He did not have the determined attitude of his father in England or, later, his son in Scotland to establish himself as a prominent knight in war and politics. Contrary to his perceived reputation, though, after he became king this attitude changed as he attempted to break from his nobles and assert his own authority and independence. This non-military lifestyle also explains his behaviour toward Edward I in early 1296, when he, as king of Scots, refused to answer summons, travelling further north while the Scottish

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<sup>32</sup> Belleval, *Jean de Bailleul*, 54.

<sup>33</sup> *Parliamentary Writs*, i, 222 (dated 6 April 1282), 225 (dated 24 May 1282), 246 (dated 14 March 1283), 15 (dated 28 June 1283), 250 (dated 14 June 1287); *Foedera*, I, ii, 199, 203, 221.

<sup>34</sup> *CPR, 1281-92*, 72; *Chancery Rolls*, various, 370. Robert Bruce also paid scutage for his lands in Essex, and Alexander Comyn of Buchan for lands in Lincolnshire, Sussex, Essex, Northampton, Leicestershire, Berkshire, Dorset, Warwickshire and Wiltshire (*Ibid.*, 372).

host was defeated until he renounced his homage in July 1296, all of which will be further discussed in the next chapter.

Balliol was given another protection in March 1284, lasting until 1 August, to travel across the seas,<sup>35</sup> perhaps to handle affairs of his French lands, although it is probable that the political situation arising in Scotland postponed or cancelled his departure. On 5 February 1284, a week after the death of Alexander III's eldest and remaining son, many Scottish barons promised to recognise Alexander's granddaughter, Margaret of Norway as 'our lady and rightful heir of our said lord the king of Scotland.'<sup>36</sup> Those whose names were attached to the entail included (in this order) the earls of Buchan (Alexander Comyn, also constable and justiciar of Scotia), Dunbar, Strathearn, Carrick (Robert Bruce (d. 1295)), Mar, Angus, Robert Bruce of Annandale, James the Steward, John Balliol, John Comyn of Badenoch, Alexander de Balliol, the chamberlain, and Enguerrand de Balliol, among many others. This appears to be Balliol's first appearance in the Scottish political arena and indicates his early interest in the Scottish succession. Unfortunately, apart from this entail, there are no other extant charters to support a theory that Balliol played a more involved role in Scotland before 1286. Given his frequent travels to France and service in England and Wales, it is apparent that he did not routinely participate in King Alexander's regime. Moreover, in the 1280s, his mother, Dervorguilla, was still living and thus John (II) had not come into his Scottish inheritance and seemingly had no place in Scottish politics yet. He could be associated with the Umfravilles and Comyns, as well as other supporters of his

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<sup>35</sup> *CPR, 1281-92*, 116. These travels could not be related to Edward's expedition to Gascony, as he was not there until May 1286.

<sup>36</sup> *APS*, i, 424, dated 1283; *Foedera*, I, ii, 228; *Scottish Historical Documents*, ed. G. Donaldson (Glasgow, 1970), 37-8; Belleval, *Jean de Bailleul*, 63; R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), 27. A letter to Edward mentioning the recognition of Margaret is found in *Anglo-Scottish Relations*, no. 13, dated 20 April 1284. Alexander III previously had written a document regarding succession (1281), which was possibly used in the hearings of the Great Cause (*Great Cause*, ii, 188-90).

father, John (I), such as Hugh de Euer and the Bertrams, but the number of his regular English associates is obvious, again asserting that this was certainly an English family.<sup>37</sup>

The 1284 Scottish entail was used with the hope of preventing a succession crisis should the king die without male heirs, as he indeed did two years later on 19 March 1286, aged forty-four. However, it could not go into effect immediately after his death, as Alexander's second queen, Yolande, claimed to be pregnant. About a month after the funeral of the king, an assembly of the bishops, earls, barons and other noble men of the realm met at Scone to swear their fealty to the Maid of Norway and to take an oath to keep the peace of the land.<sup>38</sup> John (II) Balliol and Robert Bruce, the elder (who had fought along side John (I) in the Barons' War), were present at this assembly, where 'there was hot and keen litigation and argument before the estates of the realm' between them as they began their 'bitter pleading' in which Bruce denied the right of a female to inherit the throne, thus rejecting the right of the Maid although he had recognised her as heir two years prior, and Balliol contested Bruce's claims.<sup>39</sup>

This is certainly an event which indicated that a rivalry between the families did, in fact, exist, although the occurrences in 1255-57 do suggest a longer running enmity. The pair must have been conscious of a potential dispute after early 1284, when both of Alexander III's sons were dead and the succession was in question. Balliol himself was aware of the unfolding crisis, as he made a point to travel to Scotland for the crucial 1284 meeting. The importance of Balliol's attendance is made clearer when considering that, according to surviving evidence, he had not attended previous Scottish parliaments. His presence on the 1284 entail and the strong Comyn links might indicate

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<sup>37</sup> *Oxford Balliol Deeds*, no. 11.

<sup>38</sup> *Chron. Bower*, vi, 9; Barrow, *Robert Bruce*, 15.

<sup>39</sup> *Liber Pluscardensis*, ii, 121; *Chron. Bower*, vi, 9; Duncan, *The Kingship of the Scots*, 178; Nicholson, *The Later Middle Ages*, 28. Both Bower and the author of the Pluscarden chronicle were writing at least a century after these events, which may be significant.

that he was a threat to Robert Bruce, who is specifically mentioned as instigator of the disturbances after the death of the king in 1286 in the account of John Comyn of Buchan while he was sheriff of Wigtown.<sup>40</sup> The Bruce party's Turnberry Bond (1286), the armed force of supporters and Bruce's own pleading for his rights to the crown show his attempts, discussed below, to assert his claims with force and perhaps provoke civil war.

According to the fifteenth century chronicler Walter Bower (c. 1440-49), the 1286 assembly also appointed an embassy to go to Edward I, now in Gascony, to ask for advice and protection concerning the kingdom and the 'liberty of Penrith.'<sup>41</sup> Evidently, a previous embassy had been led by William Fraser, bishop of St Andrews, while the second included two other Comyn men: William Comyn, bishop of Brechin and Sir Geoffrey de Mowbray, brother-in-law of John Comyn of Badenoch (d. c. 1302) and one of Balliol's future auditors in the Great Cause. The third envoy of the second embassy was the abbot of Jedburgh, who would serve as an auditor for Bruce. Professor Barrow mentions, that 'this high-powered mission in the summer of 1286 shows that the Scots leaders were anxious from the outset of the Maid's minority to enlist Edward I's support,'<sup>42</sup> most likely facilitated by the Comyn party. Dr Alan Young claims that 'the composition of these embassies shows a distinctly Comyn-led government in Scotland.'<sup>43</sup> Although Balliol was allied to the family through the marriage sealed between Eleanor, John's sister, and John Comyn (d. c. 1302) in the mid-1270s, his lack of involvement still suggests a reluctance to assert his own claims

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<sup>40</sup> *Rotuli Scaccarii Regum Scotorum (The Exchequer Rolls of Scotland)*, eds. J. Stuart and G. Burnett (Edinburgh, 1878), i, 39; Young, *The Comyns*, 99. This account may not be so trustworthy, as the Appeal of the Seven Earls, given at the Great Cause, suggests that the Comyns were controlling the government and hence would not be contested in any claims against the Bruces.

<sup>41</sup> *Chron. Bower*, vi, 9. This may have been related to Edward's later grant to Bishop Bek of certain lands in Tynedale and Penrith, which Balliol confirmed in November 1290 (see below).

<sup>42</sup> Barrow, *Robert Bruce*, 16.

<sup>43</sup> Young, *The Comyns*, 97.

to the kingship. Indeed, Bower's interpretation of the 'bitter pleading' draws attention to the division of the community between the Bruce and Balliol parties and their support for the two men, more than Balliol's personal contestation against Bruce's claims; however, because Bower was writing more than a century after these events his interpretation might be unreliable—unless he had used an earlier (unknown) source.

In the meantime, until the outcome of Yolande's pregnancy could be determined, the government was placed in the hands of six guardians (Bishop Fraser; Robert Wishart, bishop of Glasgow; Duncan, earl of Fife; Alexander Comyn, earl of Buchan; James the Steward; John Comyn, lord of Badenoch). The guardianship proved to be strategically balanced with an equal number of bishops, earls and lords. With the benefit of hindsight, this arrangement appears to illustrate the division between the two factions in Scotland at this time, as the bishop of St Andrews, Alexander Comyn and John Comyn supported Balliol's cause and the bishop of Glasgow, the earl of Fife and James the Steward were (later, certainly) pro-Bruce. Perhaps, it would seem, the guardians already knew that these two men would be the main contenders for the crown should the Maid die. However, the confusion which ensued after the death of Alexander III suggests an uncertainty among the Scots, some of whom supported either faction at one time or another; thus, the arrangement does not necessarily reflect clear-cut factions.

Following the formation of the guardianship, the Bruces—Robert, lord of Annandale and his son Robert, earl of Carrick, father of the future Robert I of Scotland—gathered an armed force of Bruce supporters and attacked and seized the royal castles of Dumfries and Wigtown, as well as the Balliol castle of Buittle in Galloway, where they forced Patrick McCuffock, possibly a steward of Dervorguilla, to

issue a proclamation in the castle bailey.<sup>44</sup> As Richard Oram suggests, the much-mutilated document appears to call for the expulsion of foreign interests from Scotland, although it is unclear whether this pertained to the Maid of Norway, the English representatives—Bek and Warenne—or to John Balliol.<sup>45</sup> With hindsight this might represent an anti-Balliol stance because of his overtly English connections, which were superior to his Scottish links. However, at this time many other nobles, including the Bruces themselves, held lands in England and had close connections with the English king. As Barrow intimates, Balliol's lands in Galloway would have been completely encircled had the Bruces gained control of Dumfries, as those lands were situated between Annandale and Carrick. Yet as Young states, this attack also reveals that the Bruces were attacking the Comyn position in that area, as they were hereditary sheriffs of Wigtown from about 1263, and held lands in Nithsdale as well.<sup>46</sup> Certainly, the Bruces' hostility towards Balliol illustrates a rivalry in some form as well as the threat which Balliol now presented, especially if he was backed by the Comyns. Because of the developing situation, Balliol would be required to be in Scotland much more than usual, a situation (and political community) with which he was neither familiar nor comfortable.<sup>47</sup>

Shortly after these attacks, the Bruce men—Robert Bruce; the earl of Carrick; the Steward and his brother John Stewart of Jedburgh; Walter Stewart, earl of Menteith and his sons; Patrick, earl of Dunbar; Angus MacDonald, lord of Islay and his son—entered into the so-called Turnberry Bond, creating a bond of alliance to support

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<sup>44</sup> *Great Cause*, ii, 179; *Documents and Records Illustrating the History of Scotland*, ed. F. Palgrave (London, 1837), i, 42; Oram, *The Lordship of Galloway*, 159.

<sup>45</sup> Oram, *The Lordship of Galloway*, 159-60. These efforts appeared to be unsuccessful. Dervorguilla, of course, was Scottish, but her deceased husband and sons were English. It could have also pertained to the family's English servants. It is unlikely that this referred to the Cavers branch of Balliols, as they had been members of the Scottish political community for decades.

<sup>46</sup> Barrow, *Robert Bruce*, 18; Young, *The Comyns*, 96.

<sup>47</sup> Even Dervorguilla had not been in Scotland as often, and died at Barnard Castle; Galloway in 1286-90 may have been too dangerous for her.



Richard de Burgh, earl of Ulster and Thomas de Clare, which reserved their allegiance to the king of England and also retained an ambiguous allegiance ‘to the person who would obtain the kingdom of Scotland.’<sup>48</sup> Bruce, therefore, had not only rejected the Maid’s explicit rights to the kingdom—as apparent from the ‘bitter pleading’—but he had also rejected the entail of 1284 and his oath in 1286; yet as Duncan states, ‘the government evidently felt that it could not punish him for rebellion, for he was again an active member of the community’ by 1289 at the latest.<sup>49</sup> This could have been due, in part, to the weakness of the guardianship or their fears of civil war. It is possible that, through their acts of violence, the Bruces and their followers were attempting to provoke Balliol and his Comyn partisans to become involved in the political upheaval that was manifesting during these years.

There is no extant evidence suggesting that Balliol’s actions in 1286 paralleled those of Bruce, although as mentioned earlier, Bruce may have reacted as he did because of Balliol’s alliance with the Comyn faction. Their joint service to the English kings and their kinship ties represented a long surviving bond, just how much of an alliance it was can be debated, however. It is true that the Balliols and Comyns favoured one another since at least the 1250s, yet this power-seeking faction perhaps allied themselves with the Balliols, because of the potential influence in Scotland they might have had because of their descent from David, earl of Huntingdon, which would have enabled the Comyns to retain their strong influence. Power seemed to be the Comyns’ main objective with this alliance. After the death of Alexander II in July 1249, three senior members of the Comyn family had even attempted to ally themselves with Robert Bruce, then the only adult male heir to Alexander, surely as a means to keep their control in the government. However, Bruce would not take part and joined

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<sup>48</sup> Stevenson, *Documents*, i, 22-3; Nicholson, *The Later Middle Ages*, 29; Powicke, *The Thirteenth Century*, 598; Barrow, *Robert Bruce*, 26.

<sup>49</sup> Duncan, *The Kingship of the Scots*, 179.

forces with Alan Durward in the 1250s, leaving the Comyns clearly without Bruce support.<sup>50</sup> Following the demise of Alexander III in 1286, the Comyn faction remained in power, yet they certainly needed John Balliol to keep this powerful position secure when the succession crisis subsided or to expand it after Alexander's death. This possibly explains why they threw their support behind him during the Great Cause, support which Balliol might have been hesitant to accept.

Apart from the 1284 entail, evidence that Balliol participated in the important negotiations involving the realm of Scotland or Margaret, especially after the death of Alexander III is lacking and his whereabouts between 1286-90 are not known. Presumably, he saw no need to pursue the throne which at the time had a monarch, albeit a young lady who was presently in Norway, or perhaps he considered himself more English than Scottish, or was preoccupied with his French estates, to which he travelled during this time. The involvement of the Comyn party in the guardianship at this time may indicate that they were handling affairs in the Scottish government on his behalf—given their influence in the government for much of the thirteenth century. Additionally, Balliol surely received advice from his kinsmen Alexander de Balliol of Cavers (Roxburgh), chamberlain of Scotland, and Enguerrand de Balliol. Young mentions that John perhaps 'felt secure about possible future claims *because* of the dominance of the Comyns in the regency government.'<sup>51</sup> However, it is more likely that the Comyns had been pressing him to assert his position in the succession. Indeed, as events escalated, it seemed that John was reluctantly brought into the Scottish crisis, and only after 1292 did he become an ambitious politician. His evolution from an extensive, but passive, landholder to an ambitious yet controlled king occurred

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<sup>50</sup> Young, *The Comyns*, 49; Blakely, "The Brus Family," 93. The three men were Sir Walter Comyn earl of Menteith, Sir Alexander Comyn earl of Buchan and Sir John Comyn, who had all witnessed a charter from Robert de Dundovenald to Robert Bruce in July 1249 (*CDS*, i, no. 1763).

<sup>51</sup> Young, *The Comyns*, 98.

gradually after 1290. His absence in the government changed with the deaths of his mother and Margaret of Norway in 1290, when he became more involved through the efforts of the Comyns and Bishop Fraser and also Anthony Bek, bishop of Durham.

On 28 January 1290 at Barnard Castle, Dervorguilla de Balliol died at the age of about seventy-two.<sup>52</sup> John (II) Balliol, as her last surviving son now aged about forty-one, thus inherited her lands from the Galloway, Morville and Huntingdon inheritances in Scotland and England. John gave homage to King Edward for his newly acquired English lands within Huntingdon and Chester in March 1290.<sup>53</sup> Upon his mother's death, John (II) also gained a key position in the succession of the Scottish throne after the Maid of Norway though his great-grandfather, Earl David. As apparent from the 'bitter pleading' in 1286, John (II) was aware of this position and recognised the potential of it should anything happen to the young Maid. Yet, a man of his background likely recognised the problematic nature of his succession and understood the difficulties he faced in making this transition; ergo, Balliol's participation through the political influence of the Comyns and Bek, as lieutenant of Scotland, becomes clearer.

In the meantime, negotiations were underway between King Edward, King Eric of Norway's government and certain Scottish nobles concerning the marriage of Margaret of Norway to the English king's heir, Prince Edward.<sup>54</sup> Although the Treaty

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<sup>52</sup> *CInqPM*, ii, no. 771; *Cal. Gen.*, i, 414; Oram, "Dervorgilla, the Balliols and Buittle," 177. In Dervorguilla's post-mortem inquisition, John (II) is mentioned to have been forty years old 'at the feast of St Michael last [29 September 1289].' This date of birth does not support the theory that Balliol was born in France in February 1249, when his father (and possibly Dervorguilla) travelled on a pilgrimage to Pontigny. However, in the same inquisition, John (II) is mentioned as being thirty-five; thus, any account of his birth can still be speculated.

<sup>53</sup> *CCR*, 1288-96, 72; *CInqPM*, ii, no. 771. The post-mortem inquisition lists the lands of Kempston, Nassington, Yarewell, Fotheringhay and Driffield, although it can be concluded that Balliol inherited the other lands she held in the Honour of Huntingdon.

<sup>54</sup> Among the delegates for the marriage negotiations with Norway were Anthony Bek (a close associate of John (II)) and John de Warenne (John's father-in-law); thus, there might have been a possibility that Edward Balliol (b. c. 1282) could have married Margaret; the same could be true for Robert Bruce (b. 1274).

of Salisbury (1289) concluded that Margaret would be brought to Scotland from Norway free of marriage and the Scots would restore peace to the kingdom, the Treaty of Brigham (July 1290) formally agreed to the marriage, yet retained that Scotland 'shall remain separate and divided from the kingdom of England.'<sup>55</sup> These negotiations involved many Scottish nobles including the bishops of St Andrews and Glasgow, Robert Bruce of Annandale and John Comyn of Badenoch, while Balliol and his kinsman, Alexander, were absent. Edward's involvement in Scottish politics has been thoroughly examined in many previous studies of this period. According to Dr Fiona Watson, Edward I had little interest in the affairs in Scotland, until the Scottish guardians approached him after Alexander III's death in March 1286,<sup>56</sup> and his affairs in Gascony still remained his priority until he returned from there in 1289.

The fact that the Scots called upon Edward merely proves that the two kingdoms had a peaceful relationship at this point. Indeed, Edward was brother-in-law to Alexander III, therefore great-uncle to Margaret of Norway, and it seemed that he would be a natural arbitrator in the matter of Scottish succession. There was no reason to believe that the Scots would *not* call upon him for his assistance, nor was there any reason to suspect that Edward, who was known for his statesmanship, would take the matter of Scottish succession so firmly in his grasp. Following the death of Margaret, Edward did take a further interest in Scottish affairs, although it is possible that the established relations between the English crown and one of the best claimants to the throne—Balliol—determined Edward's attitude.<sup>57</sup> King Edward I saw the benefits of helping to promote Balliol to the Scottish throne since his loyal position would secure

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<sup>55</sup> Stevenson, *Documents*, i, 105-11, 162-74; Donaldson, *Scottish Historical Documents*, 40. Edward's commissioners included the bishops of Durham and Carlisle, the earls of Lincoln and Surrey, Sir William de Vescy and Henry, dean of York (*Chron. Fordun*, i, 320).

<sup>56</sup> Watson, *Under the Hammer*, 10; *Chron. Fordun*, i, 312.

<sup>57</sup> It is true, though, that the issue of overlordship had been brought up when Alexander III gave homage to Edward I in 1278 (*Anglo-Scottish Relations*, no. 12).

English involvement in Scottish affairs, while his inexperience might have made him easier to control. When he became king, though, he began to resist the pressure of both the Comyn party and Edward ultimately leading to his rebellion, which is discussed in the next chapter.

In a letter dated 7 October 1290, Bishop Fraser, one of the four remaining guardians of the Scottish realm,<sup>58</sup> wrote to King Edward concerning a rumour that Margaret was dead.<sup>59</sup> Fraser had written that the English envoys—Thomas de Braytoft and Henry de Rye<sup>60</sup>—had prepared to set out for Orkney to receive the Maid when the rumour of her death broke. With the rumours circulating, Robert Bruce, as well as the earls of Mar and Atholl were ‘already collecting their army’ and beginning to take steps to ‘hinder certain persons’<sup>61</sup> and gain Bruce’s recognition as heir to the throne. The anger and aggression of the Bruce party has been said to be due to the attempts of Bishop Fraser, John Comyn and John Balliol—outlined in the alleged ‘Appeal of the Seven Earls’—‘to make John Balliol king in the realm of Scotland’ although ‘we, Robert Bruce, lord of Annandale, as the legitimate and true heir...have put forward a claim concerning the right which we have in the realm of Scotland, and are urgently pursuing our right.’<sup>62</sup> The appeal, suggesting domination of the Comyns in the government, also made known that the accusers had placed themselves, their adherents

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<sup>58</sup> Duncan, earl of Fife was murdered in 1289, while Alexander Comyn, earl of Buchan died naturally the same year. When the Great Cause began, Edward added Brian fitz Alan, one of Edward’s auditors during the hearings, to the guardianship (*Great Cause*, ii, 90-2).

<sup>59</sup> *Great Cause*, ii, 3-4; *National Manuscripts of Scotland*, ed. H. James (Edinburgh, 1867-72), i, no. 70 [hereafter *Nat. MSS Scot.*]; Donaldson, *Scottish Historical Documents*, 41-3; *CDS*, ii, no. 459; Anderson, *Early Sources of Scottish History*, ii, 695-6.

<sup>60</sup> Stevenson, *Documents*, i, 184. Although Fraser, Bek and Warenne were delegates for the English negotiations with Norway, only Braytoft and Rye are mentioned here. On 18 November 1292, Braytoft and Rye were given the keeperships of certain castles in Scotland (Nairn and Cromarty; Forres and Elgin, respectively); William de Braytoft, a kinsman no doubt, was given Inverness and Dingwall castles as well (*Rot. Scot.*, i, 12). In 1296, Rye was appointed by Edward as escheator north of the Forth (Barrow, *Robert Bruce*, 75).

<sup>61</sup> *Great Cause*, ii, 3-4; *Nat. MSS Scot.*, i, no. 70; Duncan, *The Kingship of the Scots*, 198.

<sup>62</sup> *Anglo-Scottish Relations*, no. 14; Powicke, *The Thirteenth Century*, 601; Barrow, *Robert Bruce*, 44-6. Only the earls of Mar and Fife are named in the appeal.

and their goods, under the 'special peace, protection and defence' of Edward I, a remark which insinuates, although not absolutely, that the kingdom of Scotland would be ruled under the English crown with Edward as overlord.<sup>63</sup> Indeed, the text of the appeal puts the blame on Fraser and Comyn as the perpetrators to make Balliol king, not John himself. This can be used to justify the theory, discussed in depth in the next chapter, that upon Balliol's accession, he became an essential figurehead for the Comyn government. It also supports the claims made above that Balliol was disinclined to become involved in the crisis years of 1286-90, and only through the instigation of the Comyns and Bishop Fraser did he begin taking an active role in which he later developed his own ambitions.

The appeal, brought forth during the Great Cause in 1291, was merely used in an attempt by Bruce to have his weaker claims upheld against Balliol's, whose friendly relationships with King Edward and the Comyns were surely more firmly established, by testing the pro-Balliol element in the community.<sup>64</sup> The dating of the document, undated, but between 1290 and 1291, suggests that Bruce anticipated a serious threat to his claim between the time the Maid died and the Great Cause began, although his uprisings in 1286 also suggest he felt threatened by Balliol's claims and the Comyns' ambitions. Bruce also attempted to gain control of the whole of Garioch (one of Earl David's Scottish lordships which had been divided between Bruce, John (I) Balliol and Henry de Hastings) by making an agreement in April 1290 with Sir Nicholas de Fleming of Biggar, a powerful magnate of Clydesdale.<sup>65</sup> Sir Nicholas agreed to bring an action against Balliol and Hastings to recover for himself all of Balliol's and Hastings's lands in Garioch, which he would then transfer to Bruce, who would pay all the costs of the action. The marriage between Bruce's grandson, Robert (the future

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<sup>63</sup> *Anglo-Scottish Relations*, no. 14; Duncan, *The Kingship of the Scots*, 200.

<sup>64</sup> Duncan, *The Kingship of the Scots*, 200.

<sup>65</sup> Barrow, *Robert Bruce*, 43.

king), and a daughter of the earl of Mar—one of the two earls mentioned in the appeal—suggests that Bruce was perhaps also hoping to take control of this region.

In his letter, Bishop Fraser pleaded with Edward to aid the Scots in finding a ‘speedy remedy’ and also implored that ‘if Sir John de Balliol comes to your presence we advise that in every outcome you take care to treat with him so that your honour and advantage be preserved.’<sup>66</sup> Fraser’s loyalties, as perceived by the Appeal, were pro-Comyn but it does not always follow that this meant he was pro-Balliol, despite some assumptions that the bishop would support Balliol’s claim to the throne.<sup>67</sup> Yet, Professor Duncan’s new interpretation of the letter argues that the wording ‘we advise that you take care’ suggests that ‘Fraser feared that Balliol would entrap King Edward into something dishonourable; whatever they foresee, these are not the words of a politician pushing the claims of Balliol.’<sup>68</sup> Indeed, it can be argued that Fraser was worried that Balliol might betray the Scots or their Church because of the friendly relationship between Balliol and Edward I, as well as a long record of Balliol service to the kings of England and John’s brothers’ camaraderie with Edward. Balliol’s close relationship with Bishop Bek of Durham, who had been appointed lieutenant of the Maid and her prospective husband in 1289, was likely threatening as well, since Balliol had spent his early years at school in Durham.

Duncan’s assertions here, though, may be incorrect as it seems more plausible that Bishop Fraser *was* pushing Balliol’s claims. It is true that Fraser was calling upon Edward to help relieve tensions in Scotland over the fate of the Maid, yet the phrasing of the letter might indicate that he anticipated Balliol would beseech Edward’s advice, as his king, on how he should approach his claims to the kingship of Scotland.

<sup>66</sup> *Great Cause*, ii, 3-4; Donaldson, *Scottish Historical Documents*, 41-3; *Foedera*, I, iv, 87.

<sup>67</sup> Young, *The Comyns*, 108. Fraser would also serve as an auditor for Balliol later during the Great Cause. As Barrow mentions, though, in 1290, it was ‘not in the least unpatriotic to be a Balliol man’ (Barrow, *Robert Bruce*, 30).

<sup>68</sup> Duncan, *The Kingship of the Scots*, 198.

Therefore, Fraser may be insinuating that Edward should persuade Balliol to accept his right to the throne. Indeed, the bishop claimed that the ‘true men of the kingdom’ were ready to ‘set up as king him who by law should inherit, if so be that he is willing to abide by your [Edward’s] advice,’ which in effect assured Edward that the rightful heir would be obedient to him. Ultimately then, it appears that Balliol was urged to accept the throne by the ruling political faction as well as the king of England. Despite appearing unwilling to involve himself with the Comyn party, he was probably more accepting of Edward’s advice because of his English pretensions. He was less likely to disobey his lord and upon his accession *can* be seen as a willing puppet. However, this attitude highlights the problems he would encounter when he tried to demonstrate his own authority as king following the push to resist Edward in 1294-5.

Balliol was not near the king at the time the letter was written, but may have approached Edward around the time he received it, when Balliol was given letters to travel abroad ‘in the king’s service’ on 14 October 1290.<sup>69</sup> King Edward had planned to set out for another crusade apparent from a letter dated the same day, for which Pope Nicholas IV gave him six years’ tithes from England, Scotland, Ireland and Wales; thus, Balliol may have intended to take the cross as his brothers had done with Edward in 1270.<sup>70</sup> John appears not to have used the safe-conduct, most likely because of the situation arising in Scotland for it is likely that within a few days he, too, had received news of the Maid’s condition—news which might have changed his attitude on the crisis. One aspect of the bishop’s letter states that the bishop of Durham, with whom

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<sup>69</sup> Stevenson, *Documents*, i, 201, from Clipstone (Notts). His debts were to be respited in the meantime. According to the story mentioned above concerning John’s schooling, Balliol was allegedly present at Durham Priory in September 1290—suggesting that perhaps he was in contact with Anthony Bek at that time—but his presence there cannot be confirmed.

<sup>70</sup> *Foedera*, I, iii, 75; *Chronicon de Lanercost*, i, 78n. Although in his early twenties, John (II) does not appear to have gone on crusade with his brothers, c. 1269-71. On Saturday 7 October, Edward was at ‘Weyl,’ Saturday the 14<sup>th</sup> he was in Clipstone (Notts), and on Thursday 16 November, he was in Laxton (Notts) (*The Itinerary of Edward I, 1272-1307*, ed. E.W. Safford (London, 1935), volume one).



Balliol was certainly in contact within a month, the earl of Surrey (Balliol's father-in-law) and Bishop Fraser had 'heard afterwards that our foresaid lady recovered of her sickness...and therefore agreed amongst ourselves to remain about Perth.'<sup>71</sup> The connection between these men at this time supports the theory that Fraser had been pushing Balliol's claims to the throne. Moreover, because of the close relationship between these men and Balliol, it is surely probable that John had been informed of the news of Margaret's alleged recovery.

Balliol's whereabouts after 14 October, when the safe-conduct was issued at Clipstone (Nottinghamshire),<sup>72</sup> are unknown until 9 November, when he and others apparently trespassed 'against the men of Great Yarmouth,'<sup>73</sup> presumably while he travelled north to Gateshead, near Newcastle. On 16 November 1290 from Gateshead, Balliol, now styled 'heir to the kingdom of Scotland,' issued a grant securing for Bishop Bek the manors of Wark and Penrith and the lands of Alexander III in Cumberland.<sup>74</sup> The inclusion of Balliol's title as 'heir' must surely be interpreted as an ambitious move by Bishop Bek, who was keen to extend his landed influence into these areas. Indeed, Balliol's lack of political activities from 1284 supports the idea that Bek had instigated John's claims to the throne, just as the Comyns appeared to be pressing for them in Scotland.<sup>75</sup> This conditional grant required ratification from Edward I, failing which

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<sup>71</sup> *Great Cause*, ii, 3-4; Donaldson, *Scottish Historical Documents*, 41-3. As Balliol received letters of protection in Nottinghamshire, it is unlikely that he was present with Bek and Warenne in Perth.

<sup>72</sup> As suggested above, he did not use his safe-conduct to travel abroad and likely stayed in England to await news of Margaret's recovery or death.

<sup>73</sup> *CPR, 1281-92*, 408. Great Yarmouth belonged to Balliol as part of his inheritance from his mother earlier that year, but this likely concerned the royal port there.

<sup>74</sup> BL L.F. Campbell Charters, xxx, 9, 9\*; Stevenson, *Documents*, i, 203-4; *Records of Antony Bek: Bishop and Patriarch 1283-1311*, ed. C.M. Fraser, Surtees Society, clxii (London, 1953), no. 21. There were no witnesses, being sealed with Balliol's personal family seal. These were the lands given to Alexander II in the Treaty of York in 1237 and Balliol may have possibly been using the royal lands to cover his debts. Gateshead evidently belonged to the bishops of Durham and the forest there was used as a hunting reserve by the bishops, who had a hunting lodge or manor house in the area (F.W.D. Manders, *A History of Gateshead* (Gateshead Corporation, 1973), 2).

<sup>75</sup> My thanks go to Dr Andy King for this suggestion. See also Stell, "The Balliol Family," 151.

Balliol would grant Bek a large sum of 500 marks (£333).<sup>76</sup> Most importantly, ratification from Edward would cement Balliol's position as heir to the Scottish throne, with acknowledgement from the English king himself. Balliol's own personal connection and his family's past relationships with Edward I, Bishop Bek and John de Warenne might have ensured this acknowledgement, before the proceedings of the Great Cause began.

This grant can be seen, also, as a further move by Bek to increase his power and influence in the north. The previous February, Edward I had formally granted Penrith in Cumberland and Tynedale in Northumberland to the bishop, mentioning that 'custody of these lands [had] already been given to the bishop orally.'<sup>77</sup> By August 1289, Bek had been appointed by Edward as 'lieutenant' of Scotland and of Prince Edward and Lady Margaret, although they were not yet married. The bishop had also 'bound himself to pay yearly £400 to certain Norwegians until the lady Margaret, daughter of Eric, king of Norway, and queen of Scotland, attains the age of fifteen,' for which King Edward assigned to him various manors, including Wark, Penrith and Sowerby, as compensation.<sup>78</sup> Edward and Anthony Bek enjoyed a much stronger relationship as well, dating back to the Barons' War. Bek had served as a clerk for Henry III in 1266, being imprisoned in Kenilworth castle for a time, and also served in Prince Edward's household, then as first keeper of the wardrobe until 1274 when it was placed in the hands of Bek's brother, Thomas.<sup>79</sup> Following this appointment, Anthony Bek was installed as constable of the Tower of London (January 1275), which brought

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<sup>76</sup> This amount would surely need to be borrowed due to Balliol's previous (and possibly current) debts.

<sup>77</sup> *Records of Antony Bek*, no. 16; *CPR, 1281-92*, 346; *CDS*, ii, no. 404.

<sup>78</sup> *Foedera*, I, iii, 72-3; Barrow, *Robert Bruce*, 29; Powicke, *The Thirteenth Century*, 600; *CDS*, ii, no. 446; *Records of Antony Bek*, no. 19; Stevenson, *Documents*, i, 178-9. The manors totalled nearly £400.

<sup>79</sup> Fraser, *A History of Antony Bek*, 10; Prestwich, *War, Politics and Finance*, 152; Powicke, *King Henry III and the Lord Edward*, 696.

Bek control of the wardrobe and ‘complementary authority’ over the city of London.<sup>80</sup> Interestingly, Bek’s new position in Scotland is similar to John (I)’s role as an English representative in Scotland in 1251-55 and the relationship between Henry III, John (I) and Bishop Kirkham is later reflected in the 1290s between Edward I, John (II) and Bishop Bek, as illustrated in the next chapter.

Thus, it appears that Balliol’s grant to Bek in 1290 may have been a guarantee to enact what Edward I had already assigned to the anxious bishop. Balliol’s compliance may have been an attempt to retain a close relationship and loyal ties with Edward I as well as to secure the trust of the bishop of Durham, where Balliol’s stronghold was located. Moreover, it proved to be a very tactful move by all parties involved to get recognition of Balliol as successor to Alexander III. Young implies that the Comyns especially were aware of the important need to win Bek and Edward I over to their side, thus finding a king and restoring political stability while maintaining their own power in Scotland,<sup>81</sup> an idea which Balliol’s act no doubt emits. But there is another element involved as a charter naming Balliol as ‘heir,’ whether put forth by Bek or John (II), was certainly testing Edward’s position on Scottish succession. His ratification (or simply his toleration) of the document would also underline the importance of his role in choosing the rightful king, incidentally before the Great Cause.

Yet, later evidence seems to suggest that the 1290 grant had not been ratified. In May 1293, after Balliol’s inauguration as king, he was granted the lands of Tynedale, which were those belonging to Alexander III, ‘on condition that he comes to the king to do homage for them.’<sup>82</sup> In October 1293, he was given the manor of Penrith, which

<sup>80</sup> Fraser, *A History of Antony Bek*, 13. With Bek’s appointment as bishop of Durham in 1283, he earned a rich reward for his services, as revenues from Durham to the crown in 1283 were £2,620 (*Ibid.*, 34).

<sup>81</sup> Young, *The Comyns*, 109. This is also apparent by Bishop Fraser’s contact with them at Perth in October 1290.

<sup>82</sup> *CCR, 1288-96*, 281, 317.

was meant to be given to Anthony Bek as part of the 1290 grant, and that of Sowerby after he had given homage for all the lands he held, as king of Scotland, in chief of the king in England.<sup>83</sup> Apparently at Edward's parliament that month, Bek petitioned the king for replevin (the recovery of lands unlawfully seized), following a judgement in January by which the sheriff of Northumberland seized 'into the king's hand, until replevied, the liberties of the bishop of Durham and the franchises of the prior of Durham, Robert de Bruce of Hart and Hartlepool, the king of Scots of Barnard Castle, Agnes de Valence of Gainford, Ralph de Neville of Raby and Brancepeth, and others [listed].'<sup>84</sup> There is no indication of why Bek sought to recover these liberties or why the sheriff or Edward took them into possession, unless perhaps the 1290 grant had been denied. The next summer from London, however, Balliol regranted the manors of Penrith and Sowerby among others, as well as £50 of land in Tynedale to Bishop Bek.<sup>85</sup> This might suggest that the lands had been revoked by Edward I upon Balliol's accession, which would allow Edward to regrant them to Balliol before Balliol transferred the lands to Bek.<sup>86</sup> Bek's strong interest in the northern English landholdings of the Scottish king is apparent by another grant from 3 July 1295, when Balliol granted Bek the manor of Wark in Tynedale.<sup>87</sup>

The political upheaval surrounding the death of Margaret and the confusion of succession in the years 1290 to 1292 have been much debated over centuries. Fordun's

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<sup>83</sup> *CCR, 1288-96*, 305. As these were English lands, Balliol was due homage for them, just as the kings of Scots before him were obliged for their lands in England.

<sup>84</sup> DCM Cart.Vestus 116\*v, inserted leaf; *Rotuli Parliamentorum, etc.* (London, 1767-77), iii, 119; Fraser, *A History of Antony Bek*, 92-4. This Robert Bruce was likely from the Skelton (Yorkshire) branch of the family, although as Ruth Blakely asserts, the Bruces of Annandale appeared to be more involved in the Yorkshire lands (Blakely, "The Brus Family," 123).

<sup>85</sup> Appendix D, nos. 27-8; *CPR, 1327-30*, 427; *CDS*, ii, nos. 691-2.

<sup>86</sup> *CPR, 1292-1301*, 102; *Charter Rolls*, ii, 456. Edward I, though, did confirm this charter on 25 June 1294. If this revocation theory is correct, it might indicate that the 1290 grant had been ratified.

<sup>87</sup> Appendix D, no. 37; *CPR, 1292-1301*, 233-4; *CDS*, ii, no. 872. Interestingly, this charter was confirmed on 8 February 1297, after Balliol had lost his kingship.

source states that the nobles discussed heavily among themselves the succession question, but none were bold enough to give their opinions on the right of succession,

partly because it was a hard and knotty matter; partly because different people felt differently about those rights...; partly because they justly feared the power of the parties, which was great, and greatly to be feared; and partly because they had no superior who could, by his unbending power, carry their award into execution, or make the parties abide by their decision.<sup>88</sup>

In the end, the ‘superior’ on whom the Scots relied to assist them in this turmoil was Edward I. Edward’s involvement in finding a king for Scotland is identified in the Appeal of the Seven Earls, although this is truly contradictory to the allegedly established rights of the seven earls to choose or make a king.<sup>89</sup> Desperately needing a ‘speedy remedy’ to the crisis of succession, the Scots and Edward I began the (ironically) long judicial process which ended when John (II) Balliol was declared king of Scots. Indeed, the above statement gives a clear picture of the difficulty which divided the Scots in their beliefs as to who was the rightful king. It also brings into question the attitude of the nobles of Scotland toward the Bruce faction, mostly likely one of the parties ‘which was great, and greatly to be feared,’ as Fordun’s source mentioned.<sup>90</sup> They appeared to be the instigators for the main civil disturbances following the death of Alexander III with violence, bonds of allegiance and destruction of property. There does not appear to be a Balliol/Comyn reaction equalling the Bruces, and there is no existing evidence suggesting that Balliol had (or had not) formed his own armed following after the death of Alexander III—although he

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<sup>88</sup> *Chron. Fordun*, i, 312. Fordun’s *Gesta Annalia*, in particular the material between 1285 and 1330, might have been independently drawn from another anonymous source (Broun, “A New Look at *Gesta Annalia* Attributed to John of Fordun,” 9-15).

<sup>89</sup> *Anglo-Scottish Relations*, no. 14; Duncan, *The Kingship of the Scots*, 200.

<sup>90</sup> Although the controlling Comyn faction equally could have been the feared party.

seemingly had a 'party' consisting of support from the Comyn faction; yet, it can still be assumed that if Bruce had been recruiting armed support then so had Balliol or the Comyns. In a situation such as that which existed in 1286, it would seem to be a natural reaction to make a pleading for one's case, campaign for support and make bonds. Hence the Turnberry Bond in 1286 and the issuing of proclamations by the Bruces once they had captured certain castles in the southwest, in all probability, coincided with similar Balliol/Comyn activities.

*The Process of Norham and the Great Cause, 1291-92*

In April 1291, various 'barons and ladies of the northern counties' were summoned to meet Edward I at Norham on 3 June, 'with horses and arms,' including Edmund, the king's brother, John de Warenne, earl of Surrey, John Balliol of Galloway, Robert Bruce of Annandale, Gilbert de Umfraville, earl of Angus, John Comyn of Buchan and Alexander de Balliol, chamberlain of Scotland.<sup>91</sup> This meeting signifies the opening of the Process of Norham, the judicial process leading up to the Great Cause.<sup>92</sup> The Scots initially refused to cross the border into Norham (instead remaining just across the river at Upsetlington) in an attempt to prove to Edward that they would not be subjected to his authority.<sup>93</sup> On 10 May, Roger Brabazon, one of Edward's justices,<sup>94</sup> addressed the Scots gathered at Norham, asking for recognition of Edward I

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<sup>91</sup> *Foedera*, I, iii, 86-7; *Parliamentary Writs*, i, 256; *CDS*, ii, no. 473.

<sup>92</sup> The Process of Norham has been established as the time between 10 May and 12 June 1291, when the Scots accepted Edward I as their lord superior (Duncan, "The Process of Norham," 208). The Great Cause consists of the period from June 1292, when the proceedings met following the adjournment, to November 1292, when Balliol was enthroned.

<sup>93</sup> *Great Cause*, ii, 14.

<sup>94</sup> This is the same family which held land in Leicestershire of the Balliols by service of a suit at the court of Foxton (Moore, *Lands of the Scottish Kings in England*, 35; see also Chapter One on the Balliol lands). Roger Brabazon was one of Edward's twenty-four auditors and one of the two leading spokesmen who directed the Great Cause, the other being Robert Burnell, bishop of Bath, chancellor of England and another auditor (*Great Cause*, ii, 15n, 32n). It is interesting to note that both spokesmen had previous connections to the Balliol family.



as their overlord of Scotland.<sup>95</sup> It has been claimed that at this instance, the bishop of Glasgow, Robert Wishart, made a strong protest against Edward, ‘provoking Edward’s grim threat that if thwarted, although he had taken up the cross, he would keep it and would direct its army against the Scots.’<sup>96</sup> At this time, Wishart, who became a Bruce auditor, appears to be speaking for the ‘community,’ which quickly brings into question the role of Bishop Fraser. As apparent from the October 1290 letter, Fraser—who appeared to be neutral—was more accepting of Edward’s role in finding a solution, yet by May 1291, Edward seemingly decided to take the succession crisis further, possibly because of the 1290 grant and apparent agreement with Balliol and Bek. Yet, the claimants eventually accepted the English king as their overlord, possibly out of fear of war against them as well as a general assumption that it must be done in order that the succession crisis be resolved.

There were thirteen claimants in total: John (II) Balliol, lord of Galloway; Robert Bruce, lord of Annandale; John de Hastings, lord of Abergavenny<sup>97</sup>; Florence, count of Holland; John Comyn, lord of Badenoch; Robert de Pinkeny; Nicholas de Soules; William de Ros; Patrick, earl of Dunbar; William de Vescy; Roger Mandeville; Patrick Golightly; Eric II, king of Norway.<sup>98</sup> On 2 June, when the proceedings resumed after a three-week adjournment, John Balliol was absent whereupon his ‘knight,’

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<sup>95</sup> *Great Cause*, ii, 20-1.

<sup>96</sup> Duncan, “The Process of Norham,” 211; P.A. Linehan, “A Fourteenth Century History of Anglo-Scottish Relations in a Spanish Manuscript,” *BIHR*, xlviii (1975), 106-22, at 120; *Great Cause*, ii, 20-1.

<sup>97</sup> These three were descendants of David, earl of Huntingdon, brother of William I, and therefore the leading contenders. Besides being second cousins, Balliol and Hastings were also related by marriage: John Balliol’s sister-in-law, Agnes de Valence (widow of Hugh Balliol), was also sister-in-law of John de Hastings (his wife was Isabelle de Valence).

<sup>98</sup> Eric of Norway submitted a belated claim (2 June 1292) by right of his daughter, Margaret, Maid of Norway. The previous six men were of illegitimate descent. Robert de Pinkeny’s descent, from an alleged younger sister of Earl David, was also questionable. King Edward I also put in a claim at one point, although he withdrew it so as to be able to judge the case.



Thomas Randolph, apologised and asked that Balliol's claim be entered with the others.<sup>99</sup>

Balliol's name was omitted in the first speech on 3 June by Robert Burnell, bishop of Bath and chancellor of England although at a later time he asked Balliol, 'who was absent the day before, because ignorant of the time appointed, to acknowledge Edward's lordship and jurisdiction, which he [did].'<sup>100</sup> Duncan asserts that this excuse was 'disingenuous and probably fiction, for the record nowhere suggests that 2 June had been appointed as the day for submission,'<sup>101</sup> although, the other claimants were aware of such and arrived on time. In any case, Balliol's 'ignorance' was likely false and, as illustrated below, he may have been (once again) unwilling to accept his position. Following Burnell's speech, the claimants were then asked to submit their claims to Edward I, 'as sovereign lord of Scotland, and to observe his decision,'<sup>102</sup> believing that they could only be successful if this was performed. Balliol had accepted Edward's overlordship in the presence of Burnell, yet he was later made to repeat this *publicly* and in Edward's presence, a vitally important inclusion.<sup>103</sup> In an English context, this acceptance of overlordship reveals once more the long-standing affinity between the two families. Although it is likely that all the claimants would have given their acceptance in the presence of the king, it is important to note that Balliol did so publicly.

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<sup>99</sup> *Great Cause*, ii, 42. This appears to be the same Thomas Randolph (d. c. 1306), lord of Strathnith (Nithsdale) and great chamberlain of Scotland (1266-78) who was an executor for the will of Dervorguilla and who later married Lady Isabel Bruce, half-sister to King Robert I (*The Scots Peerage*, ed. J. Balfour Paul (Edinburgh, 1904-14), vi, 290; *ODNB*, xlv, 12-4; *CDS*, ii, no. 535). His son, Thomas, was present with his father at Balliol's homage and fealty to Edward I in 1292, yet joined Robert Bruce in early 1306. After Bruce's death in 1329, Thomas became guardian and regent of David Bruce but died suspiciously in July 1332, just prior to Edward Balliol's invasion.

<sup>100</sup> *Great Cause*, ii, 52; *CDS*, ii, no. 488. Duncan believes that this took place no earlier than 5 June, probably on 6 June.

<sup>101</sup> Duncan, *The Kingship of the Scots*, 237.

<sup>102</sup> DCM 2.2.Reg.9, dated 5 June 1291. Only nine claimants were listed in this document.

<sup>103</sup> *Great Cause*, ii, 66-7.

Duncan gives very credible interpretations of the events at this time concerning Balliol.<sup>104</sup> There is no evidence to suggest where Balliol had been before he submitted to Edward, now believed to be on 6 June, yet because of a looming threat to proceed without him, Thomas Randolph was sent to ‘protect his interests.’ Randolph announced that his lord would come the following day, a time which causes Duncan to believe Balliol to be with John Comyn and the Scottish community at Berwick. It is certain that Bruce submitted first, with Balliol submitting last, which can be viewed as a tactical move. Because the proceedings *were* delayed until Balliol arrived, it is certain that Balliol’s submission was essential for Edward to continue. Does this suggest that Edward had actually acknowledged the November 1290 grant and the pretensions to make Balliol king? If so, Edward would have been obliged to await Balliol’s arrival before beginning at Norham. With his submission on 6 June, Professor Duncan believes Balliol *may* have made a final plea for arbitration without overlordship, but finally added his submission after the threat of exclusion, a submission that was publicly circulated.<sup>105</sup> Balliol’s alleged plea also illustrates his reluctance to give into Edward I’s demands of overlordship, foreshadowing his behaviour later when he defied the king at the instance of the Comyns.

With overlordship declared, Edward had therefore been granted, by permission of the claimants, seisin of the lands and castles of Scotland ‘to enable him to adjudicate their claims to the kingdom,’ which he was to transfer over to the adjudged claimant within two months of judgment, under penalty of £100,000.<sup>106</sup> Afterwards, Balliol and Comyn (who in August 1291 decided to dismiss his own claim and support his

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<sup>104</sup> Duncan, *The Kingship of the Scots*, 237.

<sup>105</sup> Duncan, *The Kingship of the Scots*, 238.

<sup>106</sup> DCM 2.2.Reg.9; *Great Cause*, ii, 98-9. The revenues of this period were to be kept by the chamberlain of Scotland (Alexander de Balliol of Cavers) and by the man assigned by the king of England (Walter of Amersham, who was a clerk of the king and an assistant to the bishop of Caithness). As Stones and Simpson mention, the sum of £100,000 could not have been meant to be taken seriously.

kinsman) ‘and such other competitors as are willing to act with them,’ were asked to elect forty auditors; Bruce was also asked to elect forty, and Edward I would have twenty-four. The auditors were to hear, discuss and report to King Edward, illustrating that Edward was acting as judge and not arbitrator.<sup>107</sup>

While the break down of auditors between Balliol and Bruce has already been analysed elsewhere,<sup>108</sup> it is necessary to make a few comments. Balliol’s list of auditors suggests a great amount of support from the Comyn family, for which Balliol’s critics have cast doubts on his own abilities in politics. Because of his clerical training, he was literate and appeared competent enough to support his own claims to the Scottish throne with the benefit of an impressive list of auditors and supporters—quite possibly selected by John Comyn. Henry, bishop of Galloway, perhaps because of his Comyn connections, was one of several ecclesiastical auditors, being the same bishop whose consecration Balliol’s father, John (I), had fought against in 1253. Incidentally, Edward I also had a large number of ecclesiastical auditors, which gives reason to believe that they could have given weight to Balliol’s ecclesiastical supporters as well. One of Edward’s auditors, Robert fitz Roger, had also witnessed an *inspeximus* of John (II) confirming a charter of Dervorguilla to Balliol College in 1285. Bruce, however, claimed a majority of the Scottish earls and provincial lords as his supporters, which could illustrate that although Balliol’s support represented a wide-range of strength, ‘the Scottish government of the day,’<sup>109</sup> Bruce’s supporters resented the political dominance of the Comyns and, quite possibly, Balliol’s subservience to England.

Yet, it is important to examine those nobles who do not appear as auditors. Of the thirteen Scottish earls, only nine were present as auditors leaving the earls of Fife,

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<sup>107</sup> *Great Cause*, ii, 70-1.

<sup>108</sup> *Great Cause*, ii, 84-5; Barron, *The Scottish War of Independence*, 108-13; Duncan, *The Kingship of the Scots*, 201-2; Young, *The Comyns*, 114. The entire list can be found in Appendix D.

<sup>109</sup> Young, *The Comyns*, 114. The Bruce resentment here might be related to the letter of 1286 urging the expulsion of ‘foreign interests,’ as mentioned above.

Carrick, Sutherland and Caithness. The earl of Fife was a minor, but who represented him? His hereditary role of inaugurating the new king was performed in 1292 by John de St John, but St John was one of Edward's auditors during the Great Cause.<sup>110</sup> The earl's great-uncle, MacDuff, who would later bring suit before the new king in 1293, was also missing from the list. The young earl may have been represented by the Wemyss family, who were sheriffs of Fife, Bishop Fraser of St Andrews, William Bisset (who all had Balliol/Comyn connections)<sup>111</sup> or he may have had no representation at all. Another absent earl, Caithness, likely favoured Bruce, or merely remained indifferent, as the earl also failed to appear before King John in 1293 to give his homage and fealty.<sup>112</sup> Like Caithness, William, earl of Sutherland appears to have been a Bruce partisan, attesting around October 1292 that he had 'made an oath to Sir Robert de Brus lord of Annandale to assist him with all advice and power to prosecute his claim.'<sup>113</sup> The earl of Carrick—Robert Bruce—although not an auditor, surely supported his father's cause. Certainly, two other members of the Balliol family—Alexander, the chamberlain of Scotland, and his cousin, Enguerrand—supported John (II) although they were absent from his list of auditors.

However, the designation as an auditor does not guarantee a position of loyalty to either man at this time, as many of them changed sides; they seemed to be only pledges, 'responsible witnesses that Balliol and Bruce were responsible suitors demanding the judgement of a court.'<sup>114</sup> There was no definite split into two parties after 1286, although with hindsight this would appear to be true, because any division into two factions would surely destroy the Scottish concept of 'community of the

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<sup>110</sup> *Great Cause*, ii, 81; *Rot. Scot.*, i, 12.

<sup>111</sup> Michael Wemyss and Fraser were Balliol auditors, while Bisset was likely added to the list later. Bisset (a long-time rival to the Comyns) and Fraser were later involved in a suit at John's first parliament concerning the wardship and rights of the minor earl (see Chapter Four).

<sup>112</sup> *APS*, i, 447-8.

<sup>113</sup> *CDS*, ii, no. 643.

<sup>114</sup> Barrow, *Robert Bruce*, 41.

realm.’<sup>115</sup> The country was in such turmoil and confusion following the death of Alexander III that most noblemen did not know where their loyalties should rest. The idea that the auditors ‘did not form a “Bruce party” and a “Balliol party,” divided politically’<sup>116</sup> is justified by the fact that many Bruce auditors, such as Patrick de Dunbar, earl of March (who was frequently found changing allegiances) and Donald, earl of Mar (father-in-law of the future Robert I, but who served the English after 1305) would later append their seals on many of Balliol’s royal charters. John de Soules, whose family was closely associated to the Comyns by marriage and service, gave homage to Balliol at his first parliament in 1293 and later served as guardian in 1301, appointed by King John from France. John de Strathbogie, earl of Atholl, also a Bruce auditor, cannot be deemed wholly supportive of his cause, as the family held a close relationship to the Balliol/Comyn faction through the marriage of Earl John’s mother, Isabelle de Chilham, to Alexander de Balliol of Cavers, justifying why Atholl later became anti-Bruce.<sup>117</sup>

Following the election of the auditors, Fordun and Bower narrate that King Edward met with them, where ‘at length, from their hints, he gathered that, according to law and approved customs, the right of Robert Bruce was the stronger.’ Yet, Anthony Bek then went to the English king and asked him,

“If Robert of Bruce were king of Scotland, where would Edward, king of England, be? For this Robert is of the noblest stock of all England, and, with him, the kingdom of Scotland is very strong in itself; and, in times

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<sup>115</sup> In thirteenth century England, the term ‘community of the realm’ had a different meaning than in Scotland. Until the fourteenth century, when it became identified with representation in parliament, the term was still associated with ‘baronial aspirations’ (M. Prestwich, “Parliament and the Community of the Realm in Fourteenth Century England,” in *Parliament and Community*, eds. A. Cosgrove and J.I. McGuire (Belfast, 1983), 5-24, at 6).

<sup>116</sup> Barrow, *Robert Bruce*, 41.

<sup>117</sup> DCM Misc.Ch.363; *Handlist*, no. 386; *CDS*, ii, no. 872; M. Penman, “‘A fell conuiracioun agayn Robert the douchty king’: the Soules Conspiracy of 1318-1320,” *The Innes Review*, 1, 1 (1999), 25-57, at 41, 43; Ross, “The Strathbogie Earls of Atholl, part I,” 3, 8; Young, *The Comyns*, 100. Isabelle was the widow of Earl David de Strathbogie of Atholl who died in 1270.

gone by, a great deal of mischief has been wrought to the kings of England by those of Scotland.’ At this, the king, patting him on the head, answered him...‘By Christ’s blood! Thou hast sung well. Things shall go otherwise than I had arranged at first.’<sup>118</sup>

This almost unbelievable report is clearly pro-Bruce propaganda, as these examples from Fordun were written around seventy to ninety years after the fact, when much of this propaganda was circulating; it may have even been collected from a different source.<sup>119</sup> By implying that Bruce was Edward’s first choice as king of Scotland, this passage relates to later historical documents such as the Declaration of the Clergy (1309), which declared that Bruce was held by ‘the faithful people’ as the one true heir from the beginning of the crisis and thus his grandson Robert was the lawful king of Scotland—Balliol was not recognised as a legitimate heir.<sup>120</sup> As Young relates, Edward most likely hoped Balliol would be successful in the Great Cause, ‘as the candidate of the ruling aristocratic party in Scotland which had wider support and a better chance at producing stability in Scotland.’<sup>121</sup> Yet surely Edward rather hoped for Balliol’s success as the head of a leading baronial family, whose members advised previous English kings and served as long term clients.

The time and place of the hearings of the Great Cause had been decided as 2 August 1291 at Berwick, and on the following day, the individual claimants put forth their written petitions; in his petition, John Balliol stated that he was the lawful heir through David, earl of Huntingdon by the law of primogeniture in an impartible kingdom.<sup>122</sup> The Great Cause was then, once again, adjourned until the ‘next

<sup>118</sup> *Chron. Fordun*, i, 313-4; *Chron. Bower*, vi, 31.

<sup>119</sup> Broun, “A New Look at *Gesta Annalia* Attributed to John of Fordun,” 9-15.

<sup>120</sup> *APS*, i, 460; Donaldson, *Scottish Historical Documents*, 48-50; Duncan, “The Declarations of the Clergy,” 35; Hunter Marshall, “Provincial Council of the Scottish Church,” 280-1; see Chapter Five.

<sup>121</sup> Young, *The Comyns*, 113; A. Young, “The Comyns and Anglo-Scottish Relations, 1286-1314,” in *Thirteenth Century England VII*, ed. M. Prestwich, *et al.* (Woodbridge, 1999), 207-22, at 213.

<sup>122</sup> *Great Cause*, ii, 132-45, with Balliol’s petition at 139-41.

parliament' (2 June 1292)—almost a full year later.<sup>123</sup> Seemingly, Edward I had made this adjournment so that Count Florence of Holland could have time to find the necessary documents which would support his claim to the throne.<sup>124</sup> Edward perhaps made such an adjournment for the count because he needed the time to secure castles, revenues and offices in order to strengthen his claims of overlordship and secure full control over Scotland, illustrated by King Edward's receipt of the custody of the realm of Scotland from the four remaining guardians, and the king's own representative, Brian fitz Alan, although after receiving the kingdom, he returned it to the guardians.<sup>125</sup> In November, the bishop of Moray and the prior of Pluscarden each produced an *inspeximus* of a document believed to be the one which Count Florence needed—a forgery, no doubt.<sup>126</sup> These were produced in June 1292 upon the resumption of the hearings, although they would prove fruitless to the count's cause.

On 14 June, Bruce and Florence made an agreement in which each was to aid the other in pursuing his claim and the man who succeeded would then give the other one-third of the land of Scotland.<sup>127</sup> Bruce had noted that if the heirs of Earl David of Huntingdon were unable to succeed to the kingdom of Scotland, then Florence would be nearest heir by virtue of his descent from Ada, King William I's sister.<sup>128</sup> Powicke claims that Bruce's most formidable rival was the count of Holland, not Balliol; yet, this idea cannot be entirely true given the Bruce party's actions of war against the

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<sup>123</sup> *Great Cause*, ii, 146. As Duncan states, the next parliament was actually held in January 1292, not June (Duncan, *The Kingship of the Scots*, 255-6). Balliol's whereabouts during the adjournment are unknown.

<sup>124</sup> He had claimed that William I designated his sister, Ada, the count's great-great grandmother, as heir before his son, Alexander II, was born (*Great Cause*, ii, 148; Barrow, *Robert Bruce*, 40).

<sup>125</sup> *Great Cause*, ii, 90-2.

<sup>126</sup> *Great Cause*, ii, 150-1; NAS RH2/8/1; G.G. Simpson, "The Claim of Florence, Count of Holland, to the Scottish Throne, 1291-2," *SHR*, xxxvi (1957), 111-24, at 124. Stones and Simpson relate that this document perhaps was not found in time, or was not used in the Great Cause. Neither the bishop nor the prior served as auditors for either party.

<sup>127</sup> *Great Cause*, ii, 162; *Nat. MSS Scot.*, ii, no. 6. The document was witnessed by: Robert, bishop of Glasgow; Gilbert de Clare, earl of Gloucester and Hertford; Robert Bruce, earl of Carrick; Donald, earl of Mar; James the Steward; John, lord of Arkle of Holland; William de Houtshorne of Holland.

<sup>128</sup> Simpson, "The Claim of Florence, Count of Holland," 115.

Balliols and the Comyn faction.<sup>129</sup> However, Florence was almost certainly a rival for Balliol. In 1285, a treaty was concluded between Edward I and Florence in which Florence's eldest son, John, would marry Edward's daughter, Elizabeth, and Florence would receive a payment of £50,000 *tours*.<sup>130</sup> Thus, both men had strong ties to the monarch, although the Balliol family perhaps shared a longer friendship with England's kings and a record of more pliable English service.

A likely rivalry between Balliol and Florence could be justified by the possibility that Balliol bribed the count to give up his claim with a better deal than that which Bruce had offered him.<sup>131</sup> A Dutch chronicler, Melis Stoke, a contemporary of the count who had also worked in his chancery, recorded that Scotland fell to Florence and then Edward gained it, but withdrew his rights and 'gave [the kingdom] to another who paid the count a great deal of money.' The bribery claim made by the Stoke chronicle, said to have been written at Florence's own request and concluded with advice from a bad counsellor, possibly Edward himself, is supported by other authors as well which could give credence to this theory.<sup>132</sup> A fourteenth century writer, William Procurator, also says that Florence had a right to Scotland, 'whose inquiry by the king of England was paid with a certain sum of money,' although this may be a confusion with the arranged marriage between their children.<sup>133</sup> Balliol indeed had borrowed £81 30s 4d from a group of Florentine merchants, which he was required to repay in

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<sup>129</sup> Powicke, *The Thirteenth Century*, 611n.

<sup>130</sup> *Foedera*, I, ii, 658; *CCR*, 1279-88, 368-70; Simpson, "The Claim of Florence, Count of Holland," 116-7; Duncan, *The Kingship of the Scots*, 202. John (b. 1281) had spent much of his childhood in Edward's household. He and Elizabeth were married in 1297 (Prestwich, *War, Politics and Finance*, 46). Of course, it must be questioned why Edward Balliol, who likely spent much of his childhood in the royal household as well, was not offered as a potential husband.

<sup>131</sup> Barrow, *Robert Bruce*, 47-8.

<sup>132</sup> M. Stoke, *Hollandtsche Riim-Kroniik, etc.* (Amsterdam, 1591), ff.47-8; J.A. Kossmann-Putto, "Florence V, Count of Holland, Claimant to the Scottish Throne in 1291-92: his personal and political background," in *Scotland and the Low Countries, 1124-1994*, ed. G.G. Simpson (East Linton, 1996), 15-27, at 15, 24.

<sup>133</sup> Simpson, "The Claim of Florence, Count of Holland," 117-8; Kossmann-Putto, "Florence V," 24, 26.



instalments from May 1292 until May 1293.<sup>134</sup> Of course, upon his enthronement, Balliol could always have offered the count any forfeited Bruce lands. Although the purpose for this loan cannot be traced and it does not appear to be a sum worthy of a kingdom, the timing suggests that the bribe theory might, in fact, be true, demonstrating again that Balliol's supporters, who may have paid the bribe, had taken more initiative to gain the throne.

After many delays throughout the proceedings, Edward finally decided that the process was moving too slowly and asked the auditors to make a decision between Balliol and Bruce then use these findings to eliminate the other claimants.<sup>135</sup> It is at this point in the Great Cause—between 16 and 25 June 1292—that Balliol and Bruce entered their pleadings for the crown of Scotland.

Bruce put forth his claims that he was nearest legitimate heir in degree to Earl David, brother of William the Lion, and thus by law should be king.<sup>136</sup> He also claimed that had Balliol's mother been alive when the Maid of Norway died, as a female, she would not inherit because Bruce was an available male candidate of the same degree. Indeed, as Barrow implies, the more numerous and varied the arguments of a claimant (such as those by Bruce), the weaker his case is likely to be.<sup>137</sup> Bruce's desperation in this matter, then, is a sign that he felt threatened by Balliol's strong claims to the kingdom and his relationship with Edward, who was acting as judge.

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<sup>134</sup> Stevenson, *Documents*, i, 271-2, dated 9 February 1292. Balliol was 'here this day' *in curia regis*. The details of the date and place of the loan are not known.

<sup>135</sup> *Great Cause*, ii, 156.

<sup>136</sup> *Ibid.*, 166-76, 180-3. He also argued other points as well, including the rights of the predecessors in Scotland for the succession of brothers during the lifetime of their nephews. However, these arguments and examples actually showed the succession of a man remoter in blood, not nearer. Bruce was also giving examples which were a few hundred years old: Donald, brother of Malcolm III, succeeded him; yet, to King William Rufus of England this was regarded as usurpation and William deposed Donald in favour of Malcolm's son, Duncan. Bruce was also forgetting that William the Lion was succeeded by his son, Alexander II, in the lifetime of William's brother, Earl David. Bruce also used Spain as an example, but Balliol claimed this was inadmissible because Scotland's customs were different from those of Spain.

<sup>137</sup> Barrow, *Robert Bruce*, 41.

Balliol answered Bruce's claims<sup>138</sup> by denying that the rights of succession could descend to a younger sister while the elder is living, or has issue. In theory, had Dervorguilla de Balliol died without an heir, the crown might have gone to Bruce, but because of a living male heir in the senior line, all of Bruce's claims of 'nearer in degree' could not be viewed as valid. Balliol also refuted Bruce's argument that he had been nominated and recognised as heir by Alexander II in 1238 when the king was still childless, because of the lack of documents and evidence to justify this claim,<sup>139</sup> in addition to the claim of the 'Appeal of the Seven Earls.' Moreover, Bruce's acts of war and violence in 1286 and 1290 against Balliol, following the death of Alexander III and then the Maid, made him unworthy of a hearing.<sup>140</sup>

Fordun's perhaps untrustworthy source and John Barbour (c. 1319-1395) both claim that Edward I sent for Robert Bruce and, offering him the crown, asked him whether he would hold Scotland in chief of him [Edward], so that the English king could appoint Bruce as king of Scots. Fordun, exerting a force of Bruce propaganda, claims: "Robert answered straightforwardly, and said: 'If I can get the aforesaid kingdom by means of my right and a faithful assize, well and good; but if not, I shall never, in gaining that kingdom for myself, reduce it to thraldom....'"<sup>141</sup> Clearly displaying pro-Bruce sentiment—no doubt aimed at degrading John Balliol in his position as king of Scots—Fordun continued that Balliol, 'after having quickly deliberated with his council, which had been quite bought over, fell in with the aforesaid king's wishes, that he should hold the kingdom of Scotland of him, and do

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<sup>138</sup> *Great Cause*, 177-83. Although the pleadings were read aloud for them, both Balliol and Bruce were present to represent themselves.

<sup>139</sup> Barrow mentions that the birth of Hugh Balliol, John (II)'s elder brother, around 1238, presented a clear challenger to any sons of younger daughters of Earl David (Barrow, *Robert Bruce*, 23; Duncan, *The Kingship of the Scots*, 123-6).

<sup>140</sup> *CDS*, ii, no. 608; *CDS*, v, pt. ii, no. 109.

<sup>141</sup> *Chron. Fordun*, i, 314; J. Barbour, *The Bruce* (Edinburgh, 1894), Book I, lines 153-70.

him homage for the same.’<sup>142</sup> The Bruces’ exclusion from this ‘council’ undoubtedly illustrates Comyn domination which, as evident from William Rishanger’s chronicle later, underscores Balliol’s difficulties during his short kingship.

Following the pleadings between the two main claimants, there was yet another adjournment due to the stalemate of the Scottish auditors, who, because of their inability to choose between Balliol and Bruce, asked for the help of Edward’s auditors, delaying the proceedings until October 1292.<sup>143</sup> By November, Bruce knew that his claims were fruitless and on 7 November, he resigned his claim to the throne of Scotland to his son and heir, Robert, earl of Carrick.<sup>144</sup> Furthermore, two days later, the earl of Carrick resigned his earldom to his son, Robert (the future king), in an attempt to withhold homage to Balliol.<sup>145</sup> The earl, although opposed to Balliol, acknowledged him as ‘*magnifico et sereno principi domino Johanni Dei gracia illustri regi Scot*’ before Balliol was actually crowned, symbolising that the Bruces knew they had lost the Great Cause.<sup>146</sup> In a seemingly desperate move, Bruce the Competitor still attempted to get all he could out of the kingdom of Scotland, when two days before Balliol was awarded the kingdom, his lawyers (along with John de Hastings) made a plea for one third of the lands.<sup>147</sup> Because of Balliol’s seemingly indifferent attitude after the crisis broke in 1286, it might be said that this was also his intention. Surely he recognised his prime position, but perhaps he rather hoped to exploit that position and acquire one third of the kingdom without becoming king.

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<sup>142</sup> *Chron. Fordun*, i, 314.

<sup>143</sup> *Great Cause*, ii, 158.

<sup>144</sup> *Ibid.*, 228; Barrow, *Robert Bruce*, 48.

<sup>145</sup> *Great Cause*, ii, 228; *APS*, i, 447; Barrow, *Robert Bruce*, 48; Watson, *Under the Hammer*, 17. The earl’s attempt to resign Carrick to his son had apparently been blocked—temporarily—by Balliol, after he was enthroned as king (*APS*, i, 449). Moreover, the earl still owed homage for the lordship of Annandale.

<sup>146</sup> *APS*, i, 449.

<sup>147</sup> *Great Cause*, ii, 235-8.

As Barrow states, the Great Cause was a ‘triumph of law, common sense and respect for orderly procedure,’<sup>148</sup> which resulted in judgement being given in favour of John Balliol on 17 November, and the new Scottish king gave fealty to King Edward, his ‘superior lord,’ on 20 November 1292.<sup>149</sup> Yet, this ‘triumph’ may not have been the case, for surely the nonsense of delaying the proceedings to allow Florence of Holland to search for relevant documents (among other adjournments) does not demonstrate ‘orderly procedure,’ neither does the concept of overlordship by force, the possible bribery involved and the possible collusion between Balliol and Anthony Bek. In fact, the Great Cause was more likely an engineered process, manipulated by Edward I, Bek, the Comyns and Bishop Fraser. The best evidence for this is the 1290 grant to Bek, given by Balliol as ‘heir to Scotland.’ If Edward did, in fact, ratify this document it would guarantee Balliol the throne of Scotland before the Process of Norham and the Great Cause began. The whole judicial process would have been turned into a farce as Balliol was secretly recognised by England as heir to Scotland and allowed to transfer ex-holdings of the Scottish kings in England to the bishop of Durham, while in the meantime, two years passed by in which Edward could gain control of the country and weaken the Bruce party. Unfortunately, there does not seem to be any conclusive evidence or documentation to prove this, although the repeated grants of the lands to Bek are suggestive.

Moreover, in contrast to Bruce the Competitor, only two possible tactics were used by Balliol and his advocates as a means to secure his claims to the throne. One is, of course, the 1290 grant, which was perhaps known only to Balliol and Bek (and seemingly Edward I if he were to ratify it). The location of its issue—in a small area

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<sup>148</sup> Barrow, *Robert Bruce*, 49.

<sup>149</sup> Appendix D, no. 5; *Handlist*, no. 360; *CDS*, ii, nos. 650, 652; *Anglo-Scottish Relations*, no. 19. Shortly before his coronation, Balliol was acquitted of summons to common pleas in Northumberland (*CDS*, ii, nos. 649-51; *CCR*, 1288-96, 308).

owned by the bishops—and the fact that there were no witnesses suggests that it had been a secret affair (although a charter with no witnesses does not necessarily confirm secrecy). The speculation that the count of Holland was secretly bought off (perhaps showing some truth in Fordun’s claim in regard to Balliol’s council) suggests that Balliol or his Comyn sponsors were willing to do whatever possible to secure his enthronement. Of course, it was not impossible that Edward I had loaned the money to bribe Florence in order to keep the 1290 grant confidential. Indeed, the English king had already manipulated and controlled various arrangements concerning the Maid and her marriage as well as the rights of Scotland and had altered documents during the Great Cause.<sup>150</sup> On the other hand, between the death of the Maid in 1290 and Balliol’s inauguration in November 1292, Bruce produced at least five documents as a means to cover all his bases, thus illustrating his weaker claim: the Appeal of the Seven Earls and the agreements with Florence, count of Holland, Nicholas Biggar and John de Hastings, and a letter to Edward urging him to exercise lordship and to honour the Bruce claim.<sup>151</sup>

On St Andrew’s Day, Balliol was duly inaugurated as king of Scots by being ‘raised to the kingly seat at Scone’ by John de St John, acting for the traditional earl of Fife, who at the time was under age.<sup>152</sup> Unfortunately, no records survive for the proceedings of this day; yet, it is known that Balliol was enthroned ‘with the applause of a multitude of people assembled,’<sup>153</sup> most likely those nobles who were present when he gave homage to Edward I following his inauguration. Anthony Bek likely participated in Balliol’s inauguration ceremonies and possibly assisted John de St John

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<sup>150</sup> Edward himself had antedated the surrender of the kingdom from 12 June to 7 June, immediately following the claimants’ acceptance of him as overlord on 5 and 6 June (Duncan, *The Kingship of the Scots*, 246).

<sup>151</sup> *Great Cause*, ii, 187; Duncan, “The Process of Norham,” 214. The fifth document was dated around Christmas 1290, but misplaced in *Great Cause* among the proceedings of June 1292.

<sup>152</sup> *Rot. Scot.*, i, 12. Balliol was the last king to be inaugurated in this manner as Edward took the Stone of Destiny in 1296. St. Andrew’s Day in 1292 fell on a Sunday.

<sup>153</sup> *Chronicon de Lanercost*, 144.

at the enthronement. In fact, he granted the new king formal seisin of the kingdom and its castles on behalf of Edward on 19 November.<sup>154</sup> As C.M. Fraser believes, Bek was possibly used at this time as Edward's representative in Scotland to keep the English king informed of Scottish affairs as well as advise King John.<sup>155</sup> The bishop made frequent appearances in Balliol's personal documents, such as the 1290 grant and a letter of April 1298 (discussed in Chapter Five), as well as being present at his abdication in 1296, which adds to his significance as an English presence in the kingship.

The dates of Edward's decision and of Balliol's fealty and inauguration suggest that perhaps the English king had engineered the conclusion of the Great Cause to coincide with his own reign. Edward I began his own reign on 17 November 1272, the same as King John, although his regnal years are dated from the feast of King Edmund (20 November)—on which day Balliol had given fealty. This, plus the fact that Balliol was inaugurated on a very emblematic day for Scotland, certainly hints that Balliol's reign was to be symbolically compared to Edward's and was to follow its lead.<sup>156</sup>

From Scone, Balliol travelled south to Newcastle, where—after dining with King Edward on Christmas Day—he performed his homage in the presence of at least twenty-three Scottish nobles, including four former Bruce auditors.<sup>157</sup> On 26 December 1292, Balliol did homage to Edward 'with his own mouth in French':

I, John Balliol, king of Scots, hereby become your liegeman for the whole realm of Scotland with its appurtenances and everything that goes

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<sup>154</sup> Fraser, *A History of Antony Bek*, 61; *Flores Historiarum*, iii, 85; *Great Cause*, ii, 250.

<sup>155</sup> Fraser, *A History of Antony Bek*, 61.

<sup>156</sup> Roy Haines points out that Edward II's regnal years date (for the first time) from the day of his predecessor's death (R.M. Haines, *King Edward II: His Life, His Reign and Its Aftermath, 1284-1330* (London, 2003), 19).

<sup>157</sup> *CDS*, ii, no. 656. The Bruce auditors present were the bishop of Glasgow, the abbot of Jedburgh, the earl of Atholl and John de Stirling (*Great Cause*, ii, 260-3; Duncan, *The Kingship of the Scots*, 317). The remaining were Balliol men.

with it, and that kingdom I hold, and ought to hold, and claim to hold of right for myself and my heirs, the kings of Scotland, by inheritance, of you and your heirs, the kings of England; and I will maintain faith and fealty to you and your heirs, the kings of England, in matters of life and limb and of earthly honour, against all mortal men.<sup>158</sup>

The connotation of this oath claims that Balliol would be, in effect, ruling Scotland under King Edward, for whom Balliol had been a loyal English subject. This condition has brought Balliol a plethora of negative opinions and a blackened reputation. As Barrow rightly intimates, following the death of Margaret and the subsequent events which brought uneasiness to the kingdom (even up to Bannockburn in 1314),

the legend rapidly established itself in Scotland and survives, indeed, to the present day that Balliol was a puppet nominated by King Edward to the Scots kingship in defiance of a national belief that Bruce had the better claim. There is no evidence to support the first part of this legend, and the second part is untrue.<sup>159</sup>

Yet, the fact that Balliol was reluctant to become king as well as his hesitation to swear fealty and accept Edward as overlord in 1291 surely should be worth some credit on Balliol's part. Despite the acceptance of his role as liegeman of Edward I, Balliol may have hoped to use his own authority when he became king.<sup>160</sup> Indeed, his willingness to accept his alleged role as a puppet of the English king may have transpired because of the anticipated involvement of Edward and Bishop Bek in the government. His family loyalties to the English crown supports this theory but from 1292, Balliol's

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<sup>158</sup> *Great Cause*, ii, 260-3; *Anglo-Scottish Relations*, no. 20; Appendix D, no. 7; *Handlist*, no. 360; *CDS*, ii, nos. 652-5.

<sup>159</sup> Barrow, *Robert Bruce*, 30.

<sup>160</sup> Watson, "The Demonisation of King John," 34.

activity and participation in the government suggests that he was being controlled by the Comyn faction, who ultimately resisted Edward's demands of superiority.

The act of homage in 1292 was the first act, in a series of bad political moves to be discussed later, which would earn King John an historical reputation as an English vassal of Edward I, although at this time the matter of homage was a seemingly routine issue. Kings frequently gave homage to other kings for lands which they held in another country, including King Edward himself, who gave homage to the French kings Philip III and Philip IV in 1272 and 1286, respectively, for his lands in Gascony.<sup>161</sup> Moreover, since the Treaty of York (1237) the Scottish kings were required to do homage for the lands in northern England which they held of the English king.<sup>162</sup> However, in these instances, the kings did not include their own kingdom, the crucial difference omitted from John Balliol's declaration of homage and fealty. This would be the essential tool used throughout the reign by Edward I to validate his actions against the new Scottish king. As Professor Frame explains, too, because Edward had been accepted as overlord throughout the proceedings of the Great Cause, 'there could be no question of homage *not* being required from the new king of Scots.' Moreover, the act of homage had now placed Balliol under the maintenance and protection of his lord,<sup>163</sup> although it would seem that Edward did not adhere to this principle. In May 1293, Edward required Balliol to pay to the English chamberlain a fee of £20 'by reason of the homage that the king of Scotland did to the king of England for the realm of Scotland.'<sup>164</sup> As will be seen in the next chapter, Edward I also required military

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<sup>161</sup> *Foedera*, I, ii, 124; iii, 8; Powicke, *The Thirteenth Century*, 234, 255.

<sup>162</sup> *Anglo-Scottish Relations*, no. 12; Barrow, *Robert Bruce*, 12. Thus in October 1278, Alexander III gave homage to Edward I 'for the lands which I hold of you in the kingdom of England for which I owe homage.'

<sup>163</sup> Frame, *The Political Development of the British Isles*, 165-6.

<sup>164</sup> *CCR, 1288-96*, 317. This was 'double what an earl gives by reason of his homage for the fee of the chamberlainship.'



service against the French king in 1294, which was a reasonable feudal demand because of John's position as an English landholder.

Surely, Balliol's label as a 'puppet king' needs serious re-evaluation, beginning with the Great Cause and his subsequent enthronement. When the Great Cause opened, Balliol was middle-aged, had no military training—in fact, only a clerical background—and had been subservient to (and employed by) the English crown. He had been a tenant-in-chief of Edward I from the time he inherited his family estates in 1278 and possibly had no real intentions to pursue the Scottish throne as an independent political entity until the deaths of his mother and the Maid of Norway in 1290 brought new circumstances to the forefront. This is evident from his apparent absence in the major negotiations between 1286 and 1290, although he could have been informed through Bek or Warenne. Given the power of the Comyn family during this time, as well as in previous Scottish crises, Balliol was more a puppet of this aristocratic family during his short reign, not of Edward I, an issue which will certainly be discussed in the following chapters.<sup>165</sup> Balliol was about forty-three years old, much older than previous Scottish kings,<sup>166</sup> when he was inaugurated, having hardly any experience in regal politics until then—especially in Scotland. In addition, with a very amicable relationship between Balliol's elder brothers, his wife, the English king, Bek and Warenne, John (II) could not have foreseen a rapid decline in Edward's affability or his increasing forcefulness. Nor could Edward have hoped that John (II), instead of Hugh or Alexander, would be the Balliol son who would succeed and claim the position as 'heir to Scotland' in 1290. Because of the nature of the succession crisis—more specifically, the awkward idea of 'electing' a king—any of the possible victors could have come under the same scrutiny at the onset of his reign.

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<sup>165</sup> Young, *The Comyns*, 113.

<sup>166</sup> Alexander III was eight when he became king; his father was sixteen and his grandfather was twenty-two.

During the Great Cause, Balliol may have been seen as a threat to the other competitors because his family had become powerful under the English kings, perhaps accounting for the violent behaviour of the Bruces. Yet, the fiscal problems of the Balliols certainly need to be taken into account. About a month prior to the onset of this judicial process, although in the middle of the preparations, Balliol apparently still owed money to Edward for his and his ancestors' debts, now amounting to the sum of £1,235 2s 7d plus four barrels of wine.<sup>167</sup> The suspension of this debt on 21 June 1291, incidentally after Balliol submitted to Edward, undeniably established Balliol as a loyal subject of the English king: because of his acceptance of overlordship (and thus, of his position as heir) he received a suspension of his debts. This debt is similar—and may possibly be the same—to one of £1,223 6s 11¼d, which Balliol was to pay in yearly instalments of £40 beginning from May 1293, after he was already enthroned as king of Scots.<sup>168</sup> Thus, the debts of the Balliols, after 1278 especially, should be emphasised because it immediately put the family in a position of obligation to Edward I—something which the Bruce family did not readily face. This position was strengthened by more than just feudal holdings: the long history of allegiance, personal ties and, most recently, the birth of Edward Balliol all contributed to the family's strong ties to the English royal family.

It has already been noted that in November 1290, Balliol appeared pretentious by titling himself heir to the kingdom. Until then, his life had been normal—albeit noble—yet it quickly opened the opportunity for Balliol to stretch his family's influence into Scotland, which John (I) had failed to do sufficiently in the 1250s. The

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<sup>167</sup> Stevenson, *Documents*, i, 225-7, dated c. 5-9 May 1291; Duncan, *The Kingship of the Scots*, 241. This was perhaps for relief on his inheritance in 1290.

<sup>168</sup> *CDS*, ii, no. 671; *Fine Rolls, 1272-1307*, 322. These were indeed very generous terms and these are probably related to the writ of 30 December 1292 ordering an investigation and respite of Balliol's debts to Edward I (NA E368/64 m.16d.; *CDS*, v, pt. ii, no. 116). The second amount could possibly have been related to the alleged bribe offered to Florence, count of Holland.

development of the situation after 1290 might have persuaded John (II) to take the initiative, acknowledge his unique position and recognise the possibilities. In addition, Balliol possibly saw the kingdom of Scotland as a means to expand his English loyalties, as a fief held of the English crown and not an independent kingdom. Edward would have a strong loyalist in Scotland—the person who would be ‘willing to abide by [his] advice’<sup>169</sup>—and Balliol would have gained a much higher status than his father had held under Henry III, as well as have the chance to recover his financial status by collecting royal revenues.

The Balliols had been a very ambitious and selectively independent family, under John (I), and despite a slow beginning, John (II) also cultivated his own political ambition after his enthronement in 1292. Both John (I) and John (II) desired political recognition from their respective kings. The major difference between them, though, was that John (II) achieved this political status when he became, not simply an earl or duke, but king of Scots, which came with diplomatic duties and great responsibility unlike John (I), whose sheriffship and brief role as guardian were his only offices that carried enormous responsibility. Admittedly, while John (I) had somewhat lesser positions, he had much more respect and trust from the English king and from his fellow barons; this was a key element missing from John (II)’s political career. The fact that his kingship was held in Scotland caused Edward to believe that John (II), as his loyal English subject, should be subservient to him. In effect, Balliol could never be an equal or independent king while Edward I ruled England because of the strong bonds of loyalty which existed between the two families. As will be seen later, however, when Edward became aggressive from the onset of Balliol’s kingship, John (II) lost everything that had made him useful to the English king, including his respectability. It

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<sup>169</sup> *Great Cause*, ii, 3-4; Donaldson, *Scottish Historical Documents*, 41-3; *Foedera*, I, iv, 87.

was then that Balliol became defiant to the king (possibly urged on by a Comyn element and perhaps the Scottish bishops), just as his father had become at times to Henry III. John (I) was a client of the English king and so, too, were his sons. The only hope John (II) had of advancing his position in Scotland or England came from serving Edward, securing an advantageous marriage and siding with the already established Comyn-influenced government in Scotland.

It must be noted, however, that while the rigorous management of the kingdom and the participation of the community of the realm was certainly an aspect of kingship which one might expect of a king of Scots such as Alexander II or Alexander III—and which can be found in Robert Bruce's character and reign later—this was lacking in Balliol's authority and personality. Because of this, it can be argued that historians have judged John Balliol by unfair standards. However, as under John (I), the Balliol family's relationship of lordship and service with the English kings was continuing to evolve, and this most likely determined John (II)'s behaviour from 1278-92. The limited evidence of Balliol's involvement in Scottish politics, especially from 1286-90, can perhaps be linked to his English nature and his intentions to be another king's man.

## **Chapter Four**

### *King John I of Scotland, 1292-96* *'A Lamb among Wolves'<sup>1</sup>*

At first glance, John Balliol did not possess any characteristics generally associated with kings. He was not a knightly or warrior figure, but rather came to the throne as a middle-aged ex-cleric who might have been content with such a lifestyle.<sup>2</sup> Although John had been in possession of his patrimony for fourteen years, he had inherited them amid many fiscal problems caused by his father's and brothers' successive deaths; his mother's extensive, and wealthy, estates in Scotland and England had only fallen to him two years before his accession. He was a man with no military training, limited political experience, and certainly felt pressure to rule a country in turmoil which needed firm royal authority after the six-year absence of a ruling monarch. At forty-three years old, John likely had misgivings and insecurities about his abilities as the new king of Scotland and no doubt realised the difficulty he would face if and when he attempted to wield his personal authority.

Yet, a kingship offered him power and influence, a chance to cancel his debts and an elevation of his family's noble status beyond that of his father's position as a king's man. John (I) certainly appeared to have a somewhat subtle political agenda, hoping that years of loyal service would be rewarded by a royal marriage, an earldom or more, at which time he would be able to extend greatly the family's status. This may have been the intended plan of both Hugh and Alexander, when they became respective Balliol lords, although their short-lived tenure ended any opportunities to climb to power as their father had done. John (II), however, inherited at a time when the legacy—and influence—of his late father was less significant. Indeed, his situation was unique and unprecedented for a Scottish king. But, with an heir, Edward, the survival

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<sup>1</sup> *Rishanger*, 371.

<sup>2</sup> Had he continued in the clergy, he might have hoped to be elected to a powerful see.

of the Balliol dynasty was not in immediate jeopardy. Balliol certainly seemed satisfied with the idea that he would continue to serve his lord, King Edward, as king of Scots as apparent from his homage in December 1292. Yet, later, he did attempt to exert some authority as king possibly hoping for some independence, not only from Edward but also from the political dominance of the Comyns.

The discussion which follows aims to develop these issues and underline the nature of Balliol's kingship in terms of his English connections and loyalties versus the circumstances of his rule in Scotland. It has been necessary to outline the governmental structure, including both adherents and opponents, and the many problems he faced because of his position in each realm; but, it must be noted that an in-depth analysis of Balliol's governmental procedures and parliaments is not given here.<sup>3</sup> What has been examined, however, will hopefully show how King John developed his own authority and ambitions through the political crises of 1294-96.

### *Loyalty to the Balliol Regime*

King John's government was no doubt heavily influenced by his Comyn relatives and their supporters. Leading members of the Comyn party within Balliol's regime included the earl of Buchan, the lord of Badenoch, Sir Geoffrey de Mowbray and Sir Patrick de Graham, who were regular witnesses to Balliol's charters. They, like many other nobles, were active in Alexander III's regime as well as that of the guardians and this continuity of officeholders aided the transition. Documents supplying names of royal officers are scarce for 1292-96, but it is known that John's cousin, Alexander de Balliol, continued to hold the office of chamberlain, which he had

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<sup>3</sup> Indeed, Alison McQueen's study on the Scottish parliaments of this time provides the best analysis of King John's government in terms of its agenda and business (A. McQueen, "The Origins and Development of the Scottish Parliament, 1249-1329," unpublished Ph.D. Thesis (St Andrews, 2002)).

held since 1286, and witnessed several charters as chamberlain.<sup>4</sup> Geoffrey de Mowbray, lord of Dalmeny, was appointed justiciar of Lothian by King John in 1294, following the death of William de Soules.<sup>5</sup> The office of justiciar of Scotia was held by a previous Balliol auditor and Comyn supporter as well—Andrew Murray lord of Petty, Avoch and Boharm—who remained in office until 1296.<sup>6</sup> Probably in 1289, with the death of his father, John Comyn had been appointed constable of Scotland, a position which had passed to the Comyn family in 1275 when Margaret, countess of Derby, eldest daughter of Roger de Quincy, resigned her rights to the office to Alexander Comyn, earl of Buchan, her brother-in-law.<sup>7</sup> Patrick de Graham, who was a regular witness to King John's charters, served as sheriff of Stirling from at least 1289 to late 1292, but by 1293, he had been succeeded in that office by another Balliol/Comyn supporter, Andrew Fraser of Cowie.<sup>8</sup> Indeed, these men had supported Balliol during the Great Cause, yet their leading roles in King John's government are perhaps more related to their association with the Comyn family—who likely selected them as auditors for John—rather than their willingness to serve the unfamiliar Balliol (with the probable exception of King John's kinsman, Alexander). Evidence shows that most of the leading members of the new government had no strong personal ties to Balliol himself but rather were adherents of the Comyn family. In Galloway, Balliol would have had the opportunity to have a strong following, but the late inheritance of these

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<sup>4</sup> Appendix D, nos. 7, 12, 16, 23-4, 26, 31-2; *The Douglas Book*, ed. W. Fraser (Edinburgh, 1885), iii, 8; *Charters of the Abbey of Coupar Angus*, ed. D.E. Easson, Scottish History Society, 3<sup>rd</sup> ser., xl (Edinburgh, 1947), 137-8; *Rot. Scot.*, i, 22.

<sup>5</sup> Appendix D, no. 23; Fraser, *The Douglas Book*, iii, 8-9; Barrow, *The Kingdom of the Scots*, 137-8. Soules died before November 1293 (T. McMichael, "The Feudal Family of de Soulis," *TDGNHAS*, 3<sup>rd</sup> ser., xxvi (1947-48), 163-93, at 174).

<sup>6</sup> Barrow, *Robert Bruce*, 60-1, 74. Andrew's brother, William Murray of Bothwell was 'pantler of Scotland' and known as William 'le Riche,' being one of the most powerful barons of the country. Following the battle of Dunbar, Andrew Murray—having been captured—was taken down to London and housed in the Tower. Murray's heir was another Sir Andrew (d. 1297), who was co-guardian of the realm with William Wallace. His position was taken over by John Comyn, earl of Buchan in 1299 (Barrow, *The Kingdom of the Scots*, 137-8).

<sup>7</sup> DCM Misc.Ch.363; Appendix D, no. 48; Oram, *The Lordship of Galloway*, 155-6.

<sup>8</sup> Appendix D, nos. 27-8, 31; *CDS*, ii, nos. 691-2, 721, 872; *APS*, i, 451-3; Stevenson, *Documents*, i, 347.

lands ensured, as Richard Oram suggests, that ‘he would remain a remote figure, excluded from any active involvement’ and he ‘had been denied the opportunity to forge the close personal bonds upon which the Gaelic lordship depended.’<sup>9</sup> Given these circumstances, Balliol’s personal rule lacked clear, concrete support although his government continued to retain Comyn influence and backing.

Some of Balliol’s personal following and household members before 1292 earned small positions in the new government. King John, although surrounded by Comyn men as his top advisers, still attempted to ensure that long-time Balliol adherents were included in the royal following.<sup>10</sup> The new king nominated Thomas de la More and Alan de Tesedale (Teesdale in northern England, the area where the Balliol stronghold of Barnard Castle was located) as his attorneys for three years on 1 January 1293. Thomas was an executor for the will of Dervorguilla in 1290, while Alan was a possible relation of Bernard de Tesdale, attorney for John (I) in 1266. Robert de Keith, served as King John’s marshal, William de Silksworth, his serjeant and among his clerks were Master William de Londors (Lindores or London?), Thomas de Esthall (Easthall, about five miles south of the Balliol manor of Hitchin (Herts)) and Walter de Fodringey (Fotheringhay), who had been another executor for Dervorguilla’s will.<sup>11</sup>

Although the majority of the men in King John’s government surely represented a dominance of the Comyn party, it must be noted that there were several Bruce

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<sup>9</sup> Oram, *The Lordship of Galloway*, 160.

<sup>10</sup> In April 1296, the following were listed as partisans of King John in Scotland, whose lands in Yorkshire were seized because of their adherence to Balliol: Ralph de Lascelles (a Balliol auditor in the Great Cause); Adam Knout; Isabella of South Couton; Geoffrey de Friselay; Peter, the miller of West Erdeslawe; Simon de Cressevyle; Peter de Rotherfeld; Richard, son of Matillidis de Dugl’; Walter, son of Thomas de Barkestone; Gilbert de Iselbek; Hugh de Berkeley; William de Roucestre, who served in Scotland with Richard Siward (*CDS*, ii, no. 736).

<sup>11</sup> *DCM Misc.Ch.632; CPR, 1292-1301*, 1-2; Appendix D, nos. 24, 32, 44, 48; *CDS*, i, no. 2406; ii, no. 535; *The Registers of John le Romeyn, Lord Archbishop of York*, Surtees Society, cxxiii (London, 1913), ii, 115. These positions were held from at least 1294. The account in the register for John le Romeyn gives John de Fodringey, not Walter, as Balliol’s clerk; nevertheless, this is quite possibly a relation of Walter. Among King John’s lesser officials, Londors and Keith were quite possible Scotsmen while Fotheringhay, Teesdale and Easthall were Englishmen.



auditors—including the previously mentioned earls of Dunbar, Mar and Atholl—as well as English officers who were active in King John’s government. The involvement of the earls of Mar and Dunbar is likely related to the marriages between a sister of Alexander Comyn, earl of Buchan (d. 1289) with William, earl of Mar, as well as the marriage of Alexander’s daughter to Patrick, earl of Dunbar.<sup>12</sup> John de Strathbogie, earl of Atholl had close links with the Comyn and Balliol families, yet possibly served as an auditor for Bruce because of their relationship through marriage (both Strathbogie and the future Robert I had married daughters of the earl of Mar) before switching sides in support of the Balliol/Comyn government. However, Robert de Cambron de Balemely, sheriff of Atholl in 1296, had been a Balliol auditor in the Great Cause and possibly had connections with the Atholl earls.<sup>13</sup> Sir John de Soules of Liddesdale, a Bruce auditor in 1290-92 but who later supported King John, was sheriff of Berwick, while William Sinclair of Roslin was sheriff of Edinburgh. Sir James the Steward, a strong Bruce adherent, mostly likely retained his position as sheriff of Dumbarton and Ayr after King John’s enthronement as he was later appointed sheriff of the newly formed sheriffdom of Kintyre.<sup>14</sup> It was more probably their accepted leadership in the community which accounted for these various Bruce supporters’ activity in the Balliol regime.

Balliol also sought to establish peace in his realm by incorporating loyal Comyn supporters in the new sheriffdoms created ‘for peace and stability of his realm’<sup>15</sup> at the first parliament—as well as other offices in the government mentioned above—in an

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<sup>12</sup> Ross, “The Strathbogie Earls of Atholl, part I,” 4; Young, *The Comyns*, 69, 71-2. As Richard Oram notes, it was the association with the Comyn regime in the 1250s that helped William, earl of Mar become a prominent member of the political community (R. Oram, “Continuity, adaptation and integration: the earls and earldom of Mar, c. 1150-c. 1300,” in *The Exercise of Power in Medieval Scotland, c. 1200-1500*, eds. S. Boardman and A. Ross (Dublin, 2003), 46-66, at 61-3).

<sup>13</sup> Ross, “The Strathbogie Earls of Atholl, part I,” 6, 8. Strathbogie fought against Edward I at Dunbar but later joined Bruce and was subsequently executed in 1306 by the English.

<sup>14</sup> Stevenson, *Documents*, i, 292-3; Young, *The Comyns*, 125, 128. This was perhaps the same William Sinclair who was justiciar of Galloway from about 1287 to 1291 (Barrow, *The Kingdom of the Scots*, 138).

<sup>15</sup> *APS*, i, 447.

attempt to expand his support. William, earl of Ross (son of Joan Comyn and William, earl of Ross) had been an auditor for Balliol and was granted the sheriffdom of Skye, including Barra, Lewis, Skye, Uist and the Small Isles. Ross was rewarded further for his services to the king in bringing ‘the “foreign isles” and their chieftains...to King John’s will,’ for which he received a lease of lands in Dingwall and Ferintosh.<sup>16</sup> The lord of Argyll, Alexander MacDougall, was a Comyn/Balliol supporter as well as brother-in-law of John Comyn of Badenoch (d. c. 1302) and at this time was given the sheriffdom of Lorn to govern under the new statutes. He had previously held positions in the West under Alexander III and was a prominent landholder, so his appointment here suggests desires to retain regional leadership rather than overturn the established political structure.<sup>17</sup>

The third sheriffdom—Kintyre—was governed by James the Steward. He was the obvious exception as having Bruce loyalties, although he gave priority to his duties as guardian rather than his relationship with the Bruce party,<sup>18</sup> and remained a politically powerful man to have in the new government. His influence during the guardianship as well as his long commitment to the government was surely beneficial to restoring authority and justice. In addition, he was already hereditary lord of Bute and the Cumbraes, which were both included in the new sheriffdom and so his leadership in that area, as was true for MacDougall, would be more easily obeyed.<sup>19</sup> It could be argued that the appointment of such powerful Comyn supporters (excepting the Steward) allowed Balliol the possibility to secure his own following by binding the

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<sup>16</sup> CDS, ii, no. 1631 (no date); *Handlist*, no. 402; Young, *The Comyns*, 128.

<sup>17</sup> R.A. McDonald, *The Kingdom of the Isles: Scotland’s Western Seaboard, c. 1100-c. 1336* (East Linton, 1997), 131-2, 163.

<sup>18</sup> Brown, *The Wars of Scotland*, 160. Moreover, his loyalties to Bruce strengthened only after 1286. Following Alexander III’s death, Steward overruled the exemption given to Melrose Abbey to provide military aid so that men could be sent to Kyle, which was ‘threatened by conflict’ (Stevenson, *Documents*, i, 162-741; Barrow, *Robert Bruce*, 17).

<sup>19</sup> McQueen, “The Origins and Development of the Scottish Parliament,” 147-8. All three lords had taken part in (and perhaps influenced) Alexander III’s renewed campaigns in the West and the Isles in the 1260s (Brown, *The Wars of Scotland*, 82).

Comyn men (for example, granting Ross lands for his services) to his authority and away from the dominance and influence of this party. Although this was possible through acts of patronage, the difficulty of King John actually achieving this so soon after his enthronement was obvious considering the cemented position of the Comyn establishment in the Scottish government, coupled with Balliol's almost wholly English background and lifestyle. Although generally Balliol has been praised for this ordinance,<sup>20</sup> as it shows the determination of the new king and his advisers to secure royal authority and order, it occurred too early in Balliol's reign for him to be heavily involved in this. Moreover, as Michael Brown has underlined, King John's ordinances did not result in peace and stability in the Isles but caused further struggles, illustrated by Ross's efforts to bring the Islesmen into John's peace, and escalated existing rivalries against his rule, such as that between MacDougall and the lords of Islay.<sup>21</sup>

English influence was also present in the new king's government, the obvious addition being the office of treasurer, which had not existed in Scotland before.<sup>22</sup> This place was filled by Master Alpin of Strathearn, a 'deputy' auditor for the abbot of Scone in the Great Cause (for Balliol), who served as King John's chief financial officer.<sup>23</sup> This post, which most likely served the king's household government, should not be confused with that of chamberlain, still held by Alexander de Balliol, which served the king's government of state—although on most occasions both of these were 'inseparably united.'<sup>24</sup> The office of chancellor was given to Master Thomas de

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<sup>20</sup> A.A.M. Duncan, "The Early Parliaments of Scotland," *SHR*, xlv (1966), 36-58, at 46; Nicholson, *The Later Middle Ages*, 44; Barrow, *Robert Bruce*, 55; Watson, *Under the Hammer*, 18.

<sup>21</sup> Brown, *The Wars of Scotland*, 258-9; *CDS*, ii, no. 1631.

<sup>22</sup> Barrow, *Robert Bruce*, 50; Watson, *Under the Hammer*, 19.

<sup>23</sup> *Great Cause*, ii, 84-5; Barrow, *Robert Bruce*, 50; Watson, *Under the Hammer*, 19. Master Alpin had links with Bologna, where he is found in 1278, and was also archdeacon of St Andrews until his appointment in King John's government. Around 1295, he was elected to the bishopric of Dunblane (Watt, *Scottish Graduates*, 521-2).

<sup>24</sup> "The Scottish King's Household," ed. M. Bateson, *Miscellany of the SHS*, ii (1904), 3-43, at 5, 7, 38. This is seen in the sharing of financial duties between the chamberlain and the treasurer: the chamberlain was responsible for collecting and spending the royal income throughout the kingdom as well as handling

Hunsingore, a Yorkshire native as well as both a former attorney of King John's mother, Dervorgilla, and an executor of her will in 1290.<sup>25</sup> It must be remembered, too, that Balliol's inauguration as king in November 1292 was performed by Englishmen—Anthony Bek and John de St John. Bek had a convincing position among the top Englishmen, including Edward I, who initially supported Balliol in the early 1290s. Arguably, the presence of Balliol partisans in the three highest governmental offices suggests a greater amount of Balliol control than previously realised.

Surely the impact of English influence was felt in the parliaments of Balliol's reign as well, and as Dr Alison McQueen suggests, 'it was the influence which Edward held as overlord over the provision of justice and appeals which had the greatest impact upon the development of Scottish parliament throughout John's reign'; she further notes that the frequency of the meetings called by both Balliol and his successor Robert Bruce immediately after period of English rule also indicate that the Scottish parliament was influenced by England.<sup>26</sup> However, it was also true that from 1286-92 the Scottish parliament was evolving into a more centralised entity for which English influence cannot be entirely credited. Despite this, English phrases such as *coram rege* were regularly used in parliamentary rolls, as well as the rolls of the guardians in 1291-92, suggesting that the pleas were recorded after English example.<sup>27</sup>

It has already been mentioned that when John became king in 1292, he had limited political experience and military training. He was also very unfamiliar with the Scottish government, having lived in England presumably his entire life and perhaps

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wards, reliefs and marriages, while the treasurer advised the king on his financial needs, such as sustenance costs.

<sup>25</sup> NA C47/22/3/12; *Charter Rolls*, ii, 456; *CDS*, i, no. 1759; ii, nos. 171, 535; Watson, *Under the Hammer*, 19; Oram, "Dervorgilla, the Balliols and Buittle," 173; Paravicini, *Early Hist. Balliol*, 80.

<sup>26</sup> McQueen, "The Origins and Development of the Scottish Parliament," 118, 132. During the reigns of Alexander II and Alexander III (1214-86), records of only four parliaments have survived, compared with seven for John's short rule alone (McQueen, "Parliament, the Guardians and John Balliol," 30).

<sup>27</sup> Duncan, "The Early Parliaments of Scotland," 42.

only visited Scotland as a child. It was this unfamiliarity with politics and government which most likely caused a treatise to be composed as a guideline for the new king. “The Scottish King’s Household,” written in French, outlined the offices and organisation of the royal household and government from the chancellor to the claimants of hereditary fees.<sup>28</sup> The “Household” itself shows ambition on Balliol’s part: as an inexperienced king, he wanted to learn and to follow closely to the rules of governing at the onset of his rule. Parliament in the late thirteenth century in Scotland was, according to McQueen, attempting to establish King John’s royal authority and was increasingly representing a collective power within the political community.<sup>29</sup> Because of this, and the “Household” guidelines, it might be suggested that parliamentary development after 1286 might have advanced due to King John’s inability as a new king.

Many of the parliaments also dealt with Edward’s encroaching status as overlord,<sup>30</sup> which Balliol appeared reluctant to accept despite his loyalties to the English king after 1278. Perhaps on advice from his advisors, he questioned Edward’s demands for military service in 1294 and hesitated in his answers at the London parliaments. Although it could be argued that John had deliberately summoned his parliaments in order to leave in time for those of Edward I, this is unlikely because of the increasing strength of the political elite. King John’s reign, which was heavily controlled by the Comyns, gave the Scottish governing community the opportunity to formulate any rules or procedures they believed necessary to compensate for their inexperienced monarch. They would not jeopardise their political advantage over

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<sup>28</sup> “The Scottish King’s Household,” 1-43; Young, *The Comyns*, 126; Nicholson, *The Later Middle Ages*, 44.

<sup>29</sup> McQueen, “Parliament, the Guardians and John Balliol,” 30, 45.

<sup>30</sup> *Ibid.*

<sup>31</sup> Barrow, *Robert Bruce*, 49.

Balliol by overlooking his actions, should he consistently acquiesce to Edward's demands.

Indeed, Balliol had always been 'an Englishman rather than a Scotsman'<sup>31</sup> and, as would be natural, was willing to accept advice on how to rule his kingdom from both Edward I and the Comyn party. In some ways, as king of Scots, Balliol was providing a useful link between the English king and the Comyn-led Scottish government. However, the pressure felt by the Comyns in conforming to a more English-style of government—which Balliol had been familiar with since 1278—perhaps generated the early cracks which would become a wedge between the domination of the Scottish government and King John's growing will to have more personal authority.

Balliol's new government was not without opposition. The MacDonalds, especially Angus MacDonald, head of Clan Donald and a later supporter of the Bruce family, were opposed to the Balliol/Comyn government and were also rivals to the MacDougall family, no doubt supporters of the Balliols and the Comyns, as well as in-laws to the Comyns through the marriage of Alexander MacDougall, lord of Argyll and a sister of John Comyn of Badenoch.<sup>32</sup> Previously, Angus MacDonald and Alexander, his son and heir, made an appeal to Edward I in June 1292 against Alexander MacDougall in a land dispute although it was unsettled and later arose in one of John Balliol's parliaments.<sup>33</sup> In February 1293, Alexander MacDougall was required to bring Angus MacDonald and others before the king to do homage on 13 April.<sup>34</sup> The

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<sup>32</sup> *APS*, i, 448; Barrow, *Robert Bruce*, 57-8; McDonald, *The Kingdom of the Isles*, 158, 162. MacDonald was included in the Turnberry Bond of 1286 (*Ibid.*, 161). They had sworn in Edward's presence that they would keep the peace in the Isles (*CDS*, ii, nos. 621-3).

<sup>33</sup> *Foedera*, I, iii, 92; McQueen, "The Origins and Development of the Scottish Parliament," 110; H.G. Richardson and G. Sayles, "The Scottish Parliaments of Edward I," *SHR*, xxv (1928), 300-17, at 308; McDonald, *The Kingdom of the Isles*, 164. The dispute concerned lands in Lismore, belonging to Alexander MacDonald through his wife, Juliana, a likely sister of Alexander MacDougall. The case was adjourned to October 1292, but delayed again until resumption in Balliol's reign (see below).

<sup>34</sup> *APS*, i, 448; Appendix D, no. 12. Witnessed by: the earls of Angus and Ross; Alexander de Balliol; Sir Thomas Randolph; Sir Enguerrand de Umfraville; Sir David Beton. At the Dundee assembly, King John also granted a charter to John de Insula of lands in Whitsome (Berwickshire), 'with freedom of

rivalry between the MacDonalds and the MacDougalls is not so straightforward, as R.A. McDonald stipulates, and their early allegiance was to Edward I, not the Bruces.<sup>35</sup> This refusal of homage, then, was both a symbolic reflection of their objections not only towards the Comyns and MacDougalls but also to the unkingly John.

At this time, Balliol also called action against the infamous Sir William Douglas, a 'rough and reckless man' who had caused trouble from the time of the guardians and before, and who had also refused homage to Balliol and his Comyn government. Douglas had been accused of imprisoning some of the king's baillies of Lanark—a royal holding—against their will when they came before Douglas to deliver seisin to him of certain lands of his mother. In July 1291, Douglas had been cited for contempt and for disturbing the abbot and monastery of Melrose.<sup>36</sup> Later, Douglas disseised the monks of Melrose of a common way through the valley of Douglas, which was restored to them on 13 April 1294.<sup>37</sup> Douglas had also imprisoned officers of the royal justiciar in Douglas Castle for one day and night, costing the king £1,000, for which Douglas received a sentence of imprisonment until he made his will known.<sup>38</sup> His 'monstrous behaviour' undoubtedly caused the new regime many grievances and surely can be seen as another hardship Balliol faced from the outset of his reign.

Much of the primary business and many of the appeals from the first few parliaments illustrate dissatisfaction with the Comyn domination of the government.

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alienation,' for service of a half knight's fee. It was confirmed by Edward I on 13 October 1295 (*Handlist*, no. 364; *Rot. Scot.*, i, 22, dated 23 February 1293).

<sup>35</sup> McDonald, *The Kingdom of the Isles*, 159. However, they were a part of the Turnberry Bond of 1286.

<sup>36</sup> D.W. Hunter Marshall, "Two Early English Occupations in Scotland," *SHR*, xxv (1927-29), 20-40, at 32; McQueen, "The Origins and Development of the Scottish Parliament," 114. On 6 January 1292, the church of Douglas was in royal hands through the transgressions of William. Melrose Abbey had strong connections to the Comyns and the Balliols in the thirteenth century, which might also account for Douglas's actions against it (Fawcett and Oram, *Melrose Abbey*, 38).

<sup>37</sup> *Rot. Scot.*, i, 2, 7-8; Appendix D, no. 23; Fraser, *The Douglas Book*, iii, 8-9. It is not apparent when Douglas had first disseised the monks, but it was likely around July 1291.

<sup>38</sup> *APS*, i, 448-9; *Foedera*, I, iii, 121; Barrow, *Robert Bruce*, 83; McQueen, "The Origins and Development of the Scottish Parliament," 157; M. Brown, *The Black Douglases: War and Lordship in Late Medieval Scotland, 1300-1455* (East Linton, 1998), 13, 15.

For instance, Simon de Restalrig laid claim to his father's lands in November 1293, although leading Comyn supporters, Patrick de Graham and John de Stirling, interfered with his case.<sup>39</sup> Moreover, William, abbot of Reading demanded the return of the priory of May and its revenues after it had been given to Bishop Fraser of St Andrews, a pro-Comyn bishop, during the guardianship.<sup>40</sup> As Young intimates, Macduff's complaint and his appeal at Balliol's first parliament—outlined below—indicated continuing friction between the family of the earls of Fife and the Comyn-favoured Abernethy family.<sup>41</sup> This again exemplifies the loyalty problems faced by Balliol and underlines the struggle he had to confront before his personal kingship could be accepted. This certainly implies that the political influence which the Comyns held over Balliol, who had no strong personal rule, angered some petitioners to such an extent that they felt compelled to call upon Edward I for assistance, perhaps convinced that Balliol would obey the king.

Surely, the most powerful opposition was presented by the Bruce party. The issue of homage was an important and much desired aspect of kingship which Balliol needed to obtain and secure in order to assert authority, retain loyalty, earn respect and affirm his royal status. The Bruces' attempts to dodge their homage by transferring their rights and earldom of Carrick gave Robert the Competitor the opportunity to refuse homage and blatantly express his desires to keep open his family's claims of

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<sup>39</sup> Simon asserted that Sir Patrick de Graham had interfered by persuading Simon's mother to alienate some of the lands. The fact that John de Stirling, who was given the lands at the Scone parliament, and Sir Patrick had long-time connections with the Comyns no doubt added to Simon's resentment. At a parliament held at Lanark in February 1294, Balliol was given a summons to appear at Edward's parliament in June 1294 to answer Simon. Although both Balliol and Simon duly appeared, the case was postponed because of the looming threat of war between England and France, as well as the outbreak of rebellion in Wales (NAS RH2/4/555/4 no. 35; NA KB27/141 m.36d.; CDS, v, pt. ii, no. 130; McQueen, "The Origins and Development of the Scottish Parliament," 143).

<sup>40</sup> *Rot. Scot.*, i, 19; *Chancery Warrants, 1244-1326*, 38; CDS, v, pt. ii, no. 131; NA KB27/141 m.17; McQueen, "The Origins and Development of the Scottish Parliament," 146, 151; McQueen, "Parliament, the Guardians and John Balliol," 38-9.

<sup>41</sup> Young, *The Comyns*, 103, 123. Hugh de Abernethy was accused of murdering the guardian Duncan, earl of Fife, in 1289.



kingship.<sup>42</sup> At the first parliament in February 1293, Sir John de Soules (a former Bruce auditor) came before the new king to give his homage, yet Robert Bruce, earl of Carrick (the future king), Angus fitz Donald,<sup>43</sup> John, earl of Caithness and William Douglas failed to appear at this parliament, subsequently being summoned a second time to appear before Balliol on 6 April, wherever he should be in Scotland, to give their homage as well as to hear King John's judgement concerning their absence from the first parliament.<sup>44</sup> However, although Bruce appears to have defied King John and refused homage at his first parliament, he eventually did so, as it would be unlikely that he would have been confirmed at the next parliament (August 1293) as earl of Carrick.<sup>45</sup> With regard to his father's resignation of the earldom to him in 1292, Bruce presented as pledges the earl of Lennox, Sir John de Soules and Gilbert de Carrick, while the earl of Mar and James the Steward were pledges for Bruce's relief. Balliol then commanded the Steward, as the sheriff of Ayr, to take seisin of the earldom and assess it for taxation.<sup>46</sup> Bruce's father, the previous earl, could also be seen undermining Balliol's royal authority by marrying his daughter to the widowed king of Norway, father of the Maid, in mid-1293.<sup>47</sup>

The strongest evidence of opposition from the Bruces came in 1294 and involved the disputed election of the new bishop of Whithorn, echoing John (I)'s contention of the 1253 election. On 13 January, while King John was at his personal, ancestral residence of Buittle, he wrote to the archbishop of York, John le Romeyn,

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<sup>42</sup> The Competitor's son, as lord of Annandale, still had to give homage, though, as did his son, Robert, as earl of Carrick.

<sup>43</sup> He was mistakenly listed as 'Duncan fitz Angus,' as McQueen suggests, and was later summoned to do homage by a brief of 24 February (McQueen, "The Origins and Development of the Scottish Parliament," 144; *APS*, i, 448; Appendix D, no. 12).

<sup>44</sup> *APS*, i, 447-8; *Foedera*, I, iii, 117; Duncan, "The Early Parliaments of Scotland," 40; McQueen, "The Origins and Development of the Scottish Parliament," 144.

<sup>45</sup> *APS*, i, 446, 449; Young, *The Comyns*, 122-3, 143n.

<sup>46</sup> *APS*, i, 449; *Foedera*, I, iii, 121; *Exchequer Rolls of Scotland*, i, 47; Duncan, "The Early Parliaments of Scotland," 41; McQueen, "The Origins and Development of the Scottish Parliament," 154.

<sup>47</sup> *CDS*, ii, no. 675; *CPR, 1292-1301*, 33.

complaining that Thomas de Kirkcudbright had been improperly elected to the bishopric of Whithorn ‘not by inspiration or even charitable nature, but through certain promises [and] simony.’<sup>48</sup> Balliol’s main objection was that the prior and canons of Whithorn had been bribed, an accusation most likely directed against the Bruces, who supported Thomas, a clerk of Robert the Competitor. King John requested that the archbishop delay Thomas’s consecration until his clerks, Walter de Fotheringhay and Thomas de Easthall, could present his case. Those also involved in the dispute included Henry, the archdeacon, and his nephew, Master John Nepos, who were Balliol supporters.<sup>49</sup>

As the letter was written from Balliol’s own residence, it could be put forth that he felt more comfortable and effective, perhaps even optimistic that he could successfully deny Bruce’s claims. The date of the letter might also be significant: St Hilary was a strong advocate against heresy; indeed Balliol’s tone of address in the letter demonstrates a certain degree of religious feeling, which given his previous career choice, suggests a stronger position on the matter.

Bruce had also written to Romeyn around the same time, although in support of the election, stating that ‘a certain son (*fili*)’ was unfair, and meant to impede the election process, clearly illustrating that both Bruce and Balliol realised the power of York’s intervention in the matter of Galwegian elections.<sup>50</sup> Even the official of Whithorn, Robert de Vavasur,<sup>51</sup> wrote to Romeyn describing the discord arising after

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<sup>48</sup> *Historical Papers and Letters from the Northern Registers*, ed. J. Raine (London, 1873), 104-5; Appendix D, no. 20. This appears to have been the only time when Balliol was present in Galloway during his reign. There is no mention of his Comyn advisers in the letters, but regardless, they may have been present.

<sup>49</sup> *Great Cause*, ii, 84; *The Register of John le Romeyn*, ii, 122; McQueen, “The Origins and Development of the Scottish Parliament,” 165n. Nepos had been an auditor in the Great Cause, as the deputy of the abbot of Tunland.

<sup>50</sup> Raine, *Northern Registers*, 105; *The Register of John le Romeyn*, 116; Barrow, *Robert Bruce*, 66; McQueen, “The Origins and Development of the Scottish Parliament,” 165n.

<sup>51</sup> He was possibly a relation of Mauger le Vavassur, an enemy of Henry III whose lands in Yorkshire were given in October 1266 to John (I) Balliol following the Barons’ War (*CDS*, i, no. 2405).

the death of Henry of Holyrood, the previous bishop.<sup>52</sup> The election caused considerable debate, as although the prior of Whithorn enjoyed the right of electing the bishop (contrary to John (I)'s claims in 1253 that the lord of Galloway had the right), the archbishops of York were allowed to overturn occasional electoral decisions since the see owed allegiance to York. Both of these parties were now vying over jurisdiction. However, Thomas had already been elected by the chapter and clergy but was unable to go to the archbishop 'because of certain of his enemies, clerks and magnates, who coveted the dignity to which Thomas had been elected.'

Archbishop Romeyn replied to King John on 22 January and promised that he would pay close attention to the election.<sup>53</sup> The following day, he replied to Vavasur exclaiming rather sternly that: "We are quite amazed that you have not written us more expressly about the way in which you were received by the chapter and clergy of the diocese, especially since they had illegally appointed an official before you came...on account of which, there is no doubt, they are cut off by the sentence of major excommunication." Romeyn further added that Vavasur should 'put the usurper [Nepos, as representative of his uncle the archdeacon] to silence, and do your duty...[and] ascertain to whom the jurisdiction belonged when the see was last vacant.'<sup>54</sup> This provides evidence that the archbishop was willing to object to the election of Thomas; however, he soon changed his mind and accepted the election.

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<sup>52</sup> *The Register of John le Romeyn*, ii, 116; R. Brentano, *York Metropolitan Jurisdiction and Papal Judges Delegate (1279-1296)* (Berkeley, 1959), 99-100.

<sup>53</sup> *The Register of John le Romeyn*, ii, 115-6; Raine, *Northern Registers*, 104-5; Watt, *Fasti Ecclesiae Scoticanæ*, 129-30; Brentano, *York Metropolitan Jurisdiction*, 99. Bishop Henry had died on 1 November 1293 (*Chronicon de Lanercost*, 154-5). Balliol had also written to the archbishop on 28 December 1293, asking him to install his clerk Walter of Darlington to the church of Parton (Galloway), the presentation of which had fallen to Balliol by reason of the vacancy (*The Register of John le Romeyn*, ii, 124-5; Brentano, *York Metropolitan Jurisdiction*, 99).

<sup>54</sup> *The Register of John le Romeyn*, ii, 117; Brentano, *York Metropolitan Jurisdiction*, 100. Nepos, as Brentano illustrates, was the antagonist in this dispute over jurisdiction (Brentano, *York Metropolitan Jurisdiction*, 104).

On 19 February, Romeyn wrote to Balliol asking him to hand over to Vavasur two churches assigned to the table of the bishop of Whithorn. If Balliol chose to refuse this request, Romeyn would deem it particularly unbecoming of the king, since according to the *libertates ecclesiasticas*, which Balliol was bound to support, the administration of spiritual and ecclesiastical affairs was forbidden to secular persons.<sup>55</sup> Romeyn, however, later convened a commission headed by Robert Lacy, the official of York, on 1 May to hear the objections by the king of Scotland against the election of Thomas.<sup>56</sup>

This no doubt mirrors the 1253 election of Whithorn in which John (I) had disputed the election of Thomas's predecessor, Henry of Holyrood. John (I) had claimed patronage of the see as lord of Galloway, a title which he did not even technically possess; John (II), however, was lord of Galloway after his mother's demise in 1290. Unfortunately, although both men had sought assistance from the archbishop of York, who appeared initially to support King John, both lost their disputes. The fact that they took their respective cases to York highlights a possible subservience to that see, and especially to England. There was one interesting difference in the cases. As mentioned above, Thomas was supported by the Bruce faction (especially embarrassing for Balliol's new kingship); but Henry of Holyrood had been the Comyn-favoured candidate. While the 1294 dispute revealed the Balliol/Bruce rivalry as families 'competing for what was more or less the patronage of the see of Whithorn,' the 1253 dispute is less clear-cut.<sup>57</sup> The opposition of the 1253 election (as stated in Chapter Two) has triggered claims, by Alan Young especially, that John (I) had been alienated and dominated by the Comyns, who were in control of the Scottish government at the time, which in turn demonstrated the power of the Comyns over Balliol and caused

<sup>55</sup> *The Register of John le Romeyn*, ii, 125; Brentano, *York Metropolitan Jurisdiction*, 103.

<sup>56</sup> *The Register of John le Romeyn*, ii, 126; Brentano, *York Metropolitan Jurisdiction*, 69.

<sup>57</sup> Brentano, *York Metropolitan Jurisdiction*, 106.

strained relations between John (I) and other Scottish lords.<sup>58</sup> Although this aspect does not relate to the 1293/4 election, it remains true that if the Comyns were willing to dominate John (I) while they had control of the government, there would be no reason why they would not do the same to John (II) after he became king, especially given his inexperience.

There is some evidence for this as the chronicler Rishanger (c.1250-c.1312) stated that his Comyn counsellors 'immediately drove away all those of his household who were of his kin and of his nation, and deputed others unknown to him to attend upon him.'<sup>59</sup> Although Rishanger was commenting here on the events of 1295-96, discussed below, it may still be relevant to the 1293/4 election because it illustrates the lengths to which the Comyns would go to secure complete control of the government and the monarch, leaving them in a position to dominate Balliol by appointing the substantial lay advisers of Balliol's government.<sup>60</sup> Indeed, Balliol's residence at this time on his personal lands at Buittle may draw some correlation to the position which both Robert II and III would find themselves during their reigns. Robert II (1371-90) was frequently at the Stewart lands of Bute, including an occasion in 1387 when political tensions were apparent. Similarly, Robert III (1390-1406) remained at Bute during the summer of 1400, whilst an English invasion under Henry IV took place.<sup>61</sup> In addition, both of these reigns saw the demission of the power of the king and the transfer of power to his son, which might have been the intended course of the Scottish

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<sup>58</sup> *Chronicon de Lanercost*, 59, 62; Anderson, *Early Sources of Scottish History*, 575; Duncan, *The Making of a Kingdom*, 564; Young, *The Comyns*, 53-4; see Chapter Two.

<sup>59</sup> *Rishanger*, 371.

<sup>60</sup> *Ibid.* As above, Balliol did have some lesser officials in the government with long-standing ties to the family.

<sup>61</sup> S. Boardman, *The Early Stewart Kings: Robert II and Robert III, 1371-1406* (East Linton, 1996), 141, 231. Of course, it is possible that Balliol's stay at Buittle was due to his personal connections with the castle and not because of any political tensions or forced exile.

nobles in 1295.<sup>62</sup> Though, it is possible that perhaps the English, too, viewed Balliol (an English lord) as suspiciously under the influence of the Scots, which justifies why the archbishop of York was unwilling to support him. Disappointingly, Balliol was no more successful than his father in the election and withdrew his claim on 19 May due to ‘the requests of the venerable nobles [unnamed but perhaps the Comyn party?] both distinguished and great,’ with Thomas being duly consecrated on 10 October.<sup>63</sup> On 30 May, Balliol, who according to his letter had sought and obtained the license for electing, was requested by the archbishop to restore the temporalities of Whithorn.<sup>64</sup>

### King John's Government

From 1292 to 1294, Balliol's government attempted to resolve land disputes between his subjects. Most of these disputes, however, illustrate the resentment and exasperation of many subjects with the Comyn leaders and demonstrate problems of loyalty facing Balliol's regime. During the first parliament (9 February 1293), an issue of certain lands of the heritage of Sir Bertram de Cardoness was settled. Sir Bertram had temporarily granted the lands (Kirkmabreck, Bagbie, Carsluith and the Boreland of Anwoth in Galloway) to Mark, bishop of the Isles (1275-1303), but was evidently attempting to reclaim his rights. Balliol and his parliament decided that the bishop could retain rents for the entire four years of the agreement as well as seisin of the lands for the remainder of the grant. A similar petition involved a grant made by Alexander III of 100 marks of land for Sir Enguerrand de Umfraville and his wife, Isabella, which

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<sup>62</sup> In November 1384, the earl of Carrick, son of Robert II, became guardian of the kingdom, while in 1399 Carrick's power (as Robert III) was transferred to his son, David, duke of Rothesay, who became lieutenant (Boardman, *The Early Stewart Kings*, 123-5, 214-5; *APS*, i, 500).

<sup>63</sup> Stevenson, *Documents*, i, 421-2; *The Register of John le Romeyn*, ii, 129-30; Watt, *Fasti Ecclesiae Scoticanæ*, 130; Brentano, *York Metropolitan Jurisdiction*, 104, dated from Edinburgh.

<sup>64</sup> *The Register of John le Romeyn*, ii, 128; Brentano, *York Metropolitan Jurisdiction*, 105.

Balliol agreed they should retain.<sup>65</sup> Further settled at this parliament was a dispute between Bishop Fraser of St Andrews and William Bisset over rights of certain lands of the minor earl of Fife. It was decided that Bisset would retain overall rights to the lands, while the bishop would be granted possession until the earl became of full age. Two families who supported Balliol and the Comyns—Abernethy and Menteith—were also involved in a suit at this time in which the lands of Alexander de Abernethy, heir of Hugh de Abernethy fell into possession of Alexander de Menteith until Abernethy came of age.<sup>66</sup>

These cases highlight, as McQueen has illustrated, that Balliol was reinforcing his royal authority by rewarding loyal supporters through parliament. The Umfravilles were closely associated with the Balliols from the 1250s, and of course, the pro-Comyn Bishop Fraser had been one of Balliol's auditors in the Great Cause, while Bisset, who had been given a less favourable answer in his suit, was a long-time rival of the Comyn family.<sup>67</sup> Although these cases show that Balliol was keen to reward those supporters, it must be noted that these parties were also Comyn followers, suggesting that Balliol was showing them favour at the instance of the Comyns. The example of Sir Bertram de Cardoness, who was a regular witness to Balliol documents and was perhaps one of Dervorguilla's followers in the 1270s,<sup>68</sup> highlights this because a Comyn follower—the bishop of the Isles, who was a Galwegian and also a Balliol auditor in the Great Cause—was favoured over a Balliol supporter. As is apparent from Rishanger's quote above, Balliol's counsellors were capable of such favouritism. This may provide some

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<sup>65</sup> *APS*, i, 446; McQueen, "The Origins and Development of the Scottish Parliament," 140-1. The 100 marks worth of land was comprised of 40 marks of land within the sheriffdom of Carrick and £40 from the king's chamber (*APS*, i, 446).

<sup>66</sup> Hugh de Abernethy had died in prison, being accused of advising the murder of Duncan, earl of Fife in 1289. Mary, countess of Strathearn, mother of Alexander and wife of Hugh, was called to this parliament to provide witness as to whether Alexander should have possession of other lands in Fife and Perth (McQueen, "The Origins and Development of the Scottish Parliament," 148).

<sup>67</sup> McQueen, "The Origins and Development of the Scottish Parliament," 142-3; Young, *The Comyns*, 37.

<sup>68</sup> Oram, *The Lordship of Galloway*, 149. For Mark, bishop of the Isles, see Watt, *Fasti Ecclesiae Scoticae*, 201.

deductions about John's style of kingship up to this point because King John is still relying on his Comyn advisers for assistance, or complete governance of the kingdom, which he would later appear to resist. The acts also suggest a possible revocation of lands alienated during the guardianship of 1286-92, which was likely done to secure Balliol's authority, or that of his counsellors. Some of these lands might have come under Balliol's personal jurisdiction due to his connections to both Umfraville and Cardoness and therefore may have been threatened by the revocation.

King John's first two parliaments also illustrate a great amount of judicial proceedings, hearings and petitions over lands occurring as far back as 1286 with the death of Alexander III. They also underline the necessity of providing justice and asserting royal authority and control after the upheavals of 1286-92. The fact that Balliol's first parliament as king of Scots was held at Scone, a recognised seat of power in medieval Scotland,<sup>69</sup> demonstrates the Comyns' ambitions to have him recognised, perhaps publicly, as the new king of Scots in an attempt to secure their own power, or to link John's reign to the legacy of Alexander III.

Nevertheless, the king's reign certainly commenced precariously. One week after Balliol's enthronement, on 7 December 1292, a Berwick burgess named Roger Bartholomew entered a complaint to Edward I regarding three of Bartholomew's previous cases, which had been decided against him at the court of the guardians during the Great Cause. Accordingly, at Berwick, he complained to Edward of injustice, for which the English king overturned only one of the three cases at Newcastle on 22 December. The leaders of Balliol's Comyn-led government, including the earl of Buchan, Bishop Fraser, Patrick de Graham and Thomas Randolph, responded—on behalf of their king—by asking Edward to remember the promises he had made in the

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<sup>69</sup> R. Oram, "Community of the Realm: the Middle Ages," in *The Architecture of the Scottish Government, from Kingship to Parliamentary Democracy*, ed. M. Glendinning (Dundee, 2004), 15-80, at 20, 33-4.



Treaty of Birgham.<sup>70</sup> As a result, Edward managed to obtain from Balliol a release from the various agreements including the treaty and those promises which Edward made at Norham regarding the independence of the realm of Scotland.<sup>71</sup> By this act, King John was arguably defying his Scottish nobles in favour of the English king, giving Edward I the privilege to ignore the agreement that Scotland would remain separate and divided from the kingdom of England. This act, which sealed his status as a loyal English servant, occurred at the onset of his reign, when he still believed he was rightly serving Edward I. Balliol's duty to his overlord would certainly produce such agreements and the Comyn-government, because of their acceptance of Edward as overlord during the Great Cause, was also obliged to yield. The Bartholomew case illustrates that the Scots were willing to appeal to Edward and allow him to overturn Scottish decisions through his position as overlord. It also demonstrates that they perhaps had a readiness to do so, since they already perceived Balliol as the English king's servant. After the Bartholomew case, Edward was able to overturn decisions of any Scottish appeal, and more importantly, outside of Scotland. Later, Edward would demand that King John be present at his English parliaments, 'as our subject, like others of our realm,' when these appeals were heard.<sup>72</sup>

This was implemented most famously in the appeal of the MacDuff case in 1293, which caused problems for the new Scottish king and proved to be the most demanding and damaging appeal made to Edward I. Macduff was the brother of Duncan, earl of Fife (murdered in 1289), and claimed rights to the lands of Creich and Rires in Fife. He had gone 'before King John in full parliament' concerning his lands

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<sup>70</sup> *Foedera*, I, iii, 114.

<sup>71</sup> NA E39/29; *Handlist*, no. 363; *Foedera*, I, iii, 114-5; *CDS*, ii, nos. 657-8.

<sup>72</sup> McQueen, "The Origins and Development of the Scottish Parliament," 116, 156n; *Anglo-Scottish Relations*, no. 30. One case ended in compromise while the original decision of the third was upheld. Edward had also expected Llewellyn, Prince of Wales to attend his parliaments after he defeated the Welsh (R.R. Davies, *Domination and Conquest: The Experience of Ireland, Scotland and Wales, 1100-1300* (Cambridge, 1990), 124-5).

and property of Kilconquhar,<sup>73</sup> of which some people were attempting to deprive him. ‘But,’ as Fordun explains, ‘because the king, as it seemed to the aforesaid Macduff, showed too much favour to the other side [that is, the Abernethys and the Comyns], he appealed from his sentence and court to the king of England to hear him and managed to get King John summoned to the English king’s parliament, held in London.’<sup>74</sup> Balliol was indeed summoned to appear at Edward’s Easter 1293 parliament but he refused either to appear or to send attorneys to his defence, whereupon the English king and his council set forth a series of rules concerning Scottish appeals and including the provision that the Scottish king be required to answer in person.<sup>75</sup> This was certainly damaging to the reputation of the new king, who was likely coerced to refuse by his Comyn advisers.

Bower claims that when Balliol appeared with his proctors at Edward’s next parliament (Michaelmas 1293), Edward was unwilling to listen to the proctors, ‘until that king, who was then sitting beside the king of England, would rise from his place and standing in court before him [would] commit his answers to his proctors with his own lips.’<sup>76</sup> Fordun’s source seemingly defends Balliol at this point, stating that he had fulfilled the commands of the English king by going to the Michaelmas parliament and ‘having undergone from all numberless insults and slights, against his kingly rank and

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<sup>73</sup> Adam of Kilconquhar (d. 1272) was the first husband of Margery, daughter of the earl of Carrick, who married secondly Robert Bruce (d. 1304) (Barrow, *Robert Bruce*, 25). It may have been the Bruces who were attempting to deprive Macduff of these lands; equally, though, the Comyns might have been responsible.

<sup>74</sup> *Chron. Fordun*, i, 321-2; *Chron. Bower*, vi, 43.

<sup>75</sup> NA C47/22/5/27 (summons dated 8 April 1293); *APS*, i, 448; *Rot. Parl.*, i, 110-1; Barrow, *Robert Bruce*, 58-9. The Easter parliament also concerned an appeal from John Mazun, a Bordeaux wine merchant seeking payment of certain debts of Alexander III; John’s case was nullified upon his own death. The Macduff case resumed in May 1295, but Balliol failed to appear yet again. Richard de Breteville appeared on behalf of King John, asking for judgement by default of the king for which 13 October 1295 was assigned for Richard to come before King Edward wherever he may be. Nothing more was heard of the case, and indeed by October 1295, Scotland, England and France were on the verge of war and the Welsh were revolting (McQueen, “The Origins and Development of the Scottish Parliament,” 156n; *Anglo-Scottish Relations*, no. 21).

<sup>76</sup> *Chron. Bower*, vi, 43. Certainly Edward I would never have done this to Alexander III.

dignity,' he dared not answer at the suit of Macduff without the advice of his people, a request which echoes those made by the community of the realm in 1291. Balliol promised to return to Edward's Easter parliament (1294), if he could first be allowed to consult with them:

Sir, I am your liegeman for the realm of Scotland, and I pray you to hold in suspense this matter about which you have informed me, which touches the people of my realm as well as myself, until I have had speech with them, *that I may not be taken unawares for lack of advice, for the folk who are here with me will not and dare not counsel me without others of the realm*; and when I have taken counsel with them I will report to you, at your first parliament after Easter, the advice that they give me, and I shall do towards you as my duty demands.<sup>77</sup>

Both Barrow and Young imply that Balliol had been 'well briefed' and 'rehearsed in his answer by his more experienced counsellors,'<sup>78</sup> suggesting that Balliol was essentially a figurehead, holding no real power and authority of his own, but rather coached by the more politically experienced Comyns. King John, effectively, could be considered something of a captive in Scotland, having been deprived of the multi-kingdom life which he knew as a cross-border noble. Before he became king, he was living a comfortable life in England, yet in Scotland he was seemingly out of place and isolated. The language used in this letter can be compared to later letters in which Balliol begins to use 'we' or 'our' perhaps as a means to identify with his nobles and subjects. In addition, the change in style possibly indicates more Comyn influence.<sup>79</sup>

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<sup>77</sup> *Anglo-Scottish Relations*, no. 21. My italics

<sup>78</sup> Barrow, *Robert Bruce*, 59; Young, *The Comyns*, 136.

<sup>79</sup> For example, Balliol's defiance of his homage to Edward I in 1296 (NA C47/27/3/12; *Anglo-Scottish Relations*, no. 23). However, Alexander's homage in 1278 does use 'I', while a letter to Edward in 1284 uses 'we' (*Anglo-Scottish Relations*, nos. 12-3).

The above response implies that Balliol felt his political experience and will were lacking and he was in a situation which he believed he could not handle properly without the help of his advisers. His plea at Michaelmas 1293 won him a delay until 14 June 1294, and Balliol thus 'returned home very greatly crestfallen' and quickly appointed a parliament at Lanark and, 'having openly set forth the insults, slights, contempt, and shame, which he had endured, he strove, by all means in his small measure of power, to find some offset against the aforesaid king's wickedness.'<sup>80</sup> Upon the resumption of the suit, both Balliol and Macduff appeared, but because of Edward's preoccupation with France, the date was changed to May 1295.<sup>81</sup>

It was at the Michaelmas parliament at Westminster that King John, although being defiant and refusing the summons at first, renewed his homage to Edward following a stern warning and insults from the English king that Balliol could lose three major castles and towns over his contempt of court.<sup>82</sup> Edward's threat for Balliol to yield or else face war could have been mere intimidation on Edward's part at this point. It was only after repeated denials of summons and defiance by Balliol (or more likely the Comyns controlling him) that Edward initiated war with the Scots. Surely Edward assumed that his sternness at this time would direct Balliol back into his loyal place, especially if there were no members of the Comyn faction present. Although Balliol mentions 'the folk who are with me,' the unnamed persons likely represented a minority of his government. Any senior officials present would possibly intervene or request that they take counsel without the need to return to Scotland. Most importantly, though, Balliol seemed willing to abide by Edward's advice given the fact that he *did* appear at

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<sup>80</sup> *Chron. Fordun*, i, 322; *Anglo-Scottish Relations*, no. 21.

<sup>81</sup> Balliol also appeared to settle the case between himself and Simon de Restalrig and perhaps the dispute with the abbey of Reading. The priory of May was finally restored to Reading in 1296.

<sup>82</sup> *Rot. Parl.*, i, 112-3; Barrow, *Robert Bruce*, 59; McQueen, "The Origins and Development of the Scottish Parliament," 161; N. MacDougall, *An Antidote to the English: The Auld Alliance, 1295-1560* (East Linton, 2001), 17.

the appeal; the Comyns surely realised the problem they now faced by having a loyal Englishman as their king and began to press Balliol to resist Edward's demands.

Despite these initial problems of justice, Balliol attempted to keep royal authority in control and to enforce justice on his own people. While Balliol was perhaps aspiring to learn more about his new government and use his authority, the repeated summons for parliaments reveals a weakness in Balliol's government as in some ways it reflects the regime's inability to complete business within one session and to enforce judgement. Unresolved matters such as the debate over the Whithorn election and remaining petitions from previous parliaments, such as the Restalrig, Reading and Macduff cases, also reveal weaknesses in the administration of justice, due in part to Balliol's inexperience. Another example of this concerns the petition lodged at the second parliament (August 1293) concerning the dower of Princess Margaret of Flanders, widow of Prince Alexander of Scotland (d. 1284). King John stated at this time that he would not take counsel over the matter but would 'consult with his friends and give an answer to the petition of the count of Flanders at the next parliament,' which took place at Lanark in February 1294. The matter was delayed again at Lanark and finally settled in May 1294 at a parliament in Edinburgh.<sup>83</sup>

At this stage, though, King John appeared to promise better dispensation of justice while attempting to restrain suits of appeals outwith Scotland and to King Edward—which had plagued the first year of his reign—by issuing a letter providing public summons before the king and council 'of everyone with a complaint...to show

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<sup>83</sup> *APS*, i, 448; McQueen, "The Origins and Development of the Scottish Parliament," 155-6. The dower amounted to 1,300 marks due from the town of Berwick and 200 marks from the manor of Linlithgow, as well as the arrears from the time of Alexander III's death. The final charter was witnessed by: John Comyn, earl of Buchan and constable of Scotland; Alexander de Balliol, chamberlain; Sir Geoffrey de Mowbray (Stevenson, *Documents*, i, 421-2; Appendix D, no. 26; McQueen, "The Origins and Development of the Scottish Parliament," 137, 167; Duncan, "The Early Parliaments of Scotland," 45). McQueen declares that although there were only three witnesses to this charter, it claimed to have been decided within a '*consilium*' and the brieve of August 1293 summoning tenants-in-chief before King John also gives proof that this was likely a true parliament.

the injuries and trespasses done to them by whatsoever ill doers...and to receive from them what justice demands.’<sup>84</sup> This second parliament thus implemented an occasion by which King John’s subjects could seek judicial remedies and saw ‘the dispensing of justice upon a scale which may have been unprecedented in Scotland.’<sup>85</sup>

A *brieve* originally drawn up at the Stirling parliament in August 1293, resembling a revocation, called for tenants-in-chief, who came into various lands after the death of Alexander III, to come before King John and his council at ‘our next *colloquium* at Edinburgh’ to show their rights to the lands they held. These lands were then placed in the hands of the respective sheriff until the next parliament (which would fall on 2 February 1294), when the tenants would provide evidence of their rights.<sup>86</sup> The decisions would then be given at the following parliament (held in Edinburgh in May). Although on the surface these delays suggest problems in Balliol’s government and perhaps insufficiency to handle demands, this would have been normal procedure for any revocation since determining land ownership would not have been possible in one parliamentary session.

Balliol appears to have conducted business as usual throughout the realm, and between the Lanark parliament in February 1294 and his appearance at Edward’s court in June 1294, there are a number of extant charters from which one can see his itinerary. From Lanark, Balliol travelled north to Dundee, where on 30 March he issued a charter to the Friars Minor.<sup>87</sup> At this point, he turned south, arriving at Roxburgh where on 13 April he issued a *brieve* to Sir Geoffrey de Mowbray, justiciar of Lothian, restoring to the monks of Melrose seisin of a common way through the valley of Douglas, of which

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<sup>84</sup> *APS*, i, 557b; Duncan, “The Early Parliament of Scotland,” 46.

<sup>85</sup> McQueen, “The Origins and Development of the Scottish Parliament,” 117.

<sup>86</sup> Duncan, “The Early Parliaments of Scotland,” 41, 45; McQueen, “The Origins and Development of the Scottish Parliament,” 165.

<sup>87</sup> *Handlist*, no. 369. Balliol may have stopped at Dunfermline, where Alexander III was buried, to observe the anniversary of his death on 19 March.

they had been disseised by William Douglas.<sup>88</sup> Travelling to Jedburgh by 20 April, King John wrote letters to John, bishop of Carlisle, presenting Master William de Londors, his clerk, to the church of Castle Sowerby (Cumberland).<sup>89</sup> Balliol had previously been summoned to attend Edward's parliament in June in London, which he did, to answer to the appeals of Restalrig, Reading Abbey and Macduff and remained there at least a week, evident from two charters issued from London on 20 June regranting Anthony Bek the manors of Penrith and Sowerby, as well as £50 of land in Tynedale.<sup>90</sup>

While attending the English parliament in June, Balliol was also called to answer summons that he provide Edward with military service against the French through his obligation as an English landholder. A letter from Edward I to Balliol dated 20 April suggests that Balliol may have been willing at first to provide this service in Edward's campaigns against King Philip IV. The letter states that King John, 'learning of Edward's intended foreign expedition has asked to be told what parts Edward wishes him to play in it. Edward thanks him for his friendship; at present the expedition is not taking place and parliament will be held in London after Easter, etc.'<sup>91</sup> Balliol's alleged agreement to provide service may have been decided in March 1294, when Balliol's progress turned south from Dundee towards Roxburgh and Jedburgh, or perhaps even earlier. In fact, the fourteenth-century chronicler Guisborough had declared that Edward did receive an affirmative answer from the Scottish king, and those Scots with him, concerning the military summons. In addition, Balliol possibly consented to yield

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<sup>88</sup> Appendix D, no. 23; Fraser, *The Douglas Book*, iii, 8-9. This brief may have been discussed at the Lanark parliament. Balliol perhaps spent Easter, which fell on 18 April, at Roxburgh.

<sup>89</sup> Appendix D, no. 24; *The Register of John de Halton, Bishop of Carlisle 1292-1324*, trans W.N. Thompson (London, 1913), i, 8.

<sup>90</sup> Appendix D, nos. 27-8; *CPR, 1327-30*, 427; *CDS*, ii, nos. 691-2. Confirmed on 25 June 1294 by Edward I (*CPR, 1292-1301*, 102; *Charter Rolls*, ii, 456). See Chapter Three for more on the grant to Bek.

<sup>91</sup> NA SC1/14/43; *CDS*, v, pt. ii, no. 129. A grant from 20 April to John, bishop of Carlisle, places Balliol at Jedburgh (see above).

up the whole revenues of his English estates for three years (as much as £3,000) because of his feudal obligations as an English lord.<sup>92</sup> During his progress south towards the Borders, King John does not appear to have attempted to muster an army. Although there is no confirmation of which Scots were present with Balliol when he offered military service, it may not have been the Comyns, who had likely reacted to the situation by calling for an urgent parliament in Edinburgh in May, which required John to turn back from the Borders. Most probably, the issue of the Scots' obligations for military service had been discussed at the May parliament, just after this letter, and Balliol, finding resistance among the Scots, was perhaps forced to recant his decision and refuse to give Edward aid. This underlines the political plight which Balliol constantly found himself during his kingship and certainly draws a line between his loyalty and obligation to Edward I as an English lord and his responsibility to the Scots as their king.

Letters were issued from London on 25 June for the Scottish king to provide the service which he owed through fealty and homage and to appear on 1 September 1294 at Portsmouth 'with horses and arms.'<sup>93</sup> Balliol did not reject the terms of these letters when he appeared at the London parliament, but rather demanded to be allowed to consult with his people before answering and thus returned to Scotland. He arrived in Newark, west of Roxburgh, by 2 July, where he wrote to Edward requesting redress for the complaints of the burgesses of Berwick.<sup>94</sup>

Upon his arrival in Scotland in early July 1294 an emergency meeting of his parliament was called, as apparent from Bower, to consider Edward's claim of military

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<sup>92</sup> *The Chronicle of Walter of Guisborough*, 243; *Flores Historiarum*, iii, 88, 272; Dalrymple, *Annals of Scotland*, i, 282.

<sup>93</sup> *Parliamentary Writs*, i, 261-2; *CDS*, v, pt. ii, no. 132. The first letter (25 June) was issued by Edward at 'Wittele.' The next two summonses (29 June and 17 August) were issued by Edward from Portsmouth, the third of which informed Balliol that the muster of 1 September has been postponed and for King John to send his men and horses to Portsmouth on 30 September to cross into Gascony.

<sup>94</sup> NA C47/22/1/41; Stevenson, *Documents*, i, 426-7; Appendix D, no. 29; *CDS*, ii, no. 697.



service. The Scots decided at this parliament that Balliol, contrary to his own beliefs, owed no such service for his homage, ‘firstly, because he had been compelled by force and fear...to be Edward’s subject and do him homage...and without consulting the three estates of the realm; also because before this he was the ally of the kings of France.’<sup>95</sup> Indeed, Balliol had much to lose regardless of his answer to Edward. He risked forfeiture of his lands in both England and France depending on which side he chose to take. Yet, Balliol was not a true ‘ally’ of France, although he never appears to have been disloyal to his French lord. His role in France before 1290 was perhaps more active than that in Scotland, but this had more to do with his own family estates there and he still appeared to remain in English service. Regardless, the outbreak of rebellion in Wales in the autumn required Edward’s attention and subsequently the feudal muster never took place; this is why the English king did not react immediately to the refusals by King John and the Scots.<sup>96</sup>

In the meantime, Balliol’s government appeared as calm as could be expected and continued to issue charters throughout the realm. From Lindores—where Balliol’s great-grandfather, Earl David, was buried—on 1 August 1294, King John granted to Nicholas de Haye, lord of Errol (Perthshire) various lands in Perthshire.<sup>97</sup> Further

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<sup>95</sup> *Chron. Bower*, vi, 41. Fordun does not give such details here and only mentions that the Scots urged Balliol to withdraw his homage and fealty (*Chron. Fordun*, i, 321-2). The Scots certainly became traditional allies of the French upon the 1295 treaty, yet as MacDougall and Barrow intimate, the alliance likely dated to about 1173, when it was normal for each country to ask for support against England. In discussing the 1294 parliament, Bower himself claims that the alliance was begun in 787 ‘and has been observed unbroken.’ In addition, Scottish kings had long been friendly with France and contracted many marriages with French noblewomen (*Chron. Bower*, vi, 43; MacDougall, *An Antidote to the English*, 9-11; Barrow, *Robert Bruce*, 63). Bower’s claims here that Balliol had not consulted the ‘three estates of the realm’ might be his way of using Balliol’s reign to underline the repeated clashes which James I (1406-37) faced with his estates in the 1420s and 1430s, or to highlight the problematic minority of James II (*Chron. Bower*, viii, 251-7, 291-2; M. Brown, “‘Vile Times’: Walter Bower’s Last Book and the Minority of James II,” *SHR*, lxxix (2000), 165-88, at 166).

<sup>96</sup> Prestwich, *Edward I*, 372. It is true, too, that Edward I also experienced resistance from his own barons in 1297 against demands that they provide military service in Gascony (*Documents Illustrating the Crisis of 1297-98 in England*, ed. M. Prestwich, Camden Society, 4<sup>th</sup> ser., xxiv (London, 1980), 6).

<sup>97</sup> NAS RH1/6/22; Appendix D, no. 31. The lands were Errol, Inchyra, Kilspindie, Dronley, Pitpointie, Cassingray and Fossoway. My thanks go to Dr Richard Oram and Dr Simon Taylor for identifying these place names.

north, at Kincardine, Balliol issued a charter, dated 20 August, to Robert de Keith, his marshal, of lands in Keith; while at Traquair on 6 December, the king granted to a certain Patrick Noble, son of Thomas Noble, two carucates of land in Ratho, Lothian<sup>98</sup>; on 19 March 1295, the anniversary of Alexander III's death, at Linlithgow, Balliol granted protection and various rents to the Friars Preachers of Linlithgow; and finally on 11 June at Loudon, Ayrshire, a charter was issued to the church of Glasgow and Bishop Robert Wishart for lands of 'Ballyolandis' [Baillies in Largs, Ayrshire?] and other lands in Cunningham.<sup>99</sup> Balliol's charters between the parliaments of February 1294 and July 1295 suggests that he was perhaps feeling more comfortable in his position as king and began to assume a more active role to ensure stability and control in his kingdom, which might be an early indication of his independent ambitions to rule. Almost half of these charters concerned grants to religious houses, implying that King John still retained his piety despite abandoning his clerical training years before.

### The 1295 Treaty of Paris

In 1295, relations between England, Scotland and France were indeed tense and in July of that year King John called a parliament. This penultimate parliament perhaps was called not on 5 July, but two days before, when on 3 July, Balliol augmented Bek's northern lands by granted him the manor of Wark in Tynedale. This charter was witnessed by Robert, bishop of Glasgow, the earls of Mar, Buchan, Dunbar, and Strathearn, John Comyn, lord of Badenoch, Sir Geoffrey de Mowbray and Sir Patrick de Graham, who were all regular witnesses to Balliol's charters.<sup>100</sup> As this charter was

<sup>98</sup> Ratho, along with other lands, was assigned to King Eric of Norway upon his 1281 marriage to Alexander III's daughter, Margaret, as part of her dowry (R. Nicholson, "The Franco-Scottish and Franco-Norwegian Treaties of 1295," *SHR*, xxxviii (1959), 114-32, at 123).

<sup>99</sup> NLS Adv.MS.34.6.12 f.186; 35.4.16 f.138; Appendix D, nos. 32-3, 36; *Handlist*, no. 379.

<sup>100</sup> Appendix D, no. 37; *CPR, 1292-1301*, 233-4; *CDS*, ii, no. 872. This charter was confirmed on 8 February 1297, after Balliol had lost his kingship. As above, though, it suggests that the 1290 was not confirmed or was being officially recognised at this time. The absence of Bishop Fraser, Bishop

granted at Stirling, with leading members of Balliol's government present, it is possible that the parliament first met on this day and continued through until 5 July, when the main order of business—the treaty with France—occurred.

The parliament of July 1295 is highly debateable. It is generally thought that Balliol was removed from power and replaced by a Council of Twelve who negotiated an offensive/defensive alliance with France. Balliol's alleged removal from power, which in all probability did not take place, will be discussed below, but first it is necessary to secure the facts of this parliament. It is known that a treaty with France was discussed and four persons—Bishop Fraser, Matthew, bishop of Dunkeld, Sir John de Soules and Sir Enguerrand de Umfraville, who all seemed to be on good relations with Balliol—were appointed by King John to go to King Philip IV of France to speak with him regarding the treaty as well as the marriage of Edward Balliol, King John's son and heir, who was now about thirteen years old and likely living at the English court.<sup>101</sup> Although France and Scotland shared a mutual amity, Edward's relationship with his vassal, King John, likely caused King Philip to keep up his guard. The situation between the three countries was quite awkward and complicated, especially since Balliol was a vassal of both kings and Edward, too, owed homage to Philip for his lands in France. Edward's preparations for war with France in late 1294—summoning Balliol to give him military service—would no doubt anger the French king given Balliol's homage to him for his lands in Picardy.<sup>102</sup> Even in March 1295, Philip IV viewed the Scots as his enemy, instructing the count of Flanders to break off relations

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Matthew of Dunkeld, John de Soules and Enguerrand de Umfraville is noteworthy, especially since they were present two days later when they were appointed to go to Paris for the treaty.

<sup>101</sup> *Handlist*, nos. 382-3; *Foedera*, I, iii, 146; *APS*, i, 453; *Chron. Bower*, vi, 43, 45. This arrangement is different from previous embassies as it did not include an earl, a point which may be significant. The importance of Edward Balliol's upbringing at the English court is especially noteworthy from 1290-92, when his father was involved in the Great Cause (See Chapter Six). Unlike a similar envoy of 1359, organised by Robert Stewart, perhaps without David II's full consent, this was appointed by King John himself. However, it remains a possibility that his Comyn advisers commissioned them (For the 1359 envoy, see Penman, *David II*, 229-30).

<sup>102</sup> Balliol's homage was likely performed on one of his many trips overseas in the mid-1280s.

with them, along with the English, showing that King John was perhaps perceived as an English king's man; yet, by May the Scots were considered 'not our enemies, but rather our friends,' apparent from two writs of Philip IV.<sup>103</sup> Still, France's ability to secure a treaty with England's vassal king would surely anger Edward himself and undoubtedly provoke him to make war.

On the surface, the treaty, dated 23 October, appears to have been a mutual Franco-Scottish alliance directed against the king of England, his supporters and allies. However, it was quite one-sided and favourable to the French: while the Scots promised to invade England should France be attacked, the French only offered to do what they could against England should Scotland be invaded. It was also stipulated that a peace could only be made if both sides agreed, a phrase later abused in 1298 and 1302 when England and France entered into peace negotiations while Balliol and the Scots were refused inclusion.<sup>104</sup> Also settled in the treaty was the marriage of Edward Balliol to King Philip's niece, Jeanne de Valois, although the abdication of King John the following year would cancel this. King John was to receive 25,000 'small *livres tournois*' (roughly £6,250<sup>105</sup>) upon the marriage; the dower was to be an annual rent of £1,500 sterling as well as an annual rent of £1,000 sterling in lands 'with the administration of justice and all rights not pertaining to the royal crown in the places written below, namely, Bailleul, Dompierre, Héricourt and Hornoy in the kingdom of France, and also Lanark, Cadzow, Mauldslic, Cunninghame, Haddington and in the castle of Dundee in the kingdom of Scotland.'<sup>106</sup> What this indicates is that the dealings

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<sup>103</sup> Stevenson, *Documents*, ii, 2-3; Barrow, *Robert Bruce*, 63; Nicholson, "The Treaties of 1295," 115. This was possibly why Balliol failed to come before Edward regarding the resumption of the Macduff case.

<sup>104</sup> NA E39/91/8; AN J677/1-2; *APS*, i, 451-3; Palgrave, *Documents*, i, 250-61; Stevenson, *Documents*, ii, 8-15; *CDS*, ii, no. 990.

<sup>105</sup> The exchange rate in 1296 was about £1 to 4 *livres tournois*. My thanks to Professor Prestwich for this.

<sup>106</sup> *Chron. Bower*, vi, 45-7; *Liber Pluscardensis*, ii, 143-5; *Foedera*, I, iii, 152-3; *APS*, i, 452. In comparison, a decade earlier the marriage of Alexander III's son, Alexander, to Margaret, daughter of Guy, count of Flanders, gave the bride a dowry of 1,500 marks and the promise that should Margaret die

of the Comyn government, especially allying with the French, were not particularly influenced by Balliol's own political desires. The fact that the treaty called for a payment of £6,250 to Balliol implies that the Comyns drew up the conditions, with King John requesting—or being offered—this money (and the marriage of his heir to the French royal family) to sway his reluctance to go through with it and to offer his own personal French estates as part of the dowry. It does not mean that John did not want support from the French king, his other superior lord, but rather he was reluctant to enter into the alliance because of the repercussions he would receive from Edward I. The large sum of money may have been used as compensation for King John's imminent abdication or his inevitable loss of his English lands, perhaps to be replaced by his son, which he may have been content with since his English estates were soon to be confiscated (or had been already) and thus Balliol would need the money (see below). The treaty was ratified at a large assembly in Dunfermline on 23 February 1296 by a great number of Scottish nobles, clergy and leading government members, as well as representatives from the six major burghs of Aberdeen, Perth, Stirling, Edinburgh, Roxburgh and Berwick; seemingly, there were no members of the Bruce family present.<sup>107</sup>

The motives behind this treaty and alliance with France are quite complex, as is the breach of Anglo-Scottish relations at this time.<sup>108</sup> The Scottish nobles' resentment of Edward's constant demands on their king through his position as overlord was surely a factor, although these nobles had also accepted Edward as their overlord in 1290-91. Balliol, as an Anglo-Franco-Scottish landholder, was caught between his barons in

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without heirs, King Alexander would give the count £5,500 and £11,000 'which he granted to the couple in view of their marriage' (*Handlist*, no. 134-6, 141-3).

<sup>107</sup> *APS*, i, 451-3, seals attached included: the bishops of St Andrews, Glasgow, Dunkeld and Aberdeen; the abbots of Arbroath, Dunfermline, Holyrood and St Andrews; the earls of Buchan, Mar, Strathearn and Atholl, as well as eleven barons.

<sup>108</sup> Nicholson, "The Treaties of 1295," 114.

Scotland and the kings of England and France. He possibly considered whether to defy Edward, hoping for independence with the help and support of the French monarch, or to resist his nobles' demands of alliance with France, with the hope of further reward from Edward. Yet, refusing an alliance with France could have caused problems with Philip should he demand that Balliol provide him with military service against the English; problems might have arisen as well as from the Comyns and the Scottish bishops if he defied them. In either case, King John would risk forfeiture of his English, French or Scottish lands (and perhaps the Scottish throne), each with an estimated value of roughly £1,000 per year. Judging by the importance of the lands, it would seem more plausible (with hindsight, of course) that Balliol should personally prefer losing his French estates rather than his English, especially his northern English lands in Northumberland and Durham, where the family had based its power for centuries.

What makes this alliance interesting is the fact that the previous day, 22 October, France entered into a similar alliance with Norway, which was ratified by King Eric on 29 March 1296, just over a month following King John's ratification.<sup>109</sup> The provisions indicated that Norway would supply naval resources to the French for use against the English. It was also stated that because King John was a vassal of Philip, he ought to make war on England. "Lest the Scots king be distracted from such action, the Norwegian king was to guarantee that during hostilities between France and England he would not make war upon the Scots by reason of any past disputes with them, nor would he devise new motives for such a war but rather strive to avoid it"; the same was to be true for Scotland.<sup>110</sup> Indeed, the above clause anticipates that Balliol would be 'distracted from such action' against his other vassal lord, King Edward,

<sup>109</sup> *Diplomatarium Norvegicum*, ed. A. Brugg (Kristiania, 1910/14), xix, nos. 398-403; Teulet, *Inventaire Chronologique*, 5-6; Nicholson, "The Treaties of 1295," 116-8.

<sup>110</sup> Nicholson, "The Treaties of 1295," 118.

whom he was accustomed to obeying. But Norway's past disputes with Scotland concerned Edward as well, hence the reasons for the Franco-Norwegian treaty against England. After all, King John was now responsible for the yearly payment of the Western Isles, at present in arrears, due to Norway by the terms of the 1266 Treaty of Perth; he was also expected to restore the lands and goods which Eric was known to have in Scotland.<sup>111</sup> Edward's unwillingness or inability to make his vassal, Balliol, respect obligation of payment angered the Norwegians, although they remained open enough to join in a mutual alliance with France when the Scots rejected Edward as their overlord. Moreover, Norman MacDougall suggests that Balliol's regime, fearful of 'Bruce ambitions' as well as Eric's marriage into that family,<sup>112</sup> likely welcomed an end to hostilities and tension between Scotland and Norway.<sup>113</sup> Thus, the three kingdoms entered into their alliances, as England prepared for war.

According to the contemporary Lanercost chronicle, after the Scots 'craftily sent envoys to the king of France conspiring against their lord, King Edward of England,' Edward had heard of their dealings—apparently by intercepting a letter sent by Thomas Turberville, who was spying for the French—and 'was very angry (and no wonder!), and he sent repeatedly to the king of Scotland, commanding him to attend his parliament in accordance with his legal obligation....'<sup>114</sup> Indeed Edward was angry with his subject for not only refusing his summons to supply military assistance against France, but for entering a peace and alliance with that country against Edward's wishes. After Balliol's repeated refusals, Edward was said to have approached a parliament of

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<sup>111</sup> The lands and goods were not specified and the letters remain vague, yet the Norwegians nevertheless accepted the terms (Nicholson, "The Treaties of 1295," 122, 129-30). Certainly the Scots, because of the refusal to return the Western Isles after failing to make the specified payments, could have been viewed as breaking the alliance; thus, France would be entitled to break their own support, especially in 1302.

<sup>112</sup> King Eric of Norway had married Bruce the Competitor's daughter between 25 July and 25 September 1293 and thus after the formation of the sheriffdoms that year (*CDS*, ii, no. 675; *CPR*, 1292-1301, 33).

<sup>113</sup> MacDougall, *An Antidote to the English*, 19.

<sup>114</sup> *Chronicon de Lanercost*, 165; *The Chronicle of Pierre de Langtoft*, 227-9; *Flores Historiarum*, iii, 95, 281-2; Prestwich, *Edward I*, 373. Turberville was executed for his treason (*Flores Historiarum*, iii, 282).

the ‘nobles of Scotland and the council of prelates’ held in Edinburgh in October asking them to grant him custody of four castles in Scotland.<sup>115</sup> Balliol’s presence is neither noted nor denied—which would provide evidence for his removal—yet since it is possible that the chroniclers failed to supply this information, it can be suggested that Balliol was in attendance at his parliament and was not removed in July (further evidence of this is provided below).

Evidence of Edward’s attendance by proxy at the Edinburgh parliament is apparent from a letter from Edward on behalf of John Halton, bishop of Carlisle, who was going to Scotland ‘on a mission.’<sup>116</sup> Further letters dated 12 October authorised the bishop to receive from Balliol the castles and towns of Berwick, Roxburgh and Jedburgh, which would imply that the bishop was acting for the English king. The seizure of the three castles and towns appeared to be used as a means of security for on 16 October, Edward promised to return the castles and towns when the war in France was over, as well as promising that ‘their surrender by John Balliol shall not prejudice him or his successors.’<sup>117</sup> On the same day, however, the king ordered the sheriffs throughout England that the lands and goods of Balliol, ‘and any others of the realm of Scotland who hold lands and goods in his bailiwick and stay in that realm,’ were not permitted ‘any sale to be made by them or any of theirs of the woods or other things belonging to the said lands, and to cause to be arrested the money arising from such sale if any have been made before the receipt of these presents.’<sup>118</sup> Given these actions by the English king, it is certain that he knew negotiations of some sort were taking place between France and Scotland. Apparently following the parliament, which probably

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<sup>115</sup> *Chronicon de Lanercost*, 167; *Scalachronica*, 121; McQueen, “The Origins and Development of the Scottish Parliament,” 175.

<sup>116</sup> *CDS*, v, pt. ii, no. 135. Halton had also been present at the consecration of Thomas de Kirkcudbright as bishop of Whithorn at Hexham on 30 May 1294 (*The Register of John le Romeyn*, ii, 128).

<sup>117</sup> *CDS*, v, pt. ii, nos. 136-7.

<sup>118</sup> *Fine Rolls, 1272-1307*, 361; Stevenson, *Documents*, ii, 7-8.



met in late October, the bishop of Carlisle was granted on 8 November a safe-conduct to return to England, being witnessed by leading members of the government: John Comyn, Patrick, earl of Dunbar, Malise, earl of Strathearn and James the Steward.<sup>119</sup>

The subsequent break down of Anglo-French and Anglo-Scottish relations gave the Scots a chance to make a bid for independence from Edward's overlordship, under the protection of Philip IV. Previously, in 1294, Pope Celestine V had granted Balliol an absolution from his original oath of homage and fealty, as well as the 1291 submission of the Scots during the Process of Norham,<sup>120</sup> which proved to be a bold move for Balliol and the Scots at this time, and possibly gave them more protection from the papacy. As Fiona Watson claims, Balliol was reluctant to commit himself to war with England, which probably sparked the controversy of his alleged removal from office.<sup>121</sup> As the Scots grew more frustrated and annoyed with Balliol's loyalty and obedience to Edward I, despite their attempts to make King John defy the king, it became clear to them, according to chroniclers, that he ought to be ousted. More than likely, though, John was never dismissed or removed from office, although there are indications that perhaps he was to be sidelined in favour of his son. Indeed, this crisis can be seen as the turning point in John's reluctant attitude and following the treaty with France, he does begin to defy Edward openly with the Scots in a brave effort to win independence.

#### *The Council of Twelve and the Alleged Removal of King John*

The English chronicle of Lanercost states that at the July 1295 parliament, the Scots elected twelve peers, 'by whose counsel the kingdom should be governed,' and

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<sup>119</sup> Appendix D, no. 43; Raine, *Northern Registers*, 119-20; McQueen, "The Origins and Development of the Scottish Parliament," 176.

<sup>120</sup> *Eulogium Historiarum, etc.*, ed. F.S. Haydon (London, 1863), iii, 158-9; Brown, *The Wars of Scotland*, 279.

<sup>121</sup> Watson, *Under the Hammer*, 20.

who ‘decreed that their king could do no act by himself, and that he should have twelve peers, after the manner of the French.’<sup>122</sup> Although the names of the twelve men are not listed, Guisborough claims that the group consisted of four bishops, four earls and four barons—exactly double the 1286 guardianship. Judging by the seals on the ratified treaty, the twelve probably consisted of the bishops of St Andrews, Glasgow, Dunkeld and Aberdeen, the earls of Buchan, Mar, Strathearn and Atholl, with the remaining four being Comyn of Badenoch, James the Steward, Alexander de Balliol and Sir Geoffrey de Mowbray.<sup>123</sup> As Watson illustrates, the English chroniclers, including Lanercost, Langtoft, Rishanger, and *Flores Historiarum*, thought of Balliol as one of their own who was ‘biting the hand that had placed him on the throne’; they placed blame on the Scottish nobility, portrayed as ‘an almost anarchic body of impudent ingrates,’ who Langtoft refers to as ‘mad.’<sup>124</sup>

The portrayal of King John as weak and ineffectual, evident from the English chroniclers’ telling of the 1295 events, has not been sufficiently reconsidered in the past seven hundred years.<sup>125</sup> Illustrating the evils of Balliol’s counsellors, echoing Langtoft’s opinion, Rishanger claims

The Scots, both those who were willing and those who were unwilling, angry in mind, with difficulty brought themselves to recognise [Balliol] as king. They immediately drove away all those of his household who were of his kin and of his nation, and deputed others unknown to him to attend upon him. They hardly gave him the name of king, and did so not

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<sup>122</sup> *Chronicon de Lanercost*, 161. King Louis VII (1137-80) created the Twelve Feudal Peerages, a group of twelve peers, both cleric and lay, who played a role in the liturgy of the coronation of the kings of France. This arrangement can be linked to King Arthur’s twelve Knights of the Round Table, the Twelve Paladins of Charlemagne as well as the English committees established under the Provisions of Oxford in 1259 (R.A. Jackson, “Peers of France and Princes of the Blood,” *French Historical Studies*, vii, 1 (1971), 27-46, at 29, 31).

<sup>123</sup> *The Chronicle of Walter of Guisborough*, 264; Barrow, *Robert Bruce*, 65.

<sup>124</sup> Watson, “The Demonisation of King John,” 32-3; *The Chronicle of Pierre de Langtoft*, 221. Langtoft also calls King John mad.

<sup>125</sup> Watson, “The Demonisation of King John,” 29.

of their own will but from compulsion, and they deprived him of the kingly office, saying to one another, ‘We do not wish this man to reign over us.’ But he, simple and inexperienced, and as though dumb and speechless, knowing, as he did, the unreasonable discord of the Scots, did not open his mouth, for he feared the fatal fury of that people, lest they should starve him or deliver him over to imprisonment. Thus he lived among them for a whole year as a lamb among wolves.<sup>126</sup>

The fact that Balliol’s nobles strove to drive away those of his nation reiterates the fact that Balliol was, as Professor Barrow states, ‘more an Englishman than a Scotsman.’<sup>127</sup> The contemporary chronicle of Hemingburgh, however, claims that the dismissal of Englishmen at Balliol’s court was prudent because it removed possible spies.<sup>128</sup> This statement clearly indicates the Comyns’ control over their king and Balliol’s position as a figurehead and political pawn used by the dominant party.

To truly evaluate John Balliol as king of Scots, one needs to assess him differently—from a Balliol perspective. As a king, he *was* weak and ineffectual, but not for the reasons most believe. Balliol was not groomed to become king—he was an English vassal who attempted to remain loyal to his lord despite defiances such as his refusals to answer various summons and the later, brief renouncement of fealty in April 1296. King John had difficulty in exerting his royal authority because of the dominance of the political governing body and his ‘evil councillors’—the Comyns. Yet, initially he probably saw the realm of Scotland as an extension of his English loyalties, an

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<sup>126</sup> *Rishanger*, 371. The removal of ‘those of his household’ most likely did not include his governmental officers, such as his chamberlain (Alexander de Balliol), treasurer (Alpin de Strathearn) and chancellor (Thomas de Hunsingore), despite their loyalties to Balliol. In any case, there is no concrete evidence that any members of his household were removed, although there may have been unrecorded instances of supporters being driven out of Scotland.

<sup>127</sup> Barrow, *Robert Bruce*, 49.

<sup>128</sup> *Chronicon Domini Walteri de Hemingburgh* (London, 1848-49), ii, 89-90. The chronicle of Hemingburgh was later edited (in 1957) as the chronicle of Walter of Guisborough.

acquisition which he could use to expand the influence and ambitions of the Balliol family. Although he was perhaps interested in achieving his own royal authority and earning respect as king, the Comyn party, including the bishops, were not prepared to give up their power and responsibility so easily to an inexperienced ex-cleric. Admittedly, it would have taken more than three and a half years for Balliol to become accepted as king, and it would have taken longer still for him to become independent from the influence and domination of the Comyn faction.

However, despite the problems of establishing his royal authority, Balliol was probably not forced out of the government in 1295 and replaced by the Council of Twelve. Langtoft claims that the twelve peers '[had] taken counsel to disinherit Edward of the sovereignty' while *Flores Historiarum* states that although power was taken out of Balliol's hands, the council was responsible for negotiating the Franco-Scottish treaty; Fordun's source and Walter Bower both place the event after Balliol had already been deprived of the throne in July 1296.<sup>129</sup> To the governing leadership of the Comyn faction, Balliol was an instrument they needed to retain their hold on the government. It is possible that Balliol was not removed by the council for the mere reason that he was not ever really in control of his throne from the beginning of his reign. In truth, Balliol's inexperience meant that the Comyns remained the dominant partner, especially in 1295-6 when King John was 'a lamb among wolves,' and under the strictest control. One must look at the circumstances surrounding Balliol before 1290, when he was nothing more than an English nobleman, who, after inheriting his mother's Scottish lands, enjoyed the privilege of being a cross-border lord. Even his involvement in Scottish politics from 1284-1290 was minimal. But, his ambitions and royal pretensions concerning the throne of Scotland from 1290 won him the support of

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<sup>129</sup> *Chron. Fordun*, i, 327-8; *Chron. Bower*, vi, 81, *The Chronicle of Pierre de Langtoft*, 223; *Flores Historiarum*, iii, 281; Watson, "The Demonisation of King John," 32.

the great governing community of the Comyn party though his lack of royal authority would brand him as a figurehead for this ruling elite. Surely a political community which had ruled Scotland during the minority of Alexander III as well as the six years leading up to Balliol's enthronement in 1292 would be quite unwilling to hand over the reins of government to a newly-elected, inexperienced monarch.<sup>130</sup> This is reflected in Balliol's denunciation of the Scots who he claimed, to Bishop Bek in April 1298, to have been full of treason and who plotted to poison him.<sup>131</sup> Notably, Bek appears to have been present at the major events concerning Balliol's kingship—for example, the 1290 grant, his inauguration and the 1298 denunciation as well as land grants during his reign. Indeed, it may have been this history and closeness which caused the Scots, especially the Comyns, to become suspicious of his intentions after 1292.<sup>132</sup>

Other evidence points toward the theory that Balliol retained his share of power after 1295. The provision for the marriage of Edward Balliol and Jeanne de Valois, daughter of Charles de Valois, Philip IV's brother, certainly does not illustrate a country which was attempting to oust its existing dynasty, but rather strengthen it. The Council of Twelve, and certainly the four envoys, appears to be a committee of responsible men designated to negotiate the treaty and marriage, restore the country's defence and assist King John's governing. This is very similar to the regency government in Scotland during Alexander III's minority (specifically 1251-55) as well as the English Provisions of Oxford in 1259, by which Henry III was appointed an advisory group of twenty-four 'good men' designed to control his actions; a separate council of twelve was also established and reported to parliament at least three times per year.<sup>133</sup> The same occurred in 1318, when 'twelve of the more discreet men of the

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<sup>130</sup> McQueen, "The Origins and Development of the Scottish Parliament," 136.

<sup>131</sup> *Anglo-Scottish Relations*, no. 27. This document is discussed further in the following chapter.

<sup>132</sup> Brown, *The Wars of Scotland*, 173.

<sup>133</sup> See Chapter Two. King John's father, John (I), was a member of both of these committees.

whole realm' were elected to assist Edward II, 'in case anything difficult should arise in the king's court...[because] it would be difficult...to bring together all the magnates of the whole realm.'<sup>134</sup> In negotiating the marriage between Margaret of Scotland (d. 1283) and Eric II of Norway, Alexander III also appointed a committee of twelve men to oversee the discussions.<sup>135</sup>

In 1295, the stability of the kingdom was surely at stake if the king were to be removed—a point underlined in the period leading up to and following Balliol's abdication in 1296. Considering the Scots' attempt to secure an offensive/defensive alliance with France in 1295, it is not likely that they wished to worsen their problems. As Edward Peters explains,

The actual means available to those wishing to depose an unsuitable ruler were more frequently those based upon momentary aggregations of actual power and their expedient disposition. The nature of royal power was not so precisely definable that men could easily distinguish between the power of individual rulers and the public authority they embodied. The thrust of power necessary to remove an unsuitable ruler could never be so precisely regulated as to divide neatly the *administratio*, for example, from the royal *dignitas*, without arousing destructive resistance or even threatening the stability of the kingdom.<sup>136</sup>

Thus, it would have been more prudent and beneficial to the realm for the Comyns to retain Balliol as a figurehead, perhaps replacing him with Edward Balliol, when he

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<sup>134</sup> *Vita Edwardi Secundi: Monachi Cuiusdam Malmesberiensis*, ed. N. Denholm-Young (London, 1957), 88.

<sup>135</sup> *APS*, i, 421-4. These men were: the earls of Dunbar, Mar, Angus, Menteith, Fife, Buchan, Strathearn; Alexander the Steward; John Comyn of Badenoch; William de Soules; Patrick, son of Patrick, earl of Dunbar; and William de Breyham.

<sup>136</sup> E. Peters, *The Shadow King: Rex Inutilis in Medieval Law and Literature, 751-1327* (London, 1970), 215.

came of age.<sup>137</sup> The proposed French marriage for young Edward justifies the argument that the alleged removal of the king in 1295 was perhaps in favour of his heir. This might have been a possibility, but the Scottish nobles do not appear to have had control or possession of Edward, who likely remained at the English court with the prince of Wales during his father's kingship.<sup>138</sup>

Balliol's subsequent October 1295 parliament in Edinburgh and his continued issuing of charters in the following months<sup>139</sup> also provide evidence that he remained in power after 1295—as do the Scots' efforts for him after his deposition to 1304—if only in name. Yet, Balliol's lands were already considered forfeited in England in November 1295, at least by Bishop Bek, who claimed that they had been forfeited at Christmas 1293 and began confiscating Balliol's baronies of Gainford and Barnard Castle 'just as the king seized his other lands elsewhere.'<sup>140</sup> If the lands had been legally forfeited in 1293, it might suggest that the English had been suspicious of Balliol's intentions concerning the realm of Scotland, perhaps even since 1290, and his participation under the Comyn government. In addition, Bek's claim of forfeiture in December 1293 might be related to the bishop's October 1293 petition for replevin, following Edward I's seizure of certain lands in Durham belonging to Balliol and others.<sup>141</sup> The bishop's behaviour in November 1295 implies that he was deliberately confiscating, or attempting to reclaim, the lands granted to him in 1290 (and regranted

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<sup>137</sup> McQueen, "The Origins and Development of the Scottish Parliament," 174.

<sup>138</sup> See Chapter Six. However, Edward Balliol travelled to Scotland at some point, as he appears to have been present at his father's surrender in July 1296, being taken south into England with him (see below). This might suggest that King John had removed him from the English court in defiance, perhaps during one of his visits to parliament.

<sup>139</sup> Appendix D, nos. 42-5, 48. These included two safe conducts and two charters to William de Silksworth, the king's serjeant, witnessed by the earls of Buchan, Dunbar, Strathearn, Ross, James the Steward, Geoffrey de Mowbray, Andrew Fraser, David de Beton and Gilbert de Hay.

<sup>140</sup> Fraser and Emsley, "Durham and the Wapentake of Sadberge," 76; Fraser, *A History of Antony Bek*, 204-5. Balliol was certainly forfeited of his English lands by 1296.

<sup>141</sup> See Chapter Three.

in 1294) by professing that he received the lands before Balliol was accused of treasonous behaviour.<sup>142</sup>

The treaty with France was ratified the month before this seizure, which leads to the assumption that the £6,250 offered to Balliol in the terms was for compensation for the imminent loss of his English lands.<sup>143</sup> Edward did not approve of Bek's actions, as in 1306 he issued a writ to hold an inquiry into the circumstances of the seizure. It was found that Balliol was, indeed, in possession at Christmas 1293, thus the bishop had taken possession solely by reason of his regalian rights, claiming that as the king had the right to seize the lands of rebels in other parts of the country, so he had the same right between the Tyne and Tees rivers. The lands were taken then into royal custody until Edward granted them to Guy de Beauchamp, earl of Warwick.<sup>144</sup> Yet, Walsingham and Rishanger claim that in June 1294, Balliol (by the advice of the abbot of Melrose) left the English parliament without leave, 'in the manner of a fugitive,' and that Edward punished him by confiscating his estates.<sup>145</sup> When King John and the Scots refused to muster for war in September 1294, the estates may have been forfeited then. Yet, surely by July-October 1295, Balliol's lands would have been confiscated because of the treaty made at that time with France.

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<sup>142</sup> This would still be true had Balliol been considered subject to forfeiture with his refusals to give military service in June 1294.

<sup>143</sup> Incidentally, at All Saints 1295, just a few days after the treaty was made, 'Monseigneur Jean de Bailleul, chevalier,' appears to have been granted Hélicourt, which he inherited by right of his uncle, Hugh (d. 1292) (*Actes du Parlement de Paris*, I, ii, appendix no. 885 (page 456)).

<sup>144</sup> Fraser and Emsley, "Durham and the Wapentake of Sadberge," 76; D. Austin, "Barnard Castle, Co. Durham: First interim report: excavations in the Town Ward, 1974-6," *Journal of the British Archaeological Association*, cxxxii (1979), 50-72, at 54; *Chronicon de Lanercost*, 177; *Registrum Palatinum Dunelmensis*, iii, 26-33.

<sup>145</sup> *Thomae Walsingham, Historia Anglicana*, ed. H.T. Riley (London, 1863), i, 52; *Rishanger*, 372-3. Rishanger claims that this took place after Balliol attended an English parliament wrongly dated as 1293 and after the establishment of the Council of Twelve.



*The Downfall of the Balliol Regime and the Beginning of the Wars of Independence*

Following the quick succession of events from July 1295, Anglo-Scottish relations rapidly turned to war. In December, the earl of Norfolk and marshal of England, Roger le Bigod, among many others, was summoned to appear before King Edward with horses and arms at Newcastle on 1 March, 'ready to do those things that shall be enjoined upon him by the king's council there, as the king proposes to set out for Scotland to repress the acts that John, king of Scotland, has committed contrary to his oath to the injury of the king's crown.'<sup>146</sup> Balliol had also sent the abbot and prior of Arbroath on an 'embassage' to Edward in January 1296, shortly before certain burgesses of Lynn sued King John and demanded a ship with goods that was arrested in Scotland by the king and his men.<sup>147</sup>

Balliol, as well as defying his king by refusing both summons to his parliaments concerning appeals and summons to provide military aid against the French, began assembling a large army to resist Edward I and issued summons to the Scottish army to muster in mid-March 1296, at Caddonlee, near Selkirk.<sup>148</sup> According to Bower, he also sent 'all the nobles and free-holders as well as other sturdy men of the earldom of Fife [excluding Macduff] to guard and defend the town of Berwick, where increasingly great danger was then threatening.'<sup>149</sup>

In the meantime, Lanercost claims that Robert Bruce, former earl of Carrick, had fled to England 'because he would not do homage to [the Council of Twelve],' while his son, the present earl, was forfeited in Carrick because he adhered to his father;

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<sup>146</sup> *CCR, 1288-96*, 501; *Parliamentary Writs*, i, 275-7.

<sup>147</sup> *CPR, 1292-1301*, 183; *CCR, 1288-96*, 507, dated 23 and 28 January respectively. Balliol's use of clergymen from Arbroath is interesting, as the abbey was dedicated to St Thomas Becket. Henry, abbot of Arbroath, was later mentioned as delivering Balliol's defiance to Edward I (*Chron. Fordun*, i, 322).

<sup>148</sup> *Chronicon de Lanercost*, 169-70; Barrow, *Robert Bruce*, 66-7; Prestwich, *Edward I*, 372-3; Watson, *Under the Hammer*, 21.

<sup>149</sup> *Chron. Bower*, vi, 57. Macduff of Fife did not fight for Balliol in 1296, but he later fought to defend the realm against Edward I (Brown, *The Wars of Scotland*, 183; Barrow, *Robert Bruce*, 86).

both refused to answer Balliol's military summons.<sup>150</sup> Indeed, by 25 March 1296, both Bruce men, the earl of Dunbar and Gilbert de Umfraville, earl of Angus had gone before King Edward to give him their homage and fealty 'since we are, and always have been, faithful to...our well-beloved lord, Edward.' Edward received their homage for the lands of which they were then seised, 'excepting any lands which John Balliol, *the former king of Scotland*, gave you after we handed over the kingdom of Scotland to him, if he had given you any.'<sup>151</sup> Consequently, the Bruces refused to go to war serving Balliol, who they already considered deposed, yet the inclusion of Gilbert de Umfraville is interesting, as the family were long-time associates of the Balliols and would be expected to serve him in war. Perhaps it was the threat of forfeiture of Umfraville's English lands, including the castle of Prudhoe, which persuaded him to join Edward.<sup>152</sup>

Following the destructive siege by Edward's forces on Berwick on 30 March 1296, King John dispatched a letter by way of two friars of Roxburgh to Edward I claiming that Edward and others of the realm of England, 'to your knowledge, for surely you should not be ignorant of what they do,' had 'inflicted over and over again, by naked force, grievous and intolerable injuries, slights and wrongs upon us and the inhabitants of our realm, and indeed have caused harm beyond measure to the liberties of ourselves and of our kingdom, and in a manner which offends against God and against justice.' Balliol gave such examples as the repeated summons outside the realm of Scotland 'at the mere beck and call of anybody,' the unjustified harassment and seizure of castles, lands and possessions, the slaying of merchants and the imprisonment

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<sup>150</sup> *Chronicon de Lanercost*, 162; Blakely, "The Brus Family," 111.

<sup>151</sup> *Anglo-Scottish Relations*, no. 22; *The Chronicle of Pierre de Langtoft*, 235. My italics.

<sup>152</sup> Umfraville might also have been persuaded by his ambitions to possibly recover the Balliol English lands, some of which would certainly go to the family in 1299 through their marriage ties to the Balliols of Tours.

of other men of the realm.<sup>153</sup> Balliol further acknowledged Edward's acts of war and violence at Berwick and strongly insisted that:

We cannot any longer endure these injuries, insults and grievous wrongs, nor these hostile attacks, nor can we remain in your fealty and homage (which, be it said, were extorted by extreme coercion on your part) and we desire to assert ourselves against you, for our own defence and that of our realm, to whose defence and safekeeping we are constrained by the bond of an oath; and so by the present letter we renounce the fealty and homage which we have done to you, and which any other person among our faithful subjects, the inhabitants of our realm, has done, by reason of the lands which are held of you in your realm, and also by reason of the membership of your household or retinue: this we do in our own name and in the name of each and all of them.<sup>154</sup>

This bold defiance, though, was perhaps not wholly initiated by Balliol. Bower claims that the letter was sent 'on the advice of his parliament,' while the change in language to 'we' from 'I,' as in earlier letters such as Balliol's original homage, suggests that perhaps the Comyns or the bishops were responsible.<sup>155</sup> Edward's reaction to this letter, by a loyal Englishman, was anger as well as surprise, considering Edward had only just sacked the burgh of Berwick and he perhaps expected Balliol to recant his wrongs and disobedience against his overlord rather than his homage. When Edward received the renunciation of the Scottish king's fealty, he is alleged to have exclaimed,

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<sup>153</sup> Of course, the Scots had also been leading raids into northern England, around Carlisle and Lanercost Priory (*Chronicon de Lanercost*, 190-1).

<sup>154</sup> NA C47/27/3/12; *Anglo-Scottish Relations*, no. 23; *Foedera*, I, iii, 156-7; Appendix D, no. 49; *Thomae Walsingham, Historia Anglicana*, i, 56; *Chron. Fordun*, i, 322 (who claims it was delivered by Henry, abbot of Arbroath). The letter was presented to Edward I at Berwick on 5 April having been notarised by Robert Galby and John of Caen. The latter, as seen in Chapter Five, was known to have altered previous documents and also notarised Balliol's letter in April 1298 directed against the Scots' behaviour.

<sup>155</sup> *Chron. Bower*, vi, 51.

‘what folly he commits; if he will not come to us, we shall go to him,’ before summoning John to the Marches ‘to stand his trial for his disobedience and rebellion.’ King John ‘would not deign to come’ and thus Edward sentenced him to deprivation and deposition from the kingdom, ‘as also from all other lands and possessions which John held of him.’<sup>156</sup>

Following a second defeat at Dunbar on 27 April by King John’s father-in-law, John de Warenne, a surrender was offered to Edward. The castle garrison asked the king for permission to contact King John, who was staying at Haddington, to find out to what terms he would be prepared to agree whereupon the messenger advised Balliol to attack the English during the three-day truce that had been agreed.<sup>157</sup> This attack, led by Richard Siward, ended in defeat although only four knights were said to have been captured with Sir Patrick de Graham being the only senior noble killed.<sup>158</sup> Professor Prestwich argues that the battle had been fought with only part of the Scottish army, adding that if the entire army had fought, Balliol would surely have taken part.<sup>159</sup> But since Balliol and his men were close enough to the battle, staying at Haddington, yet still chose not to fight, it seems that King John might not have taken part, even if given the chance. Knowing that he would probably have to surrender, fighting against King Edward would have likely risked what treatment John would receive afterwards.

Following the defeat at Dunbar, the Scots gave Edward very little resistance and allegedly advised their king ‘that he was neither to offer battle nor accept peace, but that he should keep in hiding by constant flight.’<sup>160</sup> As Young claims, the war that began between the Scots and the English in 1296 was a ‘war of the Comyns’ facilitated by

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<sup>156</sup> *Chron. Fordun*, i, 322; *Chron. Bower*, vi, 51. Fordun and Bower place the defiance *before* the slaughter of Berwick in March 1296.

<sup>157</sup> Prestwich, *Edward I*, 471.

<sup>158</sup> *Chron. Fordun*, i, 325; Watson, *Under the Hammer*, 25-6; Prestwich, *Edward I*, 471. The younger John Comyn of Badenoch did fight.

<sup>159</sup> Prestwich, *Edward I*, 473.

<sup>160</sup> *Chronicon de Lanercost*, 178-9.

their need to defend their powerful position and political grip on Scotland. If this is true, King John was placed in the shadow of the Comyn faction's own ambitions to retain control against both 'Edward's infringement on the Treaty of Birgham as well as the Bruce's pretensions to attain political power in Scotland.'<sup>161</sup> King John himself was forced to flee north, possibly staying at Forfar castle, until after the fall of Roxburgh, Edinburgh and Stirling castles; yet Edward continued north towards King John, taking fealty from the Scots on his way. The chronicler of Lanercost claims that messengers from the besieged castles approached Balliol at Forfar 'explaining their condition and demanding assistance. But [John] being unable to relieve them, gave leave to each man to provide for his own safety.'<sup>162</sup>

Eventually, in late June, Balliol appears to have sent word to Edward at Perth that he wished to be received to his peace and offered terms of surrender.<sup>163</sup> It was at Forfar castle, according to Fordun and Bower, that John Comyn met Edward, accepted his protection and came into his peace: 'immediately afterwards, according to certain reports, Comyn craftily brought back King John himself and Edward, his son, from Aberdeen to Montrose castle.'<sup>164</sup> The fifteenth century Scottish chronicle *Liber Pluscardensis* claims a slightly different version, stating that Balliol was 'craftily won over to the king of England by the said John [Comyn] by force and intimidation.'<sup>165</sup> The fact that John Comyn played such an important—and forceful—role here suggests, again, that Balliol was controlled by the faction. It might imply that King John was somewhat hesitant to surrender himself and his heir to Edward I. Whether this

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<sup>161</sup> Young, *The Comyns*, 143.

<sup>162</sup> *Chronicon de Lanercost*, 178-9.

<sup>163</sup> *The Chronicle of Walter of Guisborough*, 280.

<sup>164</sup> *Chron. Bower*, vi, 77; *Chron. Fordun*, i, 326-7. It is unclear whether Edward Balliol was, in fact, present here, perhaps being brought north from England for these crucial events, or if he remained in England at Prince Edward's court. It could be speculated that Edward's removal from the English court, perhaps during one of King John's visits to parliament, was also in defiance of Edward I's overlordship.

<sup>165</sup> *Liber Pluscardensis*, ii, 151. The author of this account may have been using the same source as Bower and Fordun, as the claim against Comyn may suggest Bruce propaganda.

hesitation, too, was initiated by the Comyns is unclear; yet, there is no doubt that from March to July 1296, John was a political pawn of the Scottish nobility in their dealings to resist surrender.

From Kincardine on 2 July,<sup>166</sup> Balliol issued a letter patent stating that ‘we have *by evil and false counsel*, and our own folly, grievously offended and angered our lord Edward...and in that *by the same evil counsel we have ‘defied’ our lord the king of England*, and have withdrawn ourselves from his homage and fealty by renouncing our homage.’ While the language of this letter, more specifically the change in style, is similar to the earlier renunciation of homage, the fact that it admits fault on the counsellors brings into question its authorship. The Comyns, who likely influenced the renunciation, may not have blamed themselves for rebellion unless they, too, were hoping for more lenient treatment after it became clear they would not defeat Edward I in battle. Of course, the letter could very well have been produced by Balliol, angered because their rebellion forced his own abdication. On 7 July, King John was made to renounce formally the treaty and alliance with France, England’s enemy.<sup>167</sup> And finally, on 10 July from Brechin Castle, Balliol was publicly forced to surrender the kingdom and royal dignity to King Edward.<sup>168</sup> As the chronicler of Lanercost states, ‘there he renounced his kingly right, and, having experience of dishonest counsellors, submitted to the perpetual loss both of his royal honour in Scotland and of his paternal estates in England.’<sup>169</sup> Some of his counsellors were with him at his surrender,

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<sup>166</sup> NA E39/100/133; NAS RH1/3/4; *Foedera*, I, iii, 160-1; Appendix D, no. 50; *The Chronicle of Walter of Guisborough*, 280-1; *Thomae Walsingham, Historia Anglicana*, i, 56-60; *Chron. Bower*, vi, 77-9; *Liber Pluscardensis*, ii, 151; *CDS*, ii, no. 754. The sources differ in the location between Montrose, Kincardine, Stracathro and Brechin. My italics.

<sup>167</sup> *Handlist*, no. 389; Stevenson, *Documents*, ii, 59-60; *CDS*, ii, no. 821.

<sup>168</sup> BL MS.Add.37223 f.132b; *Handlist*, no. 390; Stevenson, *Documents*, ii, 61; *CDS*, ii, no. 821. Documents from the Vatican, regarding Balliol’s later residence in papal custody state that he lost the kingdom ‘before the Nativity of St. John the Baptist, 1296’ (24 June), although as Annie Cameron argues, this certain document has errors in the historical events and was more of a literary than a legal document (NAS GD439/142: A. Cameron, “Two Groups of Documents Relating to John Baliol, from the Vatican Archives,” Reprinted from the Papers of the British School at Rome, xii (1931), 28, 40).

<sup>169</sup> *Chronicon de Lanercost*, 179.

including Donald, earl of Mar, John Comyn, earl of Buchan, John Comyn, lord of Badenoch, the bishop of Aberdeen and Alexander de Balliol, who were sent into England; his father-in-law, John de Warenne, and Anthony Bek were also there.<sup>170</sup>

The above surrender has been accepted as factual, yet an unpublished, contemporary chronicle of the Premonstratensian house of Hagnaby, Lincolnshire, relates these events differently.<sup>171</sup> The initial terms of the surrender were reportedly undertaken by Anthony Bek and John de Warenne, two men involved in Balliol's kingship since 1290, who advised King John to go to Montrose to surrender to Edward I. There, Balliol gave his heir, Edward, to Warenne as hostage. A treaty was then proposed by which Balliol surrendered the whole realm of Scotland in perpetuity to Edward, 'without any reservation or claim'; in return, Balliol and his heirs were granted an unnamed earldom in England in perpetuity. This agreement was to be fulfilled at the first English parliament, yet there is no conclusive evidence suggesting that such an agreement, if it did exist, was fulfilled.<sup>172</sup> However, Rishanger claims that Balliol met Bishop Bek at Brechin and, along with his letters of submission, handed over his son as security—partly corroborating this theory.<sup>173</sup> Moreover, in a letter between 1315-18 from Edward Balliol to Edward II, the younger Balliol suggested to Edward that part of his father's English patrimony should be delivered to him for his maintenance until King Edward could learn the terms under which John Balliol had come into Edward I's

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<sup>170</sup> M. Prestwich, "The English Campaign in Scotland in 1296, and the surrender of John Balliol: some supporting evidence," *BIHR*, xlix (1976), 135-7, at 136; Stevenson, *Documents*, ii, 28; *CDS*, ii, no. 839.

<sup>171</sup> M. Blount and E.L.G. Stones, "The Surrender of King John of Scotland to Edward I in 1296: some new evidence," *BIHR*, xlviii (1975), 94-106; Prestwich, "The English Campaign in Scotland," 135-7. The Hailes chronicle, from the late thirteenth to early fourteenth centuries, has parallels with other contemporary chronicles like *Flores Historiarum*, the Waverley, the Tewkesbury and the Worcester annals (from *Annales Monastici*) (Blount and Stones, "The Surrender of King John," 105-6).

<sup>172</sup> Blount and Stones, "The Surrender of King John," 95-6; Prestwich, "The English Campaign in Scotland," 136; Prestwich, *Edward I*, 473. The first English parliament after this took place in November 1296 at Bury St Edmunds (*Ibid.*, 391, 405). The same had been offered to Llewellyn, prince of Wales, in 1282 (R.R. Davies, *The First English Empire: Power and Identities in the British Isles, 1093-1343* (Oxford, 2000), 25).

<sup>173</sup> *Rishanger*, 161.

peace. Two chronicles claim that King John and many of the Scottish nobles came into Edward I's peace at Westminster in 1297, following Balliol's abdication, which may justify this alleged promise of an earldom.<sup>174</sup>

Yet, in 1301, Baldred Bisset claims that Balliol's surrender had been forced and was thus not valid. He pleaded to Pope Boniface VIII against King Edward saying that 'it is not true nor likely that such a man willingly uttered such grave and detestable confessions against himself in so arduous a business' and that Edward's letter of surrender from Balliol was fabricated and later published 'which our king has never since authorised, as he never will.'<sup>175</sup> Bisset was positive and favourable towards the position of Balliol, at this time in papal custody, when he argued for papal jurisdiction and Scotland's rights against the king of England. These events will be discussed in the next chapter in more detail.

Indeed the 1296 ceremony was humiliating to the Scottish realm, as their king was publicly stripped of his regalia—later earning him the nickname of 'Toom Tabard' ('empty coat')—and 'holding a white wand [as a symbol of peace] in his hand, surrendered up, with staff and baton'; the royal seal was also broken in two. Moreover, Balliol and Edward, his heir, were taken south as prisoners to the Tower of London, along with the Stone of Scone and the Black Rood of Margaret.<sup>176</sup> Yet, how personally humiliating was this ceremony for Balliol? Indeed, it certainly echoes the 'whipping' suffered by his father at the hands of the bishop of Durham in 1255. Although John (II) was very young when this occurred, he no doubt understood later that his father's thirty years of defiance only earned him two years out of favour with King Henry. So King

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<sup>174</sup> *Eulogium Historiarum*, iii, 164-5; *The Brut*, i, 191. For Edward Balliol's petition, see Chapter Six; NA SC8/317/e274; Nicholson, *Edward III and the Scots*, 71.

<sup>175</sup> *Chron. Bower*, vi, 187-8.

<sup>176</sup> *Chron. Fordun*, i, 327; *Thomae Walsingham, Historia Anglicana*, i, 61; Stevenson, *Documents*, ii, 142-5; G.G. Simpson, "Why Was John Balliol Called 'Toom Tabard'?", *SHR*, xlvii (1968), 196-9, at 197n.



John's stripping and deposition likely was not threatening and, as seen in the next chapter, he enjoyed lenient treatment while in English custody; although in the end, he lost everything except his French estates, being forfeited of both his English and Scottish lands.

Grant Simpson has pointed out that Balliol's stripping was similar to English treason trials, where the accused also had his coat of arms removed or torn. In these ceremonies, it was explicitly clear that the accused was stripped of his knighthood and degraded of his nobility. Although Balliol was subjected to the same humiliation—being deprived of his royal honour and dignity as well—he was not stripped of his knighthood nor executed for treason.<sup>177</sup> Moreover, there does not appear to have been a trial by which Balliol was formerly accused of treason and he was not treated in the same respect as later treasonous lords, including Thomas, earl of Lancaster (half-brother of Edward II who was executed in 1322) and Andrew de Harclay (executed in 1323). This is very significant because had there been a trial in which King John was convicted of treason, Robert Bruce would likely become next in line in the Scottish succession. This indicates that King Edward valued Balliol enough to waive the laws and punishments of treason and instead only forfeited him of his lands and estates, with provisions to re-instate Edward Balliol should the king so desire. Balliol, too, perhaps hoped (or expected) to resume his role as lord of Barnard Castle, or regain his other English lands. He was, however, further humiliated with the release of his half-uncle, Thomas, bastard son of Alan of Galloway. Thomas, whose imprisonment decades before illustrated the Balliols' control of their share of Galloway, was released after

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<sup>177</sup> Simpson, "Why Was John Balliol Called 'Toom Tabard'?", 197-8. There is no evidence proving that Balliol received a knighthood, but he is frequently referred to as 'Sir' and 'Lord' in contemporary documents.

Balliol's deposition in 1296, a move which, as Fiona Watson rightly claims, underlined King John's loss of his hereditary lands as well as the kingdom of Scotland.<sup>178</sup>

The Comyns, from the time of Alexander II, appeared to be searching for any means to retain power, evident from when they approached Bruce in 1249 following the death of Alexander II, hoping to get support from that family.<sup>179</sup> Bruce certainly would have been a reasonable choice as leader of the political community since Alexander III was only an eight-year-old boy in 1249. An alternative to Bruce, the Balliol heir, Hugh, was born around 1238 and was also a minor and thus not to be supported over the adult Bruce by the Comyns. From 1286 to 1290, the circumstances were different as Bruce was surely not to support (or be supported by) the Comyns. Accordingly, the Comyns and their followers backed the claims of John Balliol since the two families were, indeed, allied by marriage. The support that the Comyn party gave Balliol from 1290 to 1292 was surely welcomed by Balliol, yet when he succeeded to the throne, John perhaps realised that his authority as king was secondary to the political expertise of the Comyns.

Alan Young even declares that 'the reign of King John should be seen as a further stage in the struggle for power within Scotland between the Comyn-led aristocratic community who held power and the Bruces who did not.'<sup>180</sup> Indeed, this highlights the assumption that Balliol remained a completely empty figurehead for the Comyns while their personal power struggle continued throughout his reign and after. This political community were advising King John according to their own interests to extract power away from the Bruces, as illustrated by some of the above parliamentary

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<sup>178</sup> *Chronicon de Lanercost*, 42; Watson, *Under the Hammer*, 103; Barrow, *Robert Bruce*, 112.

<sup>179</sup> *CDS*, i, no. 1763; Blakely, "The Brus Family," 93; Young, *The Comyns*, 49; Duncan, "The Bruces of Annandale," 96-7.

<sup>180</sup> Young, *The Comyns*, 122.

decisions regarding those made in favour of a Comyn supporter opposed to a Bruce one.

There is no evidence, either, to suggest that the leading men in King John's government, such as Patrick de Graham and Geoffrey de Mowbray, would have supported Balliol without his links to the Comyns. It is true that Balliol's kinsmen, Alexander and Enguerrand de Balliol stood by him, as did Enguerrand de Umfraville, although his kinsman Gilbert, despite being a close associate of the Balliols and Comyns, joined the English side in 1296 with Bruce. Balliol likely had no other Scottish allies, considering the family's predominately English nature and the fact that Balliol had come to the throne under the pretences of the English king. It was more importantly the nobles' support of the Comyn faction and the role which they would play in the new government which fuelled their support of Balliol.

Indeed the government was subjugated by this party, which Young claims was 'perfectly natural as Balliol was the candidate of the dominant governing elite.'<sup>181</sup> While this may be true to an extent, it must be noted that Balliol's reciprocal acceptance of the Comyn party as his supporters reveals a political advantage. With this in mind, however, their support and domination made it more difficult for King John to secure personal royal authority. There is no evidence indicative of attempts by John to replace his Comyn advisers with those from an opposing faction or his own household. In any sense, both Balliol and the Comyn party needed each other to remain in power against the Bruce party.

Because of Balliol's renunciation of the Treaty of Birgham in January 1293, he submitted the kingdom to the overlordship of Edward I. This, in effect, guaranteed Edward's rights as overlord as well as the subjection of Scotland under him. The

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<sup>181</sup> *Ibid.*, 124.

English king had promised that if Balliol left an undisputed heir to the throne of Scotland then Edward would demand no rights in Scotland, except those of homage and overlordship.<sup>182</sup> Balliol's abdication voided these promises, but the implication of such a scenario would have been detrimental to Scotland's independence. Unlike his father, Edward Balliol was raised as heir to the extensive Anglo-Scottish lands, and likely after 1292, to the kingdom of Scotland. As Chapter Six will reveal, his position at this time involved more English influence than Scottish, perhaps an attempt to limit the Comyns' influence on him. In turn, as King John continuously gave in to Edward I's demands through his duty as a loyal Englishman, he willingly alienated himself from the leading Scottish political community until it appeared inevitable that he should pursue his own authority against both the Comyns and the English king.<sup>183</sup>

It was apparent that John Balliol was growing disillusioned with the Scottish nobles and King Edward. He had previously refused summons and, for a time, succeeded in defying Edward, much as his father did with Henry III's requests for homage to the bishops of Durham. King John's rejection of Edward's demands, likely made in compliance with his advisers, may have been an attempt to win his personal independence, but resulted instead in his forced abdication. Certainly this follows the behaviour of the Balliols, who seemed to defy their king when it was in their own interests. John (I) did this because he desired more status, illustrated by his on-going power struggle with the bishops of Durham and the occurrence with the miners of Tynedale (a reflection of his own father's disobedience to Henry III). John (II) appears to have done the same when he renounced his homage in April 1296 in an attempt to

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<sup>182</sup> NA C47/22/12 (18); *Rot. Scot.*, i, 15-6; *CDS*, v, pt. ii, no. 126; Young, *The Comyns*, 134.

<sup>183</sup> Yet, this does not indicate that the Comyns themselves were against Edward and the English. They had secured a marriage which tied them to the English lord William de Valence, earl of Pembroke, when his daughter, Joan, married (by c. 1293) John Comyn of Badenoch (d. 1306), the son of John Comyn and Eleanor de Balliol (Young, *The Comyns*, 130-1). Two of William's other daughters married Hugh Balliol (d. 1271) and John de Hastings.

become an independent, ruling king. Although, their defiances were limited and both Balliol lords had always looked to recover after their disloyalties. This is certainly a family who desired more and who constantly used their ambitions as justification for their rebellions. The only regret for John (II) must have been the forfeiture of his English and Scottish lands, which was a punishment that escaped John (I). Although he was labelled a rebel by King Edward, the next chapter will illustrate that this was not convincingly the case. Judging by wardrobe accounts, Balliol's exile was quite privileged with hunting benefits and a comfortable retinue, no doubt stemming from his family's standing in England.

There are undoubtedly many anomalies in Balliol's kingship, beginning with the procedures of the Great Cause. Certainly, Balliol's assessment as a Scottish king is incorrect: as he was a loyal English king's man he cannot be deemed as either a Scottish patriot or a patriotic king. His willingness to adhere to Edward's advice in the early years of 1290-93 is obvious, yet with the increasing demands made from 1294 combined with his advisors' pressures to defy the king, King John endeavoured to resist the power of those who had raised him to the kingship. Following his abdication, though, Balliol retained his political ambition and determination to be restored, either in England (until 1297-98) or in Scotland (until 1302 when he permitted King Philip IV of France to handle his affairs).<sup>184</sup> One document after Balliol's abdication, when John was alleged to have stated that the men of Scotland were filled with 'such malice, deceit, treason and treachery' and 'were plotting to poison him,' is questionable in regard to his attempted restoration.<sup>185</sup> As seen in the next chapter, this can be shown to almost certainly be English propaganda. Nonetheless, Balliol's importance to the

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<sup>184</sup> AN J633/5; Stevenson, *Documents*, ii, 449-50; Teulet, *Inventaire Chronologique*, 21; Appendix D, no. 89; Belleval, *Jean de Bailleul*, 99-100.

<sup>185</sup> Palgrave, *Documents*, i, 141-51; *Anglo-Scottish Relations*, no. 27. The Scots do not appear to have appealed these accusations, another possible indication that the document was spurious.

Scottish cause from 1296-1302 highlights the success (if only minimal) of his brief kingship.

## Chapter Five

### *The Exiled King of Scots, 1296-1314*

*“He was king but a little while; and through great cunning and guile,  
For little reason or none, he was arrested and taken,  
And then degraded was he of honour and of dignity.  
Whether it was thought wrong or right, God knows, for he is omnipotent!”<sup>1</sup>*

When King John was deposed in 1296, Scotland entered into the Wars of Independence without a king and many of the nobility, including governmental officers, were taken south with Balliol, either captured in battle or having submitted at King John’s surrender. King Edward insisted on humiliating Balliol for his defiance—which went against the loyalty of the Balliol family—by using him as an example for the ‘rebellious’ Scots. The situation is somewhat comparable to the defiance of Henry III by John (I) during his long-standing dispute with Durham. In both circumstances, the Balliol lord was nonetheless valuable to the English king because of his land, wealth and position. Both were equally valuable to the French as well, but John (II), as king of Scots, had an unequivocal importance over his father to the Scots as it was his name—as well as the symbol of kingship—for which they would fight in the Wars of Independence. Therefore, King Edward knew in 1296—as King Henry did in 1255—that he could not completely rid himself of his rebellious vassal and his son. As will be seen later, Edward was able to use Balliol as a pawn in Anglo-French (as well as papal) relations. Moreover, John’s heir, Edward, was also a potential bargaining tool that Edward I could use, which might attest to why the king did not punish John for treason and why Edward Balliol remained in English custody for decades after 1296.

Alternatively, John (II) himself was perhaps relieved to return to England, after a disastrous three and a half year kingship in which he had struggled to be more than a figurehead for the dominant Comyn political faction. His attempt at kingship and ostensible imprisonment in Scotland was over and, if certain rumoured terms of the

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<sup>1</sup> Barbour, *The Bruce*, Book I, lines 171-8.

surrender were to be followed, Balliol would be allowed to return to England with promises of an earldom—a rank which his father, of course, never received.<sup>2</sup> Balliol's professed attitude in April 1298, almost two years after his surrender, illustrated an apparent lack of interest in his restoration to the Scottish throne. At this time, he was in the custody of Ralph de Sandwich, constable of the Tower of London, and in the presence of Sandwich, Anthony Bek (a noteworthy and regular figure pertaining to John's kingship) and papal notary John of Caen, at Bek's lodging of Durham House just outside London, John Balliol allegedly

uttered a statement in French, to this effect: namely, that when he possessed and ruled the realm of Scotland as king and lord of the realm, he found in the men of that realm such malice, deceit, treason and treachery, arising from their malignity, wickedness and stratagems, and [from] various other execrable and detestable actions by those who, as he had good grounds to believe, were plotting to poison him, who was then their prince, that it is not his intention to enter or go into the realm of Scotland at any time to come, or to interfere in any way with it, or its appurtenances, through his own agency, or through that of any other person or persons, or even (for the reasons given and for many others) to have anything to do with the Scots....<sup>3</sup>

This certainly illustrates the theory that Balliol was merely a figurehead and gives credit to the claims by Rishanger and Langtoft that Balliol's counsellors were 'wolves' and 'mad.'<sup>4</sup> Apparently on that same occasion, John had asked Bek to 'graciously agree to explain, and fully to expound, these things to the king on his behalf.' Had this, in fact,

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<sup>2</sup> Blount and Stones, "The Surrender of King John," 95-6; Prestwich, "The English Campaign in Scotland," 136; Prestwich, *Edward I*, 473.

<sup>3</sup> Appendix D, no. 73; *Anglo-Scottish Relations*, no. 27.

<sup>4</sup> *Rishanger*, 371; *The Chronicle of Pierre de Langtoft*, 221.



happened, it may have been an attempt by Balliol to encourage King Edward to restore or pardon him by showing that Balliol would be faithful if fully restored to his English estates. Edward would need this assurance considering at this time, April 1298, the Scots had not yet been defeated at Falkirk and were still running high hopes after their decisive victory at Stirling Bridge the previous September. Certainly though, John of Caen's presence as papal notary deserves attention. He was one of the first Englishmen to hold the title of notary public by apostolic authority and was known to have 'tinkered' with proceedings of the Process of Norham and the Great Cause only a few years previously. As Duncan states, Caen's notarial status had been called upon 'when Edward needed to be able to present his acts in a favourable light at the papal curia.'<sup>5</sup> His eager recording of the alleged 1298 statement by Balliol, then, suggests that in his capacity as royal clerk he had edited the letter to suit Edward I's propaganda campaign.

Furthermore, when Balliol was eventually released from English captivity the following summer (1299), he allegedly took an oath never to claim the throne of the kingdom of Scotland and his release was conditional on terms—set forth by Pope Boniface VIII—that he be kept in papal custody at a papal residence. According to Bower and Pluscarden (c. 1461-80), Edward Balliol would be allowed to enjoy his patrimony in France under the same oath as that administered to his father, presumably upon his inheritance after John's death in 1315.<sup>6</sup> The fact that John (II) Balliol had to take an oath not to claim the throne suggests that he intended, or possibly threatened, to return to the realm of Scotland. In addition, Edward I likely used the 1298 letter as propaganda as argued by Baldred Bisset in his pleadings to Pope Boniface in 1301, which will be discussed below. The possibility that Balliol had admitted these claims in hopes of a return to royal favour and restoration of his English estates would certainly

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<sup>5</sup> C.R. Cheney, *Notaries Public in England in the Thirteenth and Fourteenth Centuries* (Oxford, 1972), App. I; Duncan, "The Process of Norham," 211n, 218-9, 227-9.

<sup>6</sup> *Liber Pluscardensis*, ii, 152-3; *Chron. Bower*, vi, 79; Barrow, *Robert Bruce*, 95.

have been more plausible in the first year after his abdication (1296-97); yet, in April 1298, evidence suggests that Balliol was already hoping for a return to the Scottish throne and therefore, this letter was almost certainly spurious.<sup>7</sup> Though John's attitude at this time was likely genuine, his behaviour during the first two years of his captivity could be interpreted as ingenious, as John was rejecting the Scots in order to win the favour of Edward I. However, after the Scottish nobles began to rebel against Edward—in King John's name—Balliol can be seen shifting his loyalties back to the Scots. Ironically, this was very similar to the behaviour of Robert Bruce at this time.

*English Custody: July 1296 – July 1299*

In July 1296, Balliol was duly escorted south after his surrender at Montrose by Edward I's nephews, Thomas and Henry, sons of Edmund, earl of Lancaster.<sup>8</sup> By early August, he was lodged in Salt Tower—perhaps known to contemporaries as Balliol Tower<sup>9</sup>—which had been constructed around 1238 under Henry III. The first floor chamber of this tower contained a hooded fireplace and a garderobe—two features of a chamber signifying an occupant of high status.<sup>10</sup> Balliol was also joined in the Tower, although in separate lodgings, by John de Strathbogie, earl of Atholl,<sup>11</sup> William, earl of Ross, Andrew Murray of Avoch and Bothwell, John, son of Geoffrey de Mowbray,<sup>12</sup>

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<sup>7</sup> Of course, the document could have been backdated or modified for propaganda value.

<sup>8</sup> *CDS*, ii, no. 1027. Fordun and Bower claim John and Edward were taken to London by sea (*Chron. Fordun*, i, 327; *Chron. Bower*, vi, 79).

<sup>9</sup> S. Thurley, "Royal Lodgings at the Tower of London, 1216-1327," *Architectural History*, xxxviii (1995), 36-57, at 55.

<sup>10</sup> P. Hammond, *Royal Fortress: The Tower of London through nine centuries* (London, 1978), 19; P. Hammond, *Her Majesty's Royal Palace and Fortress of the Tower of London* (London, 1987), 24.

<sup>11</sup> Atholl had fought against Edward at Dunbar and was captured, but released in 1297. He later joined forces with Robert Bruce and was executed by the English in 1306 (*CDS*, ii, no. 939; Ross, "The Strathbogie Earls of Atholl, part I," 2-5).

<sup>12</sup> Mowbray later returned with Edward Balliol when the latter invaded Scotland in 1332 (Nicholson, *Edward III and the Scots*, 80).

David, son of Patrick de Graham (who was killed at Dunbar), Nicholas, son of Thomas Randolph, Richard Siward and Gilbert and Robert, sons of Malise, earl of Strathearn.<sup>13</sup>

King John's son and heir, Edward Balliol, now about fourteen years old, was also in the custody of the English king as early as December 1296, being kept in the household of Prince Edward (the future Edward II) and not yet housed in the Tower with his father.<sup>14</sup> Unfortunately, there is no conclusive evidence in wardrobe accounts to suggest a wife or other children accompanying the Scottish king to the Tower. Indeed, expenses listed in January 1299 accounted only for John and Edward Balliol,<sup>15</sup> supporting the theory that had John's alleged second son, Henry (d. 1332), actually existed, he had been born after his liberation to France in 1301. Certainly, if Henry had been alive at this time, it appears that he was not supported by the English crown or perhaps not in English custody, an unlikely scenario.<sup>16</sup> Moreover, as John Balliol's expenses listed no nurses or tutors, it can be concluded that there were no young children with Balliol when he was in captivity either in Hertford or Salt Tower. This implies that not only was his son kept elsewhere, but also those children of whom Balliol held wardships—the heirs of Robert Bysset, William Malerby and Andrew de Crawford—who were not with him and had likely been given to others after his deposition in 1296.<sup>17</sup> Isabella de Warenne, Balliol's wife, was likely deceased by the early 1290s, surely before Balliol was inaugurated, as discussed in Chapter Three.<sup>18</sup>

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<sup>13</sup> Prestwich, "The English Campaign in Scotland," 136; Stevenson, *Documents*, ii, no. 352; Young, *The Comyns*, 161; *CDS*, ii, nos. 742, 839. Alexander de Balliol's son, Alexander, was also held in the Tower, but released in 1310 (*CCR*, 1307-13, 202, 254). Robert, son of the earl of Strathearn, was released to the household of Prince Edward shortly after this, as he and other children (Edward Balliol, Alexander, son of the earl of Mar and Gilbert de Clare) were taken from Prince Edward's household in September 1297 to be housed in the Tower (see below).

<sup>14</sup> NA C47/4/7 f.2; *CDS*, ii, no. 858. Edward Balliol had expenses of 100s for shoes and other items bought by Walter (de Frene?).

<sup>15</sup> *CDS*, ii, no. 1056; *Scotland in 1298: Documents relating to the campaign of King Edward I in that year, and especially to the Battle of Falkirk*, ed. H. Gough (London, 1888), 72.

<sup>16</sup> See Appendix A.

<sup>17</sup> NA SC1/37/107; *CDS*, ii, nos. 736, 1075; *CDS*, v, pt. ii, no. 523. As mentioned earlier, the infant daughters and heirs of Andrew de Crawford—Susan and Alyse—were bought by Robert de Keith. Keith claimed, in 1303, to have bought the daughters 'long before he was captured in the war [in Galloway,

In November 1296, many jewels, once belonging to King John, were inventoried as being found—along with 37s ‘of John de Balliol late king of Scotland’s treasure’—in Edinburgh castle after his deposition.<sup>19</sup> The list consists of six silver cups, worth £14 1s 10d total, which were given to Edward’s daughter, Princess Elizabeth, who had become countess of Holland upon her marriage.<sup>20</sup> A gold crown with gilded silver fruit and a golden papal rose, ‘which belonged to the king of Scotland,’<sup>21</sup> was offered by Edward to the shrine of St Edward at Westminster Abbey on 18 June (1297?), as was an altar cloth to hang above the shrine.<sup>22</sup> King John’s gold sceptre—worth £2 6s 8d—was also found in Edinburgh castle and was released to the ‘master of the Wardrobe at the village of St John’s of Perth on 24 June (1297) by lord J. de Drokenesford,’ keeper of the Wardrobe, and was offered to St Edward’s shrine at Westminster.<sup>23</sup> Two offerings (of one silver ‘changer’ and an embroidered choir cap with a silver clasp) were also given to the shrine of St Thomas Becket at Canterbury on 4 June (1297) although their worth is not known. Interestingly, the arrangement and wording of the document suggests that the Stone of Destiny, ‘on which the kings of

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1300].’ Edward I, however, claimed to have given the wardship to ‘Sir Nigel Cambel before Sir Robert came into this peace in the first war’ (*CDS*, ii, nos. 1406, 1409).

<sup>18</sup> *Hist. Northumberland*, vi, 73.

<sup>19</sup> NA E372/144 m.25; Stevenson, *Documents*, ii, 142-6; *CDS*, ii, no. 1027. It is uncertain whether this was the extent of the money found in the castle. King John may also have had some ‘treasure’ in another castle, such as Stirling.

<sup>20</sup> Two of these cups were worth more than Balliol’s gold sceptre (£2 14s 3d and £2 11s 5d)!

<sup>21</sup> This king was likely William the Lion, who was sent the Golden Rose by Pope Lucius III in 1182. The Rose, blessed each year by the pope, had immense papal significance as it was occasionally conferred upon monarchs for their loyalty to the Holy See or as a symbol of the pope’s esteem and affection (C. Burns, *Golden Rose and Blessed Sword: Papal Gifts to Scottish Monarchs* (Glasgow, 1970), 3-5).

<sup>22</sup> The actual year given was ‘the present year,’ likely 1297. Items were also given to ‘the image of the Blessed Mary at [Edward’s] chapel at Walsingham’; the shrine of St Albany at St Albany; the shrine of St Augustine in the abbey of St Augustine, Canterbury; the shrine of St Richard in the cathedral church of Chichester (Stevenson, *Documents*, ii, 142-6; *CDS*, ii, no. 1027).

<sup>23</sup> The dates are not clear here: 24 June is given for the release of the sceptre, whereas 18 June (perhaps July? or June 1298?) is given for the offering to St Edward’s shrine. John de Drokenford, from Hampshire, was appointed controller of the wardrobe in 1290 and later served as keeper from 1295 to 1307 (Prestwich, *Edward I*, 140-1). Other items were found in Edinburgh castle and were inventoried after Edward I’s death, including ‘*la Blakrode* of Scotland, *crux Sancte Elene de Scoc*’, a box of silver-gilt and gems containing part of the Holy Cross and many small relics of the confessor St Edmund, in a “burse” bearing the arms of the king of France, with other relics which that king sent to Alexander, king of Scotland’ (NA E101/370/3; *CDS*, v, pt. ii, no. 494, dated 17 July 1307).

Scotland are accustomed to being [crowned],’ was perhaps offered as well to St Thomas’s shrine.<sup>24</sup>

Although these relics were sent to London with the ex-king in 1296, when Balliol was released from English captivity and sent to France in July 1299, the chroniclers Walsingham and Rishanger claim that he was searched at Dover whereupon the gold crown and Great Seal of Scotland were found in his possession, as well as a ‘considerable’ sum of money (the 37s from above?), which King Edward allowed him to keep for his travel expenses to France.<sup>25</sup> This is very suggestive of Balliol’s attitude at this point, which will be discussed below. He certainly had a second—secret—seal, possibly made by the French, in 1302<sup>26</sup> (the Great Seal of Scotland was allegedly broken in two upon his surrender at Montrose), and it is quite possible that he had a second coronet as well.

King John’s imprisonment was not harsh as he was assigned ‘an appropriate household’ with many comforts and necessities provided for him by the English crown during his captivity; as the contemporary chronicler of Lanercost states, ‘he led an honourable, but retired life, satisfied with the funds allotted to him from the king’s exchequer.’<sup>27</sup> After being held in the Tower for about four months, Balliol was released at some point shortly before 20 November 1296, by which time he was resident at an undisclosed place in Hertford (sixteen miles southeast of his family’s estate of Hitchin) and had two clerks assigned to him—John de Spina and Michael de Wyntonia—with expenses totalling £274 from 20 November 1296 to 6 August 1297.<sup>28</sup> This indicates

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<sup>24</sup> The items appear to be grouped according to where they were offered or to whom they were given (Stevenson, *Documents*, ii, 144). However, the stone was known to have been taken to Westminster.

<sup>25</sup> NA E101/355/18 m.5; *Thomae Walsingham, Historia Anglicana*, i, 78; *Rishanger*, 191; Reid, “Edward de Balliol,” 39n (date given as November 1299).

<sup>26</sup> Tout, *Chapters in the Administrative History of Mediaeval England*, v, 151n; L. Douët-d’Arcq, *Collection de Sceaux* (Paris, 1863-8), iii, no. 10254.

<sup>27</sup> *Eulogium Historiarum*, iii, 163; *Chronicon de Lanercost*, 179.

<sup>28</sup> NA E101/354/5a f.4, /5b f.7; NA C47/4/7 f.3; Stevenson, *Documents*, ii, 146-7; *CDS*, ii, no. 1027. These expenses were accounted for in May 1299. Other expenses from 25 Edward I (November 1296 –

that his restoration—either to his estates or to the king’s favour—may have been in progress, especially considering his treatment while in Hertford. King John was granted at this time a huntsman with a page and ten running dogs ‘to have sport therewith.’<sup>29</sup> The following January (1297), he was given license ‘during pleasure’ to hunt deer in the king’s forests south of the Trent and in all the king’s parks within about sixty miles around London.<sup>30</sup> This arrangement would last until 6 August 1297, the date on which Balliol was returned to the custody of Ralph de Sandwich, constable of the Tower of London. This was likely in response to the risings and revolts that year in Scotland, fought under William Wallace and Andrew Murray in the name of King John, which led up to the battle of Stirling Bridge on 11 September.

Ostensibly a rebel of the English king, Balliol had a surprisingly large retinue and household with him, including lord William de Froxfelde his chaplain,<sup>31</sup> Richard his pantler, Henry his butler, John Clyware and Gantroni his treasurers, Henry, the clerk of his chaplain, Peter his barber, Adam his tailor (a second tailor named Robert also appears later), three grooms, two esquires, a carter, a miller, a cook, a porter, a laundry lady, an officer of the saucery, a hunter and his page, two greyhounds, ten running dogs and at least two horses (his own palfrey and one horse belonging to Alexander de Balliol, ‘who at present has rebelled’).<sup>32</sup> Although it is not known how long these people had been members of Balliol’s household (or if they were part of his Scottish

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November 1297) equalled a different amount of £182, yet it is not know whether this was part of the above sum.

<sup>29</sup> *CCR, 1296-1302*, 1; *CDS*, ii, no. 854; Stevenson, *Documents*, ii, 121.

<sup>30</sup> *CPR, 1292-1301*, 231; Stevenson, *Documents*, ii, 163.

<sup>31</sup> This may be Froxfield in Hampshire, although it is not certain that the Balliols had a connection with the land.

<sup>32</sup> *Ibid.*, 138-9; NA E101/7/27 m.1; BL MS.Add.24514 f.135. Of course, the conditions of the imprisonment of Jean II of France, captured at the battle of Poitiers in 1356, were much more accommodating as he was allowed the company of many of his influential ministers and advisers. He also had a household of six knights, a clerk, four sergeants-at-arms, twelve men-at-arms, two guards, seven valets, twenty-six archers, ten *garçons*, a physician, a painter, a jester, an official minstrel and an astrologer (J. Sumption, *The Hundred Years War II: Trial by Fire* (Philadelphia, 1999), 262; G. Bordonove, *Jean II le Bon* (Paris, 2000), 244).

household), many of them remained with him afterwards when he was held in the Tower until 17 July 1299, on which day ‘he was taken from the custody of the same lord Ralph [de Sandwich] at the care of the king and released to the bishop of Vicenza, the nuncio of the lord pope.’<sup>33</sup> Calculating from 6 August 1296 to 17 July 1299, Balliol’s expenses while in captivity were over £1,000.<sup>34</sup> This is certainly a high price for a ‘rebel’ of the English king and seemingly much higher than the daily expenses of the captive Bruce king, David II, following his capture at the battle of Neville’s Cross in October 1346. David was given one mark per day, or 13s 4d, while in the Tower compared to 17s per day given for Balliol, although in 1350, David began to receive regular payments of £13 6s 8d.<sup>35</sup> This certainly suggests that from an English standpoint, Balliol—a previously wealthy English lord—was not characterised as such a traitor and rebel as ‘David de Brus,’ although the forfeiture of the Balliol lands does severely punish John in terms of landed wealth and status. From Balliol’s perspective, though, his treatment gave him stronger expectations and hope that his lands would be quickly restored and he would be returned to royal favour.

John (I)’s restoration to royal favour in 1257 was likely because of Henry’s need for loyal partisans during the crisis with his nobles, which resulted in the Barons’ War

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<sup>33</sup> NA E101/7/27 m.1-2; Stevenson, *Documents*, ii, 138-9, 361-5. The following were apparently released after one year: Robert the carter; John Lovet, the king’s miller; John, cook of the same John, who served him for one year; Robert, his tailor, treasurer of the same John; Stephen his saucery officer; Robert his porter.

<sup>34</sup> NA E101/7/27 m.2; E101/354/5b f.16; E101/355/10 m.6; Stevenson, *Documents*, ii, 138-9, 141; *CDS*, ii, no. 1027. From 6 August to 19 November 1296: £135 6½d; 25 Edward I (Nov. 1296-97): £347 18s 9d; 26 Edward I (Nov. 1297-98): £407 6s ½d; 20 November 1298 to 18 July 1299: £188 6d. Sandwich was given 17s per day and also given a payment of £100 in May 1298 for Balliol’s and his son’s expenses; Michael de Wyntonia was given 8 marks in December 1298 for ‘small expenses’ and for the robes for Balliol’s chaplain (*CDS*, v, pt. ii, no. 472g). In January 1299, the expenses of John and Edward Balliol while in the tower amounted to £171, although it is not known whether these figures are part of other payments (*Ibid.*; *CDS*, ii, no. 1056; *Scotland in 1298, etc.*, 72, 106). The other nobles (the sons of the earls of Mar and Strathearn) are not in E101/7/27, which only supplies the account for Balliol and his household. King Edward was apparently indebted to Ralph de Sandwich for Balliol’s expenses, and in May 1299, the king assigned £111 from the farm of the king’s manor of Middleton, held by Richard de Graveneye, among other lands (E101/7/27 m.2; *CCR, 1296-1302*, 252).

<sup>35</sup> *Issues of the Exchequer*: ‘The Household Roll of Lord Edward, the King’s son,’ ed. F. Devon (London, 1837), 157; Penman, *David II*, 160.

the following year, as well as Henry's financial difficulties at that time. These events can be paralleled with Edward I's crisis which culminated in 1297.<sup>36</sup> Many of Edward's nobles were in opposition, due mostly to the lengthy English expeditions in both Wales and Scotland, combined with financial difficulties and shortages of men and supplies to support these missions. King John, having surrendered the year before this crisis, likely believed (or hoped) that he would be restored to royal favour as his father was in 1257. In this context, Balliol might have expected a restoration of his English lands and his position as a valuable northern English lord.

Balliol's hopes that he would be restored to his lands were thus thwarted by the rebellion—especially since it was in his name—of Bishop Wishart, the Steward, Wallace, Murray, the Comyns, William Douglas and the young earl of Carrick, Robert Bruce, against Edward I. Further to this, Balliol's father-in-law, John de Warenne, earl of Surrey, had been given command as senior royal administrator and keeper of Scotland.<sup>37</sup> If Edward was considering restoring Balliol's lands—perhaps even his release from custody—the victory of the Scots would certainly have damaged any negotiations. Indeed, the rebellion caused King John to be returned to the Tower, in August 1297, and it may have also caused Edward Balliol to be taken out of the household of Prince Edward and transferred to the Tower along with Alexander, son of the earl of Mar,<sup>38</sup> Robert, son of the earl of Strathearn and Gilbert de Clare. This transfer took place just one day after the defeat of the English at Stirling Bridge, although it was too soon afterwards to be a direct result of the battle.<sup>39</sup> The earl of

<sup>36</sup> Prestwich, *Edward I*, 412-35; *Documents Illustrating the Crisis of 1297-98 in England*, 1-37.

<sup>37</sup> *Rot. Scot.*, i, 32; *The Chronicle of Walter of Guisborough*, 294; Prestwich, *Edward I*, 474, 477; Watson, *Under the Hammer*, 40-1. It was offered to Brian fitz Alan, previously co-guardian of Scotland in the Great Cause (*Great Cause*, ii, 90-2). Warenne perhaps petitioned to Edward to be relieved of his duties so that he could accompany the English king to Flanders (Watson, *Under the Hammer*, 41).

<sup>38</sup> This may have been a son of Donald, sixth earl of Mar (d. c. 1297), or a son of Donald's son and heir, Gartnait (d. c. 1302), father of Donald, eighth earl of Mar (d. 1332) (*ODNB*, xvi, 495).

<sup>39</sup> *CCR, 1296-1302*, 142; *CDS*, ii, nos. 964, 1027; Stevenson, *Documents*, ii, 251-2. According to a letter between 1296 and 1301 'concerning the household of the king's sons and the condition of Gilbert de Clare and Edward Balliol' (*CDS*, v, pt. ii, no. 271), it is likely that de Clare was delivered to the Tower at



Warrenne's humiliation at the defeat might also have hindered Edward's outlook towards Balliol.

Despite the removal of King John in 1296, many Scots, particularly Wallace, still recognised Balliol as king of Scotland and regarded his abdication as forced. Acts continued to be issued by the Wallace regime in the name of King John as late as June 1302, including several witnessed by John de Soules—appointed guardian of Scotland by Balliol by *c.* 1301—and incidentally dated by regnal years, a symbolic gesture which indicated that Balliol was still trying to rule Scotland from exile.<sup>40</sup> In 1298, many Scots were present at the French court of Philip IV, including the future guardian Sir John de Soules, the abbot of Melrose and Bishops Crambeth of Dunkeld and Lamberton of St Andrews.<sup>41</sup> Philip's attitude towards the Scottish cause was favourable and it was clear that he supported Balliol—a French vassal—and his possible return to the Scottish throne, although, as Prestwich argues, he was cautious in giving the Scots military aid against the English.<sup>42</sup> The French king, and Pope Boniface VIII, had demanded Balliol's liberation during the summer of 1298, or possibly a few months earlier in January, when certain French and English envoys met to discuss and observe a truce at Tournai. This instrument speaks of the liberation of prisoners 'especially of John, king of Scots and his son...that they be placed in the hand of the French prelates who will guard them, in the name of the Highest Pontificate.'<sup>43</sup> Indeed, Rishanger and Walsingham place Philip's demand in April 1298 immediately before a 'parliament'

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the same time. The children's expenses including their retinues, at this time totalled just over £407 (*Ibid.*). This is not the Gilbert de Clare, the child earl of Gloucester.

<sup>40</sup> NAS GD137/3680; *Handlist*, nos. 418-22; Appendix D, nos. 70-2, 74, 80, 84-8. He served until the fall of Stirling castle to King Edward in July 1304.

<sup>41</sup> Barrow, *Robert Bruce*, 95; Prestwich, *Edward I*, 490. Lamberton had been consecrated in Rome in June 1298, when he likely told Pope Boniface of Scotland's trouble. Boniface then wrote to Edward, although the letter was to arrive after Edward's victory at Falkirk in July.

<sup>42</sup> Prestwich, *Edward I*, 490.

<sup>43</sup> AN J632/28; JJ16 f.5-6; Teulet, *Inventaire Chronologique*, 16-7, dated 15 January 1298. It is important to note the mention of Balliol and his *son*, not sons.

held at York, likely the council meeting held there by Edward I to discuss his renewed Scottish campaign.<sup>44</sup>

Edward I, however, would not give in to demands for Balliol's liberation. In June 1298, he sent letters to Philip in which he agreed to the truce the French king proposed. He refused, however, to include John Balliol 'whom the French envoys call "king of Scots," or his people, in the truce because after the first truce and ever since, the land of Scotland was and is in [Edward's] property and possession...If Sir John de Balliol casually made an alliance with the king of France, which is not admitted, he had no power to do so, as he was in homage of the king of England.'<sup>45</sup> Edward was likely attempting to show that the 1295 Franco-Scottish treaty, in the eyes of England, had no legality or validity as it had been 'casually' made. It is probable that at this time Edward put forth the (possibly back-dated) letter of April 1298 mentioned above, which claimed that the ex-king was not interested in returning to the realm of Scotland.<sup>46</sup> Indeed, the timing of this statement signifies that Balliol's attitude was meant as propaganda by Edward I, directed against the Scots, in hopes that Edward would retain custody of his loyal subject. As Baldred Bisset claimed later, Edward had 'removed from [King John's] chancellor his seal and the seal of the kingdom, and kept possession of them,'<sup>47</sup> (perhaps after they were found in his possession at Dover in July 1299) which would undoubtedly make it easier for such a letter to be fabricated. This certainly justifies the theory that Edward was using Balliol as a political pawn in foreign relations. The fact that Balliol's liberation involved European and papal

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<sup>44</sup> *Rishanger*, 185; *Thomae Walsingham, Historia Anglicana*, 74-5; *Foedera*, I, iii, 197-8; Prestwich, *Edward I*, 479; Barrow, *Robert Bruce*, 95. The English government had been moved north to York to be closer to the Borders.

<sup>45</sup> Palgrave, *Documents*, i, 250-61; *CDS*, ii, no. 990.

<sup>46</sup> *Anglo-Scottish Relations*, no. 27. Edward's insistence that the treaty was 'casually' made might hint that he believed that Balliol was coerced by his nobles.

<sup>47</sup> *Chron. Bower*, vi, 188-9.

negotiations speaks to the importance of King John at this time and certainly places the Balliol dynasty within a wider international sphere.

*Papal Custody: July 1299 – summer 1301*

If Edward's propaganda was meant to secure Balliol's residence in England, it failed. Soon afterwards, Edward's ambassadors at the court of Philip IV secured a peace treaty, concluded at the mediation of the pope, which provided for Edward's marriage to Philip's sister, Margaret.<sup>48</sup> It also included one article claiming that

the person of Sir John de Balliol, king of Scots, [shall be placed] in the power of the said pope...and delivered henceforth to Wissant...to the hands of the [bishop of Vicenza], to hold there where he wishes in the name of the pope, and this will be ordained and held by the said pope of the said king of Scots in the person of Edward, son of this king of Scots, another thing not to be indemnified, ordained and accorded by the said kings of France and England as they were together, etc.<sup>49</sup>

Following this, John received a letter dated 11 July 1299 to go immediately to the king at Canterbury 'to have conference with the king upon certain affairs.' Ralph de Sandwich was ordered to take Balliol there with one knight, 'giving the king notice that when he is near Canterbury he may send to meet and escort him to the city more becomingly,' but also being ordered that if Balliol refused to go, he 'shall nevertheless bring him.'<sup>50</sup> According to Rishanger, the pope's nuncio had come to Canterbury and

<sup>48</sup> *Foedera*, I, iii, 209; Prestwich, *Edward I*, 396.

<sup>49</sup> AN J632/32; Teulet, *Inventaire Chronologique*, 19; *Gascon Register A*, ii, no. 314 (at page 656), dated 19 June 1299; *Foedera*, I, iii, 209; Ignace-Joseph de Jésus-Maria, *L'Histoire Généalogique des Comtes de Ponthieu, etc.*, 244; Louandre, *Histoire d'Abbeville*, i, 210-1. One negotiator for King Philip, Peter de Bellapertica, canon of Bourges, was also present on 18 July when Balliol was transferred to the custody of the bishop of Vicenza. Another was Guy, count of Saint-Pol and butler of France (mentioned in Chapter Two). From this, Edward Balliol appears to have been a hostage for his father's release and he remained in the Tower until 18 November 1299 (see below).

<sup>50</sup> *CCR, 1296-1302*, 258; *CDS*, ii, no. 1072; Stevenson, *Documents*, ii, 378-9.

met with King Edward on 7 July to demand Balliol's liberation on behalf of Pope Boniface who was at Anagni, near Rome, in the summer of 1299.<sup>51</sup> It was from Canterbury that Balliol was taken to Dover and committed to the custody of Sir Robert de Burghesh, the constable, who took him across the sea to Wissant-sur-mer, France, where on 18 July the ex-king of Scots was then given to the custody of the papal nuncio, Raynald, bishop of Vicenza.<sup>52</sup>

Indeed, this transfer into papal custody is directly related to the Scots' efforts to be freed from Edward's claims of overlordship, which they presented to both Pope Boniface and Philip IV. In the papal bull, *Scimus fili*, drawn up on 27 June 1299 while a Scottish embassy was in Rome for the consecration (on 28 June) of the new bishop of Moray, Boniface VIII condemned the English interference in Scotland and challenged Edward to produce evidence and proof that the English kings claimed rights over the Scots.<sup>53</sup>

However, Edward did not receive a physical copy of *Scimus fili* until apparently August 1300,<sup>54</sup> and in October that year agreed to give the Scots a truce to last until 21 May (Whitsun) 1301.<sup>55</sup> Edward's reply to *Scimus fili* (dated 7 May 1301) stated that English claims of overlordship dated to biblical and mythological times, but concluded

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<sup>51</sup> *Rishanger*, 191; *Eulogium Historiarum*, iii, 170; *Les Registres de Boniface VIII*, ed. G. Digard, *et al* (Paris, 1884-1907), ii, nos. 3065-72, 3131, 3135, 3187; *Original Papal Documents in England and Wales from the Accession of Pope Innocent III to the Death of Pope Benedict XI (1198-1304)*, ed. J.E. Sayers (Oxford, 1999), nos. 1006-10. 7 July was the translation of St Thomas the Martyr, a point which brings interest especially since it took place at Canterbury.

<sup>52</sup> Stevenson, *Documents*, ii, 382-6, 390-2, 402-4, 406; NA C47/22/2/50; C47/22/4/21, 22; Cameron, "Documents Relating to John Baliol," 34, 39; *Foedera*, I, iii, 211. The bishop of Vicenza had also been present, as the pope's messenger, at various negotiations between the kings of France and England regarding a truce and the marriages of Edward I to Philip's sister, and Prince Edward to Philip's daughter (*Original Papal Documents*, nos. 1003, 1005; *The Gascon Calendar of 1322*, ed. G.P. Cuttino, Camden 3<sup>rd</sup> ser., lxx (London, 1949), nos. 54-5, 84-6, 90, 94, 96, 98).

<sup>53</sup> Barrow, *Robert Bruce*, 116; Nicholson, *The Later Middle Ages*, 61. For Moray's consecration see *Les Registres de Boniface VIII*, ii, nos. 3119-20 dated from Anagni. For *Scimus fili* see *ibid*, ii, nos. 3342-3; *Anglo-Scottish Relations*, no. 28.

<sup>54</sup> R.J. Goldstein, "The Scottish Mission to Boniface VIII in 1301: A Reconsideration of the Context of the *Instructiones* and *Processus*," *SHR*, lxx (1991), 1-15, at 1.

<sup>55</sup> Goldstein, "The Scottish Mission to Boniface VIII in 1301," 2; *Chron. Fordun*, i, 331; Barrow, *Robert Bruce*, 113; *Foedera*, I, iv, 12-3.

with the more recent proof of Balliol's own submission of homage and fealty during the Great Cause.<sup>56</sup> The Scots countered this in June 1301, a few months before Balliol's liberation from papal custody, with the *Processus*. Baldred Bisset, believed to be co-author of the document (with Master William of Eaglesham and Master William Frere), pleaded to Pope Boniface VIII against Edward I, insisting that

The king [Edward] also says that this king of ours [Balliol] freely confessed to having engaged in treasonable conspiracies against the king of England, and by this to have fallen into the crime of high treason, and to have lawfully forfeited his kingdom. Certainly it is not true nor likely that such a man willingly uttered such grave and detestable confessions against himself in so arduous a business....Then, it is said, he had a letter containing confessions of this kind fabricated after sending our king and his son to undergo imprisonment in England; and he published this letter (which our king has never since authorised, as he never will) to the inhabitants of the kingdom of Scotland.<sup>57</sup>

These statements claim that the 1296 surrender, and perhaps the letter written in April 1298 with Balliol accusing the Scottish nobles of treachery, was mere propaganda and dubious.<sup>58</sup> This letter would certainly have been useful to Edward I at this time, when he was making his claims of overlordship of Scotland, whose former king had been his loyal subject. Balliol's behaviour in papal custody, as seen below, suggests that he did attempt to be restored to Scotland, seemingly against his 1299 oath and Boniface's wishes; thus, Bisset's claims against the English king were valid.

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<sup>56</sup> Powicke, *The Thirteenth Century*, 701-2, 705; Barrow, *Robert Bruce*, 116-7; Nicholson, *The Later Middle Ages*, 60-1.

<sup>57</sup> *Chron. Bower*, vi, 187-8; Barrow, *Robert Bruce*, 117-9.

<sup>58</sup> *Anglo-Scottish Relations*, no. 27.

Bisset's stance on Balliol and his restoration to the Scottish throne have been debated by Barrow, Prestwich and R.J. Goldstein.<sup>59</sup> Prestwich asserts that Bisset, in his letters of 1301, was not supporting Balliol's return to the throne but rather he was aiming to have the Anglo-Scottish dispute submitted to papal arbitration. As Goldstein relates, however, Bisset had argued for both papal jurisdiction and the rights of Scotland, making it undoubtedly an issue of independence of Scotland *and* its lawful king; thus, the envoys sent to the pope in the summer of 1301 were likely there to defend Balliol's rights in a possible restoration of the monarchy. Indeed, given the above statements by Bisset, it is possible that he spoke on behalf of the Scottish embassy to Rome in favour of the king's restoration; as Goldstein also points out, Soules likely commissioned the embassy specifically to defend Balliol's legitimacy.<sup>60</sup> Bisset's pleading is sympathetic to Balliol, claiming that his fealty and homage to Edward I in 1292 was extracted 'by force and fear.' As recorded by Bower, Bisset also illustrated that Balliol succeeded to Scotland 'by hereditary right...justly and legitimately' and was 'peaceably holding that kingdom of Scotland.'<sup>61</sup> Furthermore, Bisset pleaded that 'what was extorted with a great deal of force must not redound in any way to his or the kingdom's prejudice' for Balliol was still, 'through his appointed guardian there [Soules]...in full possession of the whole kingdom [except for] three or four castles sited in the borders of the kingdom.'<sup>62</sup> This certainly indicates that Bisset was, if anything, favourable to a Balliol restoration in 1301.

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<sup>59</sup> Barrow, *Robert Bruce*, 118-9; Prestwich, *Edward I*, 495; Goldstein, "The Scottish Mission to Boniface VIII in 1301," 11.

<sup>60</sup> Goldstein, "The Scottish Mission to Boniface VIII in 1301," 11.

<sup>61</sup> *Chron. Bower*, vi, 187; Barrow, *Robert Bruce*, 119.

<sup>62</sup> *Chron. Bower*, vi, 189. John de Soules died in 1310 in France (*Chron. Fordun*, i, 331; *Scalachronica*, 127). Soules was uncle of Nicholas de Soules (a competitor in the Great Cause), who was father of William de Soules of the Soules Conspiracy of 1318-20 (see Chapter Six; Penman, "The Soules Conspiracy," 25). Although it has been generally believed that Soules was appointed guardian directly by Balliol, there are no surviving charters by Balliol giving sole guardianship to him. The first mention of Soules, in Fordun, states he was 'associated' with John Comyn by John de Balliol (*Chron. Fordun*, i, 324).

On 18 July 1299, upon his transfer to the custody of the bishop of Vicenza, John (still styled ‘His Magnificence’ and ‘illustrious king of Scots’ signifying a positive French or papal attitude to the Scottish cause) declared himself ‘simply and wholly in obedience to the mandates, ordinances and pleasure of the said lord pope.’ He would obey the bishop and remain in the places assigned to him, not to leave without special licence and he also ‘freely submitted and bound his person and all his goods, rights and actions’ and for ‘greater stability of all the premises, the said lord John, styled king of Scots, swore upon the Holy Gospels to perform and inviolably to observe all and sundry the above written, as stated.’<sup>63</sup> This, in effect, signifies that Balliol was to be at the mercy of Boniface and under his jurisdiction, no longer a responsibility to either the English or French kings. The chroniclers’ claims that the gold crown and Great Seal were found on John Balliol at his departure from Dover is very indicative of Balliol’s attitude to the crown of Scotland.<sup>64</sup> It strongly suggests that Balliol did, in fact, intend to either rule Scotland while in France (either in custody or in hopes of future liberation) or expected to be restored shortly after his arrival.

Four days later, on 22 July, the bishop of Vicenza handed over Balliol—‘freed from the power of the foresaid lord king of England’—to the bishop of Cambrai to be ‘held, guarded and safely preserved in good faith without guile or fraud’ in the castle of Malmaison (near Cambrai). On the following day, Balliol himself said and declared that if Pope Boniface VIII ‘should not take order anent him and the affairs relating to him and to the kingdom of Scotland, that his successor or successors shall be able, until the matter is finally determined, to take order therewith according to their pleasure.’<sup>65</sup> This indicates that Balliol was aware (likely through John Comyn of Badenoch (d.

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<sup>63</sup> Appendix D, no. 76; Cameron, “Documents Relating to John Baliol,” 34.

<sup>64</sup> NA E101/355/18 m.5; *Thomae Walsingham, Historia Anglicana*, i, 78; *Rishanger*, 191; Reid, “Edward de Balliol,” 39n.

<sup>65</sup> Appendix D, nos. 77-8; Cameron, “Documents Relating to John Baliol,” 35-6.

1306), one of the Scottish guardians at this time, or the Scottish embassy at Rome) of the situation arising in Scotland concerning his possible restoration as well as Edward's alleged claims for overlordship. Moreover, this statement, especially the phrase 'until the matter is fully determined,' insinuates that Balliol was requesting, as Bisset may have been, to have the Anglo-Scottish dispute submitted to papal arbitration to resolve the problems created by Edward I's broken promises concerning Scotland's integrity and independence at the Great Cause. Balliol's mention of 'his successor or successors' also implies that he had some concern for the inheritance of Edward Balliol, who the Scots may have supported as their next king.<sup>66</sup>

Further evidence suggesting a restoration of the Balliol dynasty in 1299 comes from events between the Scottish guardians shortly after the Scots' defeat at Falkirk in July 1298. By December 1298, John 'the Red' Comyn had been appointed guardian with Robert Bruce, earl of Carrick, a most unsuitable pair. Despite their differences, the two had been able to issue charters 'in the name of the famous prince, the illustrious King John' and evidently to carry out business after Wallace's resignation of the guardianship.<sup>67</sup> Yet, in August 1299, just a month after Balliol voiced his concerns about Scottish affairs to Boniface, there was a bitter quarrel between the two guardians at Peebles, when John Comyn 'leaped at the earl of Carrick and seized him by the throat, and the earl of Buchan turned on the bishop of St Andrews, declaring that treason and *lesemajestie* were being plotted.'<sup>68</sup> Indeed, *lèse majesté*, or to replace the monarch,<sup>69</sup> can quite possibly be linked to Bruce's bid to be made king over the exiled

<sup>66</sup> Because of Edward's upbringing at the English court, though, the Scots might have been against his succession to the throne and favouring instead John Comyn, the nearest male heir after Edward Balliol.

<sup>67</sup> Barrow, *Robert Bruce*, 104-5.

<sup>68</sup> CDS, ii, no. 1978; *Nat. MSS Scot.*, ii, no 8; Barrow, *Robert Bruce*, 107; Nicholson, *The Later Middle Ages*, 59.

<sup>69</sup> *Lèse majesté* can also mean to insult or attack the monarch, all of which were punishable by death or forfeiture. As apparent from the accusation against Edward Balliol in the 1330s, Bruce might also have been attempting to make an alliance with the English king, Edward I, to whose peace he would certainly return in 1301-02 (E.L.G. Stones, "The Submission of Robert Bruce to Edward I, c. 1301-2," *SHR*, xxxiv (1955), 122-34; See also Chapter Six).



King John and his desire to have the Great Cause reopened. Bruce perhaps took this attitude because Comyn informed the earl that Balliol intended to return to the realm as soon as possible.

After this quarrel—following an aborted attack on Roxburgh—William Lamberton, bishop of St Andrews, was added to the guardianship. This was certainly an attempt to bring a mediator between the two men, whose rivalries later ended with Bruce murdering Comyn in Greyfriars Church in February 1306, shortly before Bruce seized the throne of Scotland. In May 1300, Bruce was ousted (or withdrew) from the triumvirate guardianship and the remaining two—Bishop Lamberton and John Comyn of Badenoch—were joined by Enguerrand de Umfraville, another Balliol supporter, possibly because of an inability of Comyn and Lamberton to work amicably together.<sup>70</sup> This no doubt threatened Bruce's position to claim the throne, and after the news of Balliol's release in 1301 he can be seen returning to King Edward's peace,<sup>71</sup> as it appeared that the guardians would work towards the restoration of the Balliol dynasty. However, Lamberton's role in the restoration of Balliol can be described as indifferent. As G.O. Sayles argues, the bishop 'had good reason for believing that Balliol, if restored, would be incapable of the strong action regarding [the independence of the Scottish Church] which was vital'<sup>72</sup>; although, the bishop was part of the Scottish embassy present at the court of Philip IV in June 1298 calling for Balliol's release and he may have been seen as influential in the papal campaign against English overlordship. However, the guardianships after 1296 were keen to end the war with England, apparent from the many charters and letters, such as one to Edward in

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<sup>70</sup> G.O. Sayles, "The Guardians of Scotland and a Parliament at Rutherglen in 1300," *SHR*, xxiv (1927), 245-50, at 249. Sayles claims that the Comyn family had great animosity towards Lamberton because of his elevation to the see over William Comyn, brother of the earl of Buchan, who had turned on the bishop at the Peebles argument.

<sup>71</sup> Stones, "The Submission of Robert Bruce," 122-34.

<sup>72</sup> Sayles, "The Guardians of Scotland and a Parliament at Rutherglen," 249.

November 1299, in the name of King John, offering to cease hostilities at the mediation of the king of France, who had been involved in the Scottish situation for some time.<sup>73</sup>

Robert Bruce had apparently been interested in Balliol's whereabouts at this time, as evident from an undated copy of a letter from the bishop of Vicenza (presumably from Balliol's release in July 1299) made 'for Robert Bruce' concerning Balliol's residence.<sup>74</sup> Bruce's removal—or withdrawal—from the guardianship by May 1300 and his behaviour some years later reflects his concern and hopes for papal intervention when he submitted to King Edward's peace in late 1301/early 1302, possibly after hearing of Balliol's liberation to his French estates. Edward subsequently issued a document under his privy seal acknowledging Bruce's submission 'since conceivably Scotland may pass again into the hands of John Balliol, or of his son.' Bruce decided to go to King Edward for support, hoping that his 'right' would be protected should the Balliol dynasty return. In this case, Bruce may have been hoping not for arbitration but rather for a reopening of the Great Cause. The document mentioned both a 'papal ordinance' and the possibility that "'the right" may be called in question, or reversed and repealed in new judgment' or has to be tried 'elsewhere.'<sup>75</sup> Bruce perhaps anxiously awaited a newly judged Great Cause, with Pope Boniface as arbitrator, which would certainly give Bruce ample reason to exert his 'right' to the Scottish throne. This would have to be secured before Boniface chose (if, in fact, he would choose) to arbitrate Edward I's overlordship claims because if there was a papal hearing regarding Edward I's right versus *Balliol* as king of Scots this would certainly threaten Bruce's position in demanding his own claims to kingship. His efforts to reopen a Great Cause would have been fruitless, though, since Balliol had already been successful against a Bruce candidate once. Nonetheless, the Scots, likely hoping for

<sup>73</sup> *Handlist*, no. 416; Appendix D, no. 80; *Foedera*, I, iii, 215; *APS*, i, 454; *CDS*, ii, no. 1108.

<sup>74</sup> Stones, "The Submission of Robert Bruce," 125n; *Gascon Calendar of 1322*, no. 131.

<sup>75</sup> *Anglo-Scottish Relations*, no. 32; Stones, "The Submission of Robert Bruce," 124.

successful papal arbitration because of the ‘special daughter’ status of Scotland in Rome, would not receive long-term support from Boniface, who was soon to become involved in numerous arguments with Philip IV and subsequently withdrew his support for Philip’s allies, the Scots. If Bruce had been counting on support from the pope in early 1302, he was to be too late.

Bruce’s anxious behaviour from late 1299 to 1302 certainly echoes that of his grandfather just a decade earlier during the Great Cause, when the elder Bruce chose many different approaches in an attempt to secure his claims to the empty Scottish throne. The difference at the end of the thirteenth century was that Balliol was still recognised as king in many parts of Scotland and Europe; thus, Bruce could only hope that the situation would change in his favour. Bruce’s hopes could be justified, however, with a different interpretation of Boniface’s *Scimus fili* of 1299. Goldstein intimates that although the Scottish ambassadors in 1301 were defending Balliol’s right to Scotland, it remains unclear why *Scimus fili* ‘reads like an early propaganda effort by partisans of Robert I.’<sup>76</sup> Indeed, Boniface does not mention Balliol by name and only alludes to ‘the man to whom you are said to have committed, although improperly, the rule of the kingdom.’<sup>77</sup> If Bruce himself had campaigned to Boniface for his ‘right’ before *Scimus fili* was despatched, he had to have known of (or feared) a possible restoration of King John before the latter’s release from English custody in July 1299. However, if this was true—that King John had hoped to be restored directly upon his release from English custody<sup>78</sup>—it is very unlikely that Edward I would have agreed to the transfer of Balliol to papal custody.

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<sup>76</sup> Goldstein, “The Scottish Mission to Boniface VIII in 1301,” 11.

<sup>77</sup> *Anglo-Scottish Relations*, no. 28 (at page 84). This certainly justifies Prestwich’s claim, mentioned below, that Boniface did not support Balliol’s right to the kingdom. In fact, Boniface may have wished to keep his own options open as well, in order to counter any actions Philip IV might take.

<sup>78</sup> Again, Balliol’s alleged possession of the seal and crown in July 1299 is highly suggestive that he did intend to be restored almost immediately (see above).

William Wallace's defeat at Falkirk just before Bruce's and Comyn's appointments as guardians jeopardised his position as leader and Wallace subsequently left for the French court to gain support in August 1299, shortly before the violent argument at Peebles.<sup>79</sup> Indeed, the embassy headed by Wallace, which reached Paris by early November coincides with the appearance of the Scottish envoy in Rome in June 1299.<sup>80</sup> He and his retinue arrived in France at the court of Philip IV possibly in an attempt to restore Balliol as well as obtain military support against the English from the French king. As Barrow points out, the men who followed Wallace to France certainly had Balliol associations including Roger de Mowbray (whose family was allied with the Balliol/Comyn government), Richard Fraser (a Balliol auditor in 1290-2), William de Vieuxpont (whose family was also associated with the Balliols) and Edward of Leithholm. In addition, Hugh de Fotheringhay, a former attorney for Dervorguilla, appears with the Scottish embassy and may have already been in France, possibly holding office as the provost of Vimeu in 1298.<sup>81</sup> If their aim was to restore King John, their closeness with Balliol may have been useful in negotiations.

In November 1299, the bishop of Vicenza called another meeting in the room of the bishop of Cambrai at Malmaison to 'require and warn...lord John de Balliol, king of Scots,' essentially to follow the previous regulations of keeping within the custody and not to leave without permission. Made in the presence of Balliol, his household and other 'religious men,' this was likely made because King John was changing residences from the diocese of Cambrai to that of Langres, staying at Châtillon-sur-Marne (near Reims) and a dispute could have arisen over jurisdiction.<sup>82</sup> The reiteration of these

<sup>79</sup> Barrow, *Robert Bruce*, 96, 103, 110; Nicholson, *The Later Middle Ages*, 58-9.

<sup>80</sup> Barrow, *Robert Bruce*, 110, 116; *Les Journaux de Trésor de Philippe IV le Bel*, ed. J. Viard (Paris, 1940), nos. 3504 (dated 2 November 1299), 3901, 3908 (both dated 9 December 1299). It is uncertain why Wallace took so long to reach Paris, unless documentation of an earlier arrival has not survived.

<sup>81</sup> Barrow, *Robert Bruce*, 110; Darsy, *Notice Historique sur l'Abbaye de Sery*, 73-4.

<sup>82</sup> Appendix D, no. 79; Cameron, "Documents Relating to John Baliol," 37-8; Stevenson, *Documents*, ii, 402-4, dated 11 November 1299. Within a month, Balliol was transferred to Châtillon-sur-Marne 'in the

regulations also suggests, though, that perhaps Balliol had been disobedient—attempting to return to make a claim on the Scottish throne—and had gone against the terms of his release and in turn, being regarded as an oath-breaker.<sup>83</sup> Indeed, Wallace’s appearance in Paris, some eighty miles from Reims, just over a week before could indicate that Balliol was seeking a way to contact Wallace and his embassy (including Hugh de Fotheringhay, if Balliol had not been in contact with him already), hoping for an escort back to Scotland. Wallace was retained in Paris by Philip IV, having been ‘held in highest honour of the king, who was reluctant to allow him out of his company,’ until the end of 1300, when he left Paris for Rome.<sup>84</sup> There is the possibility that Philip IV feared Wallace was attempting to liberate Balliol and escort him back to Scotland, which would have violated the French king’s peace agreements with Edward I. Yet, Philip’s letter to his representatives in Rome to aid Wallace in matters which would be brought before the pope, suggests that perhaps his attitude had changed. Certainly, as seen below, King Philip appeared to have important interests in Balliol’s custody because of the involvement of Boniface VIII, with whom the French king had been having jurisdictional disagreements.<sup>85</sup>

In December 1299, Balliol was again transferred to the custody of the bishop of Gevrey at Gevrey-Chambertin, a castle near Dijon, which belonged to the abbot of Cluny.<sup>86</sup> This transfer took Balliol further south and almost two hundred miles

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hospice of Andrew Gibuoyne, host,’ where yet another council was held regarding Balliol’s custody and residence.

<sup>83</sup> *Liber Pluscardensis*, ii, 152-3; Barrow, *Robert Bruce*, 95. As discussed above, Balliol allegedly made a pledge upon his release never to claim the throne of Scotland and his release was conditional on papal terms that he remained in custody at a papal residence.

<sup>84</sup> Barrow, *Robert Bruce*, 110; *Documents Illustrative of Sir William Wallace, his life and times*, ed. J. Stevenson (Edinburgh, 1841), 163.

<sup>85</sup> Duc de Lévis-Mirepoix, *L’Attentat d’Anagni: le conflit entre le Papauté et le Roi de France, 7 septembre 1303* (Gallimard, 1969); *Histoire du différend d’entre le Pape Boniface VIII et Philippe le Bel, Roy de France...sous les pontificats de Boniface VIII, Benoist XI et Clement V*, eds. S. Vigor and P. Dupuy (Paris, 1665; reprinted 1963).

<sup>86</sup> Appendix D, no. 81; Cameron, “Documents Relating to John Baliol,” 38; Stevenson, *Documents*, ii, 406, dated 15 December 1299.

southeast of Paris, which leads to an assumption that Balliol was being transferred closer to Pope Boniface VIII in Rome.<sup>87</sup> By the end of September 1300, King John was still at the castle under the guard of Ramusinus Busolo de Parma, Perotto de Sabaudia and others at which time he was placed under house arrest and commanded to

go not out by himself from the said castle, the place assigned to him, in any way without licence unless in company of his foresaid [guards] or the greater part of them, and if it shall happen at any time that he go out to take a walk with the said licence and companionship, he is commanded that he does not leave the said castle before sunrise, and that he return and enter the said castle before sundown, under pain of all his goods and the oath taken to the said lord bishop [of Vicenza] and of excommunication which he may automatically incur by acting contrariwise.<sup>88</sup>

All of these documents give explicit instructions for Balliol's papal captivity, what he was permitted to do and where he was permitted to go. His constant change of residence suggests possible fears that he would escape and seek passage back to Scotland, which called for the urgency to keep him restrained.

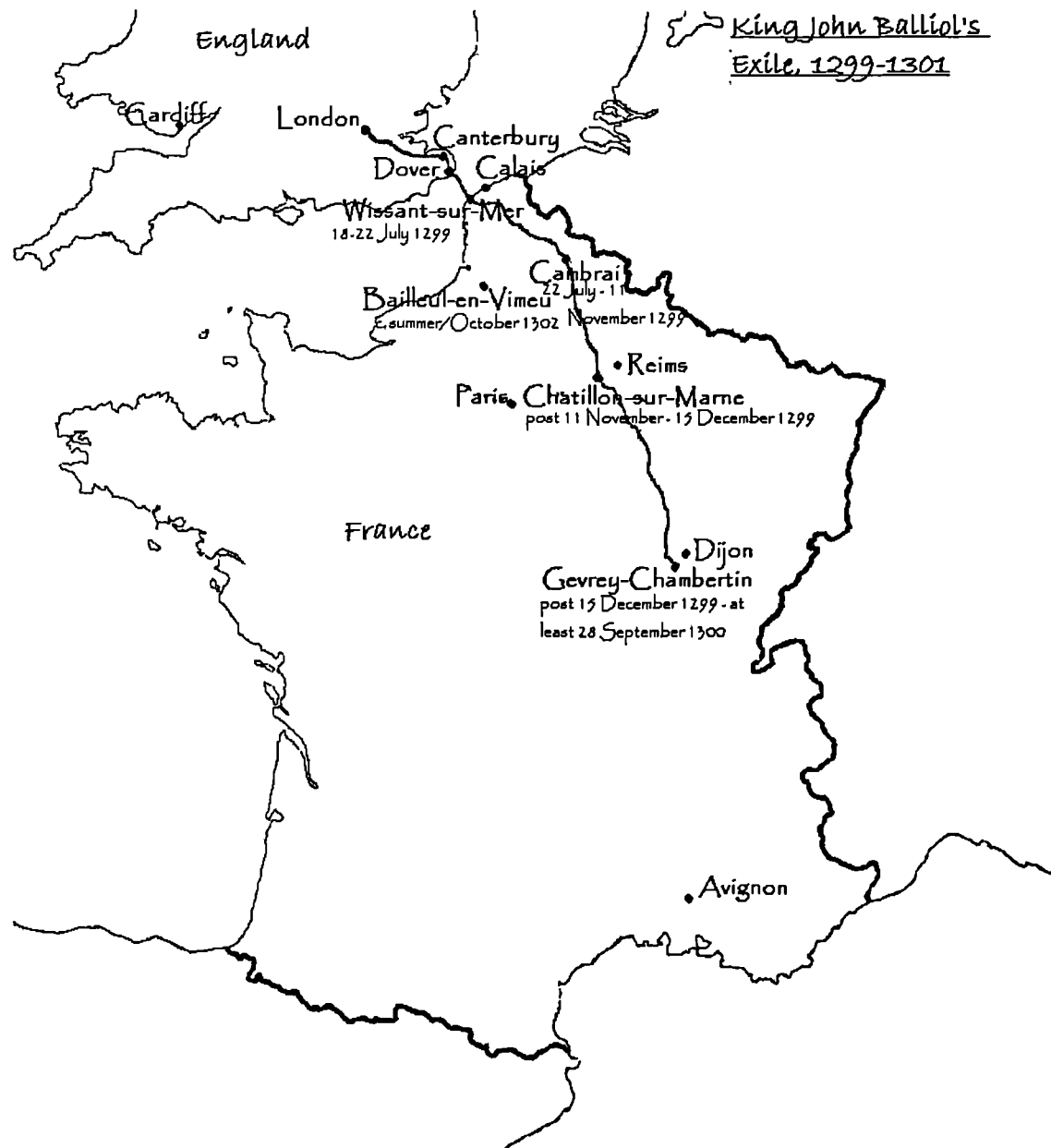
As Balliol may, in effect, have been breaking his oath not to reclaim the throne of Scotland and to remain in papal custody, Boniface's role in retaining custody of the ex-king came under strain. This was further exasperated by the involvement of Philip IV of France. Indeed, Balliol's behaviour in papal custody and his frequent relocations prompt certain questions on the nature of the intentions of Boniface and Philip concerning Balliol. As it appears from the above evidence, Balliol had been hoping for

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<sup>87</sup> See map below. *Original Papal Documents*, no. 3229; *Les Registres de Boniface VIII*, ii, no. 3274.

<sup>88</sup> Appendix D, no. 83; Cameron, "Documents Relating to John Baliol," 36; Stevenson, *Documents*, ii, 420-1, dated 28 September 1300. After four years of forfeiture and more than a year in papal custody, John's guardians might have encouraged him to observe these regulations.

restoration and was perhaps supported by both the Scots and Philip, although Philip had also been negotiating with Edward I.<sup>89</sup> Boniface's attitude appears to have been different: although he seemed to have supported the Scots' claims against King Edward's overlordship for a time (which would have benefited Philip IV if Scotland won the case), Boniface likely would not encourage nor support a reopening of the Great Cause, if that was Balliol's design in July 1299.



<sup>89</sup> For example, Edward's marriage to Philip's sister and Prince Edward's betrothal to Philip's daughter.

Intensifying the situation, of course, were the jurisdictional arguments between Philip and Boniface, which culminated in September 1303 at the famous ‘outrage at Anagni,’ when Philip’s men seized Boniface.<sup>90</sup> In early 1302, months after Philip secured Balliol’s release from papal custody by October 1301, Boniface issued *Quaestio in utramque partem*, a bull arguing for and against pontifical power.<sup>91</sup> The timing of this suggests that Boniface—although not referring to this specific situation—was angry at his loss of Balliol’s custody, whom he may have been relocating in an attempt to retain control. Indeed, Boniface claims in *Quaestio* that royal power must not ‘usurp the jurisdiction’ of pontifical authority,<sup>92</sup> which could be how he viewed Philip’s intervention to liberate Balliol in late summer 1301. As Balliol had taken an oath to remain in papal custody upon his release in 1299, Boniface likely classified this as ‘an offence involving a breach of the peace or oath-breaking [pertaining] directly to the church’s judgment’—a point which gave him jurisdiction to intervene in temporal and feudal matters.<sup>93</sup> What this evidence suggests is that perhaps Pope Boniface and King Philip, among their other quarrels, had been fighting over custody of John Balliol, with Philip winning out in the summer of 1301. Not only did these quarrels result in a bitter dispute between papal and royal authority, but the circumstances of Balliol’s liberation and possible restoration ended with the loss of papal support for the Scottish cause.

Although Michael Brown has argued that Boniface released Balliol to the French king in 1301 because of his sympathies to the Scottish cause, it would seem from the above evidence that the pope did not desire to relinquish his control of the

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<sup>90</sup> Duc de Lévis-Mirepoix, *L’Attentat d’Anagni*, 187-98, 221; *Histoire du différend d’entre le Pape Boniface VIII et Philippe le Bel*, 21.

<sup>91</sup> *Three Royalist Tracts, 1296-1302: Antequam essent clerici; Disputatio inter Clericum et Militem; Quaestio in utramque partem*, ed. R.W. Dyson (Bristol, 1999), 46-111.

<sup>92</sup> *Three Royalist Tracts*, 75.

<sup>93</sup> *Three Royalist Tracts*, 77.



exiled king.<sup>94</sup> Indeed, some interpretations of Boniface's role suggest that the pope would not encourage Balliol's restoration. As Prestwich argues, *Scimus fili* 'lent no support to the ex-king's cause,' which suggests that Boniface 'was obviously influenced by a very different faction among the Scots from that which had influence in the French court.'<sup>95</sup> This could also mean, however, that Boniface's antagonistic relationship with Philip IV and Balliol's own behaviour influenced the pope's decision. The April 1298 letter, seemingly put forth by Edward I, can retrospectively be viewed as an instrument of Edward I to keep Balliol in English custody: since Balliol allegedly sought not to enter the kingdom of Scotland, he essentially would not be breaking any oaths and, thus, the issue would remain temporal and out of Boniface's jurisdiction.

This becomes clearer when looking at the chronology of events shortly before this. By late summer 1301, after the Scottish pleadings at Rome, King Philip had certainly restored Balliol to his ancestral lands in Picardy, liberating him to his castle of Bailleul, which according to a seventeenth century French historian caused 'much regret to the Scottish lords.'<sup>96</sup> The exact nature of Balliol's release and how, in fact, Philip had come to negotiate it remains unclear as there is no surviving evidence which outlines the terms of his liberation. King Edward had heard of Balliol's release by October when he received a somewhat urgent letter mentioning the news as well as a rumour that Philip intended to send Balliol back to Scotland with military support, suggesting that perhaps Balliol's return was more imminent than Edward had previously believed. As E.L.G. Stones theorises, the oral message sent by King Edward to Boniface VIII in November 1301 'concerning John de Balliol,' must have been related to this news of Balliol's departure 'from the place where he was put to sojourn

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<sup>94</sup> Brown, *The Wars of Scotland*, 192.

<sup>95</sup> Prestwich, *Edward I*, 490; Goldstein, "The Scottish Mission to Boniface VIII in 1301," 12.

<sup>96</sup> Ignace-Joseph de Jésus-Maria, *L'Histoire Généalogique des Comtes de Ponthieu, etc.*, 306.

by the pope.<sup>97</sup> *Quaestio* had been promulgated in the early part of 1302, and a second bull, *Unam Sanctam*, in which Boniface again asserted his pontifical authority over Philip's royal dignity, was promulgated on 18 November 1302, exactly one year after Edward sent his message to Boniface concerning Balliol's liberation.<sup>98</sup> Yet, in terms of Scotland's efforts, Balliol's liberation to his ancestral estates likely meant that any hopes of an immediate restoration to Scotland, which Bisset and his colleagues attempted to secure at Rome, would not be realised. In view of this evidence, it is clear that King John was recognised on a European level as a pawn in politics, both secular and spiritual.

Meanwhile, in the summer of 1300, Edward I led a campaign into Galloway—where, of course, Balliol had his ancestral lands—and following the famous siege of Caerlaverock Castle in July, the English king agreed to meet with Comyn of Badenoch and his kinsman, the earl of Buchan. In their peace talks, which may have been influenced by Wallace's presence at the French court, the Comyns proposed that King John was to be restored, with recognition of Edward Balliol as heir to the throne (tentatively suggesting that his defunct marriage negotiations to Jeanne de Valois would resume while also perhaps confirming the Comyn attitude that King John was too inexperienced), and Scottish nobles would also be allowed to buy back their English estates which had been forfeited. Edward, of course, rejected these terms, as he had rejected previous negotiations for Balliol's restoration.<sup>99</sup> With hindsight, Edward's campaign into Galloway (and his appearance at Sweetheart Abbey<sup>100</sup>) at this time certainly proved to be a direct attempt to weaken threats or risings in the area after the

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<sup>97</sup> *CDS*, v, pt. ii, no. 259; Stones, "The Submission of Robert Bruce," 130; *Chancery Warrants*, i, 147, dated 18 November 1301.

<sup>98</sup> Lévis-Mirepoix, *L'Attentat d'Anagni*, 179.

<sup>99</sup> *Rishanger*, 440; Barrow, *Robert Bruce*, 113; Prestwich, *Edward I*, 489.

<sup>100</sup> *Annales Londonienses* [hereafter *Ann. Lond.*] in *Chronicles of the Reigns of Edward I and Edward II*, ed. W. Stubbs (London, 1882), 105-8.

release of Balliol to the pope, as well as a symbolic gesture that the English king would not support the return of Balliol to the throne of Scotland. Indeed, the great propaganda campaign made in response to the Caerlaverock siege (1300) hints that Edward I was attempting to highlight the importance of taking this Scottish castle.<sup>101</sup>

There was a strong possibility of the restoration of John Balliol in 1301-02, which would certainly make King Edward and Robert Bruce extremely nervous.<sup>102</sup> This is evident from Bruce's return to the English king's peace at the time of Balliol's release from custody, as well as the aforementioned message sent to the pope from Edward. Further to this, the Treaty of Asnières in January 1302 between England and France did not include Scotland, despite Philip's attempts otherwise. Philip had sent a letter by way of Bishop Lamberton asserting that there would be no peace unless the Scots were included while the Scots had also promised to abide by the truce in a letter bearing a new seal of King John, likely made in France and brought over by Lamberton.<sup>103</sup> In April, during the ratification of the treaty, John de Benestede, controller of the wardrobe for Edward I,<sup>104</sup> made a verbal protest, 'at the king's instance, against the inclusion of John Balliol and the Scots in these letters as Philip's allies, since the Scots have done serious damage against the truce, they must not be included in the treaty, nor must it benefit them.'<sup>105</sup>

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<sup>101</sup> Watson, however, argues that without the capture of Caerlaverock, the 'conquest of Galloway would still elude Edward' (Watson, *Under the Hammer*, 103). There were perhaps a few nobles who took part in the siege, on the English side, with Balliol connections. Besides the earl of Surrey, there was a certain Thomas de Moulton, possibly the husband of John's sister, Margaret; Robert fitz Roger, son of Ada de Balliol (d. 1251), sister of John (I); and Robert fitz Walter, whose second wife was Dervorguilla, granddaughter of Hugh de Burgh. John (II)'s sister Cecily had married a John de Burgh which did produce a daughter, Dervorguilla, although this connection is not proven (*The Roll of Caerlaverock*, ed. T. Wright (London, 1864), 2-4; Belleval, *Jean de Bailleul*, genealogical appendix; Sinclair, *Heirs of the Royal House of Baliol*, 8).

<sup>102</sup> Prestwich, *Edward I*, 490.

<sup>103</sup> Duncan, "The Declarations of the Clergy," 33.

<sup>104</sup> C.L. Kingsford, "John de Benstede and His Missions for Edward I," in *Essays in History Presented to R.L. Poole*, ed. H.W.C. Davis (Oxford, 1927), 332-59, at 333.

<sup>105</sup> AN JJ16 ff.1-4, dated 26 January 1302; *CDS*, v, pt. ii, no. 280.

On 18 November 1299, around the time of John's transfer from Châtillon-sur-Marne, Edward Balliol was transferred from the prince's household to the custody of his grandfather, John de Warenne, earl of Surrey, following Warenne's apparent request that Edward release his grandson to him.<sup>106</sup> Balliol remained in his grandfather's custody and following Earl John's death in September 1304, he was committed to the earl's grandson and heir, also called John de Warenne, until September 1310, when he was about twenty-eight years old.<sup>107</sup> Warenne, the younger, was about four years younger than Balliol, but became heir to the earldom of Surrey in December 1286, when he was six months old, after his father, William, died accidentally in a tournament.<sup>108</sup> As the alternative terms of surrender of King John in 1296 suggest, Balliol and his heirs were to receive an English earldom, which logically (and rightfully) could have been the Surrey earldom, should the young heir die unexpectedly. Yet, the earl and his grandson were still alive in 1296 which reduces the odds of Balliol inheriting at that time.<sup>109</sup> Still, it is quite possible that Edward Balliol had hoped for succession to a part of his cousin's lands while he was in English custody, a point which will be discussed in further detail in the next chapter. Edward Balliol's transfer to his grandfather's custody in 1299, less than six months after John's exile into papal custody, implies that the king of England perhaps no longer viewed the ex-king as such a threat (although Balliol's behaviour in papal custody was soon to change this) and

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<sup>106</sup> *CCR, 1296-1302*, 288; *CDS*, ii, no. 1113; Stevenson, *Documents*, ii, 405.

<sup>107</sup> Warenne died on 27 September at Kennington in Surrey, and was buried after Christmas in St Pancras Church in Lewes; he was in debt of £6,693 from which his grandson was released in February 1307 (*CPR, 1301-7*, 496-7). In 1310, Edward Balliol was transferred to the household of Edward II's brothers, Thomas and Edmund, and was beginning to become a regular member of the English king's household, more of which will be discussed in the next chapter (*CCR, 1296-1302*, 288; *CDS*, ii, no. 1113; iii, no. 162; Stevenson, *Documents*, ii, 405; *Chancery Warrants*, i, 327).

<sup>108</sup> *ODNB*, lvii, 399. In 1306, Warenne (d. 1347) married Joan, only daughter of Henry, count of Bar, and of Eleanor, daughter of Edward I. On 22 May 1306, he was knighted along with the Prince of Wales.

<sup>109</sup> Warenne had another daughter, Alice, married to Henry de Percy (d. 1272), and their son, Henry, was born posthumously in 1273 (nine years before Edward Balliol). However, another grandson might have guaranteed a possible split of the earl's lands should the younger John de Warenne die before fathering an heir.

may indicate that King Edward was considering support for Edward Balliol's potential inheritance of the earldom of Surrey or recognition as heir presumptive to the Scottish throne according to the Comyn-proposed truce. It may also have been an ultimate guarantee by Edward I against the restoration of John Balliol.

*Balliol's final exile: Picardy, 1301-14*

After the treaty was concluded between the English and French in January 1302 and the disastrous French defeat by the Flemish at Courtrai in July, the hope that John Balliol would return as king of Scots collapsed. Indeed, Balliol, now likely disinterested, had given up the possibility of his restoration to the Scottish throne when in November 1302 he wrote to Philip IV, 'a good and helpful lord,' authorising the French king to 'prosecute, or cause to be prosecuted, our said affairs, especially those which we have against the king of England, in the way which shall seem good to you, either in conjunction with your own matters, which you have against the said king, or separately, by prosecuting and bringing to an end in the first place your own matters.'<sup>110</sup> This only partly explains the omission of Scotland in the treaty between Philip IV and Edward I in May 1303. Yet, the Scottish 'ambassadors' in Paris, including the bishops of St Andrews and Dunkeld, John Comyn, earl of Buchan, James the Steward, John de Soules, Enguerrand de Umfraville and William de Balliol, wrote home in late May to reassure their people that Philip still supported the Scots and had made peace with Edward in order that he may be in a better position to negotiate on behalf of Scotland—although this would prove fruitless. They also encouraged the Scots to 'offer strenuous

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<sup>110</sup> AN J633/5; Stevenson, *Documents*, ii, 449-50 (dated 17 November); Teulet, *Inventaire Chronologique*, 21; Appendix D, no. 89; Belleval, *Jean de Bailleul*, 99-100. The seal affixed to this letter was apparently a secret seal still bearing the lion rampant (Tout, *Charters in Medieval Administrative History*, v, 151n; Douët d'Arcq, *Collection de Sceaux*, iii, no. 10254) which Balliol must have had made while in France, as the seal found at Dover in 1299 was confiscated.

resistance to the king of England if he refuses the truce asked by the king of France.<sup>111</sup> By February 1304, however, these same ambassadors—with the exception of John de Soules—would surrender to Edward’s peace, and later contacted Soules in Paris, not Balliol, who was then on his French lands in Picardy.<sup>112</sup> This suggests not only that Soules was considered the sole guardian of the realm, but also that Balliol’s hopes of returning to Scotland would not be fulfilled.

Despite John’s concession of his kingly rights concerning Scotland in 1302, he continued to use the title ‘king of Scots’ while passing various acts within the municipality of Abbeville and with the abbot of Sery at Ponthieu,<sup>113</sup> and most importantly, he was still recognised as king by Philip IV. In September 1304, King Philip allowed ‘John de Balliol, king of Scotland and lord of Bailleul-en-Vimeu’ to sell to the mayor and commune of Abbeville a right of *travers* on the Somme and all that he had ‘in that city and the river of Somme for reason of habit and revenue,’ which he did sell by a charter the same year.<sup>114</sup> By a separate charter of December 1304, Balliol also sold all that he had within the burgh of Oisemont (about five miles southwest of Bailleul) to Hugh, abbot of Sery for a noteworthy 2,376 *livres*.<sup>115</sup> Business with the abbey of Sery was seemingly normal for the Balliol family, as in July 1253 while John (I) was in France, he had confirmed certain charters granting lands to the abbey.<sup>116</sup> With his last surviving grant in 1314, Balliol had given Renauld de Picquigny, vidame

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<sup>111</sup> E.L.G. Stones, “An Undelivered Letter from Paris to Scotland (1303)?,” *EHR*, lxxx (1965), 86-8, at 86; *CDS*, ii, no. 1363. See Appendix A for the relationship between William de Balliol and King John.

<sup>112</sup> *CDS*, ii, nos. 1455, 1574; Duncan, “The War of the Scots,” 126; *Flores Historiarum*, iii, 118.

<sup>113</sup> Belleval, *Jean de Bailleul*, 11.

<sup>114</sup> Appendix D, nos. 90, 92; Darsy, *Notice Historique sur l’Abbaye de Sery*, 74, from Chartres; Belleval, *Jean de Bailleul*, 100; *Dictionnaire de Biographie Française* (Paris, 1933- ), iv, 1296. The right of *travers* was a feudal right giving privilege to the lords of an area to collect money on the transported merchandise crossing their lands. This also applied to water routes, like the one Balliol held on the Somme, including boats carrying wine (Belleval, *Jean de Bailleul*, 81).

<sup>115</sup> Appendix D, no. 91 (with a detailed list of goods for this sale); Darsy, *Notice Historique sur l’Abbaye de Sery*, 74; Ignace-Joseph de Jésus-Maria, *L’Histoire Généalogique des Comtes de Ponthieu, etc.*, 241, 263; Belleval, *Jean de Bailleul*, 81, 100-1.

<sup>116</sup> Belleval, *Jean de Bailleul*, 57; Darsy, *Notice Historique sur l’Abbaye de Sery*, 64; Powicke, *The Thirteenth Century*, 223.

of Amiens and Balliol's cousin, a perpetual rent of 30 marks sterling on all of Balliol's French lands, particularly Hornoy.<sup>117</sup>

Evidently in considerable debt, especially after 1302, this confirms Edward Balliol's claims between 1316 and 1318 for financial support from the English king as his father's debts to the king of France and local creditors left him with nothing.<sup>118</sup> It also leads to speculation that Balliol had been maintained financially by the Scots, who wished to restore him, from 1299 until 1302. The Italian lending firm, Ballardini of Lucca, had also given John loans amounting to £3,160 'lawful money,' of which Baroncin Walter of Lucca had discharged Edward Balliol in 1362.<sup>119</sup> Yet, Philip IV was still willing to give John Balliol money, as on 19 April 1308, Balliol, as 'king of Scots,' received a 'one time gift' of 333 6s 8d *livres tournois* (about £30) from King Philip IV.<sup>120</sup> Shortly before this, Philip's daughter had wed the newly crowned king of England, Edward II, and given the apparent friendship between Philip and Balliol at this time, it is possible that Balliol was also among the many noble guests—likely including his son, Edward—at the wedding in January at Boulogne.

Incidentally, Philip had later written to Robert Bruce, before March 1309, speaking of his special love for Robert and asking for Scottish aid in the upcoming crusade.<sup>121</sup> The French king also recognised Bruce as 'king of Scots' in a letter sent to Edward II dated 7 July 1309 (shortly after the Declaration of the Clergy, discussed below),<sup>122</sup> which is significant because of his simultaneous recognition of Balliol as

<sup>117</sup> Appendix D, no. 95; Darsy, *Picquigny et Ses Seigneurs*, 36; Belleval, *Jean de Bailleul*, 84.

<sup>118</sup> NA SC8/317/e274; Nicholson, *Edward III and the Scots*, 71; see Chapter Six.

<sup>119</sup> CDS, iv, no. 72; CCR, 1360-64, 431; Prestwich, *Edward I*, 161, 534. Indeed, it could be speculated that this was related to the bribe Balliol was said to have given Count Florence of Holland during the Great Cause.

<sup>120</sup> *Les Journaux du Trésor de Philippe IV le Bel*, no. 5917; Barrow, *Robert Bruce*, 183. This, indeed, may have been a gift for the birth of John's second son, Henry, or a second marriage (to Margherita de Taranto?) (see Appendix A).

<sup>121</sup> The Scots replied in mid-March 1309 at Bruce's first recorded parliament after his seizure of the crown that as soon as Scotland had recovered and was at peace they would be ready to join the crusades (APS, i, 459; Barrow, *Robert Bruce*, 183).

<sup>122</sup> *Gascon Register A*, ii, no. 71; Barrow, *Robert Bruce*, 183.

king. Philip's reasoning for this may be related to the circumstances surrounding Balliol's liberation from papal custody. Philip had certainly broken any promises made concerning Balliol's restoration in Scotland and may have been attempting either to recognise Balliol's title as a (legitimate) former king or to remain on friendly terms.

There were no English royal campaigns in Scotland after the death of Edward I in July 1307 until September 1310, when Edward II led a small army with Welsh and English infantry north to attack Robert Bruce.<sup>123</sup> The three-year hiatus of warfare against the English gave Bruce the opportunity to consolidate his power (through a brief civil war) and to concentrate on confirming his status as king.<sup>124</sup> This had been a difficult process for Bruce, as many nobles still supported the Balliol/Comyn government. The previous year, areas in Galloway, Buchan and Argyll succumbed to Bruce's forces.<sup>125</sup> He received partial recognition as king in 1309 when he appeared to have a somewhat identifiable administration. It was this year that Bruce was able to hold his first parliament—at St Andrews in March—as king of Scots.<sup>126</sup> The most important feature of this parliament, however, was the Declaration of the Clergy, in which Bruce's rights to the Scottish throne were affirmed and a representation of the 'community of the realm' declared their loyalty to him.<sup>127</sup> As Barrow intimates, it is from this Declaration that historians have the first glimpse of 'the legend...that Balliol was a puppet nominated by King Edward to the Scots kingship in defiance of a national belief that Bruce had the better claim.'<sup>128</sup> Yet, the Declaration is not negative in its opinion of Balliol and, as Duncan asserts, gave no word of blame for him but rather

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<sup>123</sup> *Vita Edwardi Secundi*, 10-1; Barrow, *Robert Bruce*, 190; J.H. Ramsay, *Genesis of Lancaster, or the three reigns of Edward II, Edward III and Richard II* (Oxford, 1913), i, 31.

<sup>124</sup> M. Prestwich, *The Three Edwards: War and State in England, 1272-1377* (2<sup>nd</sup> edn., London, 2003), 48; Brown, *The Wars of Scotland*, 205. Bruce defeated the earl of Buchan at Inverurie in May 1308 and that summer succeeded in taking Aberdeen (Brown, *The Wars of Scotland*, 204).

<sup>125</sup> Barrow, *Robert Bruce*, 182-3.

<sup>126</sup> *APS*, i, 459.

<sup>127</sup> Duncan, "The Declarations of the Clergy," 35; Hunter Marshall, "Provincial Council of the Scottish Church," 280-93; Barrow, *Robert Bruce*, 184. The Declaration is dated 17 March 1309.

<sup>128</sup> Barrow, *Robert Bruce*, 30, 184.



portrays the former king as ‘a pawn and a victim, whom the people and commons saw deprived and imprisoned “on various pretexts” by the king of England.’<sup>129</sup> However, the Declaration was certainly useful Bruce propaganda, claiming to have full representation of the ‘community of the realm,’ although studies suggest that the reality was not so straightforward and precise as it claimed.

The bishops’ seals which were attached to the Declaration cannot be fully trusted. Bishop Wishart of Glasgow had been in custody in Rome since December 1308 and would not be released until after Bannockburn, although Barrow suggests that he and Bishop Lamberton of St Andrews (who was likely not present) had representatives there to attach their seals.<sup>130</sup> The bishop of Dunkeld, Matthew Crambeth, had died in or before 1309. If he had lived until after March he possibly would have been in attendance; however, his death resulted in a disputed election and the nominee, William Sinclair, went to Rome around this time.<sup>131</sup>

Certain bishops and nobles also had swaying loyalties. Alan of Galloway, bishop of the Isles, who was not present, may have supported Balliol and the Comyn party since he was from Galloway, and since his diocese (Isle of Man) had been unaffected by the Scottish rebellion.<sup>132</sup> Although King John opposed the 1294 election of Thomas de Kirkcudbright, bishop of Whithorn, a former chaplain of Robert Bruce the Competitor, Thomas was a suffragan of York and in October 1309 (along with Bishop Bek of Durham) directed the archbishop of York to formally publish the

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<sup>129</sup> Duncan, “The Declarations of the Clergy,” 35.

<sup>130</sup> *CDS*, iii, nos. 58, 61, 194, 207, 342; Duncan, “The Declarations of the Clergy,” 40-2; Hunter Marshall, “Provincial Council of the Scottish Church,” 285-6; Tanner, “Cowing the Community?,” 55-60; Barrow, *Robert Bruce*, 185. Lamberton, however, had also been appointed as commissioner to negotiate a truce with the Scots on 16 February 1310 and was evidently present at the Dundee council in which two other versions of the Declaration were produced (*Rot. Scot.*, i, 80; Duncan, “The Declarations of the Clergy,” 42).

<sup>131</sup> *CDS*, iii, no. 301; Hunter Marshall, “Provincial Council of the Scottish Church,” 289. Barrow (*Robert Bruce*, 185) believes Crambeth attended, along with the bishops of Moray, Dunblane, Ross and Brechin.

<sup>132</sup> Duncan, “The Declarations of the Clergy,” 40; Hunter Marshall, “Provincial Council of the Scottish Church,” 287.

excommunication of King Robert.<sup>133</sup> Of course, there were a number of Balliol/Comyn supporters missing from the proceedings—namely, Enguerrand and Gilbert de Umfraville, the latter being earl of Angus, John Mowbray, Alexander Abernethy, David Brechin and David de Strathbogie, earl of Atholl<sup>134</sup>—which hints that their loyalties still remained with the Balliol/Comyn party. What this demonstrates is that in 1309, three years after usurping the throne, King Robert still faced the challenge of proving his claims and the difficulties of asserting his royal authority and exerting his kingly image to his subjects remained a concern.

John Balliol disappears from records between 1310 and his death, apart from one suit involving Edward I and Jean de Lannoy, ‘steward of the king of England, count of Ponthieu.’ In 1312, Balliol and Lannoy were involved in a certain dispute of land at Rue, which he apparently held of the king of England and on which he had erected structures similar to locks on the waterways, to ensure the collection of his right of *travers*. The steward, claiming that this was against the rights of his master, requested John to appear before Robert de Villeneuve, bailiff of Amiens; however, the steward was unable to produce the necessary letters and the case was postponed in September 1312 until the next parliament.<sup>135</sup> In 1314, by Edward’s order, the steward accused John and his ‘people’ of Hélicourt of ‘several wrongdoings and trespasses,’ which Belleval believes were usurpations, pillages and murders. At this accusation, Balliol withdrew his suit in favour of a fine of £8 of wine, paid to the steward.<sup>136</sup>

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<sup>133</sup> Hunter Marshall, “Provincial Council of the Scottish Church,” 288; Raine, *Northern Registers*, 189-91 (mandate from Clement V to the archbishop of York and the bishops of London and Carlisle, 21 May 1309).

<sup>134</sup> Barrow, *Robert Bruce*, 186; Ross, “The Strathbogie Earls of Atholl, part I,” 11-2.

<sup>135</sup> Appendix D, no. 93; Belleval, *Jean de Bailleul*, 82, 101-2; M. le Marquis Le Ver, “Notice sommaire sur quelques difficultés historiques relatives à Jean Bailleul, roi d’Écosse,” *Revue Anglo-Française*, iii (Poitiers, 1836), 5.

<sup>136</sup> Appendix D, no. 94; Belleval, *Jean de Bailleul*, 6, 84, 102-4. The *Dictionnaire Biographie Française* (iv, 1296) states that the king of England confiscated in 1308 the lordships which Balliol had in England (possibly an error for 1306-7, when they were given to the earls of Warwick and Richmond; certainly they were confiscated upon Balliol’s abdication) and that his fine in 1314 was 160 *livres parisis* (about £16?) for the repurchase (of his lands at Rue?).

Shortly before 4 January 1315, John (II) Balliol died in France, at his ancestral château of Hélicourt in Picardy, and his son and heir, Edward, left for France to give fealty to King Louis X for his inheritance.<sup>137</sup> According to nineteenth century French historians Belleval and the Marquis Le Ver, the feudal laws called for fealty to be rendered within forty days of the death; therefore this letter suggests that John must have died sometime around 25 November 1314, possibly blind.<sup>138</sup> Yet, Belleval and Le Ver both give October as the month of death, claiming that the letter implies that Edward Balliol had not yet obeyed the feudal laws within the forty days and thus was being summoned for failure to appear.<sup>139</sup>

The possibility of Balliol's recovery of lands in 1296-97, although thwarted by the Scottish rebellions, and the hoped for restoration before 1302 surely underlines the importance of the Balliol family in terms of Anglo-Scottish relations. It also emphasises that John (II) and Edward may have been perceived more favourably by the English crown because of the influential and loyal image laid down by John (I) in the mid-thirteenth century. At this time, it appeared that a three-way front was involved in securing support for the Scottish cause against English overlordship and possibly for Balliol's restoration: the Comyns in Scotland who negotiated unsuccessfully with Edward I; Wallace and his entourage in Paris hoping for support from Philip IV; and other Scots (and later Wallace) at Rome attempting to gain papal arbitration from Boniface VIII. Indeed, the events of 1299-1302, particularly the papal and French involvement concerning negotiations for Balliol's liberation, reveal the importance of King John in medieval European politics. Despite how efficient or successful he proved to be, as the ruling monarch, he was enough to inspire the resistance against

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<sup>137</sup> *Foedera*, II, i, 75; Appendix E, no. 4; *CDS*, iii, nos. 348 (dated as 1314), 449; *Rot. Scot.*, i, 143; *CPR*, 1313-17, 281.

<sup>138</sup> BL MS Add.4975 f.12.

<sup>139</sup> Belleval, *Jean de Bailleul*, 22; Le Ver, "Notice sommaire sur quelques difficultés historiques relatives à Jean Bailleul," 7.

Edward's demands of submission and overlordship. As Professor Frame argues, the small group of Scots who led the resistance after 1296 'drew strength from a widespread awareness of the antiquity of the native monarchy.'<sup>140</sup> This idea is echoed by Professor Davies who also asserts that Scottish kingship was deeply rooted in the past and the existence of two major power centres in the British Isles led to conflicts of interest and further struggles of power.<sup>141</sup> It was the meaning of kingship and its importance to Scottish identity which drove the envoys to Rome and Paris calling for Balliol's return between 1299-1302. King John's abandonment of his own restoration in 1302, then, would have had an impact on the Scots and their hopes for independence.

By the end of 1302, however, the realisation of a failed Balliol restoration, either with John or Edward, indisputably changed the tide. Not only did the dynasty lose their significance in international relations, but the Bruce family subsequently gained control (although not firmly) of Scotland after 1306. In June 1314, Robert I had secured his royal authority against the English with his victory at Bannockburn and the subsequent Cambuskenneth parliament on 14 November, which took place around the death of John Balliol. At the parliament, Bruce declared many Anglo-Scottish nobles who chose to remain in English allegiance forfeited of their lands by terms laid out in the Statute of the Disinherited, thus creating a substantial shift in Scottish landholding.<sup>142</sup> This affected key magnates such as Henry de Beaumont, earl of Buchan, David de Strathbogie, earl of Atholl, and Gilbert de Umfraville, earl of Angus, who would all play a major role in Anglo-Scottish politics after Bruce's death in 1329 and the reopening of the Bruce-Balliol civil war. Any rights which the Balliols had to the Scottish throne after 1306, although John was still living, would have to be vested in Edward Balliol, who since 1296 had been in English custody.

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<sup>140</sup> Frame, *The Political Development of the British Isles*, 193.

<sup>141</sup> Davies, *The First English Empire*, 73-4.

<sup>142</sup> Tanner, "Cowing the Community?," 61.

## Chapter Six

*Edward Balliol in English service, c. 1282 – 1332*  
 “Alle grete lordes of Scotland shulde bene to him entendant,  
 and hold for him as Kyng, as right heir of Scotland,  
 and so miche thai wolde done, that he shulde be crounede  
 Kyng of that lande, and to him dede feaute and homage.”<sup>1</sup>

The close relationship which John (I) and John (II) had enjoyed with the English kings undoubtedly contributed to the treatment which Edward Balliol received from his birth and subsequently during his English custody after the deposition of his father in 1296. Edward possibly became a member of the English household as an infant as, according to the late fourteenth century *Chronicle of Melsa*, when Balliol was born (around 1282), Edward I duly lifted him from the holy font and named him, thus becoming his godfather.<sup>2</sup> This intimate, personal connection which the English king now shared with the Balliol heir brings a new perspective to Edward Balliol’s life and his relationship with the English crown.

One of the earliest records of young Edward was in 1293, less than six months after his father became king of Scotland. On ‘Wednesday following the 26<sup>th</sup> day of April [29 April] at Mortlake [an archiepiscopal manor on the Thames outside London]’ King Edward’s son, Prince Edward, held a feast for Pentecost and in attendance were ‘Edward, son of the king of Scotland, Lady Agnes de Valence [his aunt, being the widow of Hugh Balliol], the prior of Merton, Master J. de Lacy, the two brothers of [Henry?] de Leyburn, knights, and Lady [Isabella] de Vescy, who returned seven days ago, and many others, strangers, with her.’<sup>3</sup> Balliol remained with the prince until that

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<sup>1</sup> *The Brut, or The Chronicles of England*, ed. F.W.D. Brie (London, 1906-08), i, 274. Much of this chapter was presented as a paper at the symposium ‘War and Peace: New Perspectives on Anglo-Scottish Relations, c. 1286-1406’ in Durham, 1-2 September 2004.

<sup>2</sup> *Chronica Monasterii de Melsa*, ii, 362; Nicholson, *Edward III and the Scots*, 71.

<sup>3</sup> *Issues of the Exchequer*, 109. Mortlake was probably under the jurisdiction of the archbishop of Canterbury. Agnes de Valence died without heirs after 7 March 1309 at which time her lands went to her brother, Aymer (Phillips, *Aymer de Valence*, 15). She appears to have had at least two sons, who must have predeceased her: Gerald fitz Maurice from her first marriage and Baldwin, ‘son of the noble Lady Agnes de Valencia and heir of John de Bello Monte, his brother,’ who was living and ‘in good health’ on 2 July 1297 (*CPR, 1292-1301*, 290). Isabella de Vescy (d. 1334) was the widow of John de Vescy (d.

Monday, when he, Lady de Valence and Lady de Vescy departed after breakfast.<sup>4</sup> Although it may appear that the young heir to the Scottish throne had been travelling with his aunt in England, rather than living with his father at the Scottish royal court, Agnes's itinerary does not suggest nor imply that he was with her, except in April 1293. She perhaps travelled to Ireland in the summer of 1293, and appears to have remained in England only until December 1294 when she left for Hainault.<sup>5</sup> Instead, Balliol may have been resident in the household of Prince Edward during his father's reign, recognition of his status as godson to the king of England. Very significant is the possibility that he had been at the royal court from 1286 to 1292, when John Balliol was involved in the Scottish succession crisis and later the Great Cause.<sup>6</sup> Moreover, at twelve years old, Edward Balliol might have already been put forth for a French marriage. His absence from the Scottish court might indicate that King John was distancing his heir from the Comyn faction and limiting their amount of influence over him. There is a possibility that Edward was taken from the English court before 1296, as Bower and Fordun claim that he was present at King John's surrender to Edward I.<sup>7</sup> As mentioned in Chapter Four, young Edward's removal may have been another gesture of defiance by King John, aimed at undermining the English king's claims of overlordship.

As Edward was heir to the Balliol family and the Scottish throne, his childhood would be different than that of his father, the youngest of four sons. Because of his

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1289), and the sister of Henry Beaumont. It is unclear if this John de Bello Monte was a relation of Henry or Isabella. The de Leyburn may have been Henry de Leyburn, a close associate of Prince Edward in 1306 (Haines, *King Edward II*, 18).

<sup>4</sup> *Issues of the Exchequer*, 109.

<sup>5</sup> *CPR, 1292-1301*, 11, 27, 125, 128; *CCR, 1288-96*, 439. This trip likely concerned her third marriage to John de Avesnes, son of the countess of Hainault (Phillips, *Aymer de Valence earl of Pembroke*, 15). She was back in England by November 1296 (*CPR, 1292-1301*, 210).

<sup>6</sup> It might be worth speculating that the Balliol heir may have been considered in the marriage negotiations between Prince Edward and the Maid of Norway in 1289-90, although King Edward's preference for his own son is obvious.

<sup>7</sup> *Chron. Bower*, vi, 77; *Chron. Fordun*, i, 326-7.

upbringing at the court and household of Prince Edward in England, Balliol and other nobles' sons at the royal court such as Gilbert de Clare and Piers Gaveston would have received a secular education and military training. This intimate environment provided the young Edward with the opportunity to forward his military career, or at least learn some knightly pursuits,<sup>8</sup> which may have been why King John removed his son from Scotland.

Following his father's deposition in 1296, Edward Balliol, now about fourteen years old, was in the custody of the English king as early as December 1296, staying with Prince Edward to whom he was very close in age.<sup>9</sup> Also staying with the prince were 'Alexander, son of the earl of Mar,' Robert, son of the earl of Strathearn, and Gilbert de Clare.<sup>10</sup> On 12 September 1297, one day after the English defeat at Stirling Bridge and a month after his father was transferred from Hertford to the Tower of London, Edward Balliol and the other children, along with their retinues, were taken from the prince's household and delivered to the Tower's constable, Ralph de Sandwich.<sup>11</sup>

Edward Balliol's treatment in English custody, comparable to the lenient treatment of his father, was hardly that of a traitor. By late 1297, Walter de Frene, a yeoman of Prince Edward, had become Balliol's valet and was given 113s 5d 'to offer on Sundays and other feast days' and for saddles, bridles and other various items.<sup>12</sup>

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<sup>8</sup> Orme, *From Childhood to Chivalry*, 10, 28-9.

<sup>9</sup> NA C47/4/7 f.2; CDS, ii, no. 858. Edward Balliol had expenses of 100s for shoes and other items bought by Walter (de Frene?).

<sup>10</sup> As mentioned in Chapter Five, Alexander may have been a son of Donald, earl of Mar (d. c. 1297), or a son of Donald's son and heir, Gartnait, father of Donald, earl of Mar (d. 1332). This Gilbert de Clare was not the child earl of Gloucester.

<sup>11</sup> CCR, 1296-1302, 142; CDS, ii, nos. 964, 1027; Stevenson, *Documents*, ii, 251-2.

<sup>12</sup> Stevenson, *Documents*, ii, 135; *Scotland in 1298, etc.*, 72, 106.

<sup>12</sup> Stevenson, *Documents*, ii, 135. Walter was called yeoman on 8 September 1297, as was a William de Balliol; by 21 November, William de Balliol and William le Venur were mentioned as yeoman, suggesting that Walter had become valet before November, possibly even when Edward Balliol was transferred to the Tower in September (CCR, 1296-1302, 60). These offerings were likely given to the chapel in the Tower while Edward Balliol was kept there.

From September 1297 until at least January 1299, Balliol was kept in the Tower with his father and other Scottish nobles; yet some time after this—possibly when his father was released into papal custody that July—he was released back to Prince Edward’s household, as is evident from his transfer from there on 18 November 1299 into the custody of his grandfather, John de Warenne. According to negotiations for John Balliol’s release in the summer of 1299, Edward may have been used as a hostage or surety for John’s exile. Undoubtedly, this illustrates why Edward did not follow his father to France but rather remained in the royal household. After July 1299, Edward likely never saw his father again; however, there was a possibility that the two met again in 1308, as mentioned below.

Warenne had apparently discussed the release of his grandson with Edward I, which had come just one month before John Balliol was transferred to Gevrey-Chambertin.<sup>13</sup> In early November 1309, Balliol successfully petitioned to be released from the custody of his cousin, John de Warenne (d. 1347) in order to reside in the royal household of Edward II’s brothers, Thomas (b. 1300) and Edmund (b. 1301), although the transfer did not take place until the following September.<sup>14</sup> Possible reasons behind this request will be further explained below; however, it is important to note that although Balliol was considered to be in the formal custody of the Warennes from 1299 to 1310, he does not appear to have been resident with either his grandfather or cousin but rather can be found frequently residing with Prince Edward and his brothers in various castles and manors throughout England. This may illustrate not only a degree of allegiance to the future king of England, but also a great deal of freedom for

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<sup>13</sup> *CCR, 1296-1302*, 288; Stevenson, *Documents*, ii, 405. Fordun (i, 326-7) claims that when Edward took an oath never to claim the right of reigning in Scotland (the same given to his father in 1296), he was given back to his father, who was then at Bailleul. However, the evidence for Balliol’s whereabouts from 1296 to 1315 suggests that he remained resident in England (with the exception in 1308, of course).

<sup>14</sup> *CDS*, iii, nos. 106, 162; *Chancery Warrants*, i, 327; *CPR, 1307-13*, 283, 329; Reid, “Edward de Balliol,” 38.



the young Balliol heir as not only was he relatively unrestricted in his activities throughout England, but he was viewed neither as a prisoner nor a threat. It was this inherent freedom which allowed Balliol to retain some hopes that because of his treatment in English custody, a future restoration to his patrimony would have been forthcoming, a point which will be discussed later.

In June 1301, shortly before the release of John Balliol to Bailleul in Picardy, Edward Balliol and his retinue were conducted from Whitwick (Leicestershire)<sup>15</sup> to London by John de Benstede, controller of the wardrobe.<sup>16</sup> This relocation perhaps brought Balliol back into the household of Prince Edward; King Edward was in Newcastle at this time, so it is evident that the transfer was not related to Balliol being brought before the king. Benstede stayed with the Balliol retinue in London from 10-15 June, when he returned to the king at Newcastle, but Balliol perhaps stayed until August. At that time, Balliol's residence had been moved to Wallingford Castle (Berkshire) 'by the king's order,' for which the constable, Walter de Aylesbury, received 6s 8d per day (½ mark) for the maintenance of Balliol and his household.<sup>17</sup> Payment of 6s 8d per day suggests that Balliol—heir of the ex-king of Scots—was a valuable, if not privileged, prisoner, as the average maintenance fee for an imprisoned Scottish knight appeared (from the same writ) to be 4d per day and for lesser Scottish prisoners, 2d per day. An increase by 1313 ensured Balliol 10s per day for his expenses while in the royal household of Thomas and Edmund.<sup>18</sup>

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<sup>15</sup> John Comyn, earl of Buchan, previously held the manor of Whitwick, which was lost in 1299. However, in 1304, the lands and manor were returned until Robert the Bruce defeated the Scots at the Battle of Inverurie in 1308. Comyn died the following year at which time a dispute arose concerning landownership, but in 1327 the lands were secured for Alice Comyn, niece of the earl of Buchan, by her husband, Henry de Beaumont (*CDS*, ii, no. 672; iii, no. 249; *Foedera*, II, ii, 175; Nicholson, *Edward III and the Scots*, 15; S. Smith, *A Brief History of Whitwick* (Leicester, 1984), 11-2).

<sup>16</sup> NA E101/308/30 m.3; *CDS*, v, pt. ii, no. 251.

<sup>17</sup> *CDS*, ii, no. 1948; iii, no. 72, dated 2 August 1301. C.L. Kingsford says that Benstede also delivered Edward Balliol to the constable of Wallingford Castle (Kingsford, "John de Benstede and His Missions for Edward I," 336).

<sup>18</sup> See below n.36 and *CDS*, v, pt. ii, no. 586. These figures—as with John Balliol's—can be compared with those during the captivity of David II while in custody in the Tower or with the retinue and

Evidently, Balliol was allowed to venture to other parts of England while staying at Wallingford, as in March 1303 he was permitted the use of the king's houses in the forest of Woodstock, as well as the opportunity 'to take one or two deer when he shall come to the king's forest...[and] to have his sport there.'<sup>19</sup> He and his retinue were also provided with robes 'according to the season...so long as the king [Edward I] is in Scotland.'<sup>20</sup> An amount of £216 16s 4d for Balliol's expenses 'staying at Wallingford castle at the king's cost' was totalled for 29-32 Edward I (November 1300 – November 1304); yet, although he can be placed there in August 1301 and March 1303, this amount, calculated by 6s 8d per day, does not equal the given years, thus Balliol must have moved his residence at some point.<sup>21</sup> However, he was staying at the castle again from 7 April 1304 to at least 19 February 1305 for which the constable received a further £106 6s 8d for his expenses.<sup>22</sup>

In August 1307, the newly crowned Edward II installed his favourite, Piers Gaveston, as earl of Cornwall and shortly afterwards gave him the fief of Wallingford as well as the title of lord.<sup>23</sup> After Gaveston's marriage on 1 November 1307 to the king's niece, Margaret (sister of Gilbert de Clare, earl of Gloucester), Piers held a tournament on 2 December at the castle attended by many important nobles of Edward II's court, including Thomas, earl of Lancaster,<sup>24</sup> Humphrey de Bohun, earl of Hereford, Aymer de Valence, earl of Pembroke, and John de Warenne, earl of Surrey.<sup>25</sup>

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privileges allowed Jean II of France (Penman, *David II*, 160; Sumption, *Trial by Fire*, 262; Bordonove, *Jean II le Bon*, 244; see Chapter Five).

<sup>19</sup> *CCR*, 1296-1302, 460; *CCR*, 1302-07, 21; *CDS*, ii, no. 1213.

<sup>20</sup> *CDS*, ii, no. 1636. Edward I at this time was on campaign in Scotland.

<sup>21</sup> *CDS*, v, pt. ii, no. 472t.

<sup>22</sup> *CDS*, ii, no. 1948, dated 28 June 1307. Balliol was still being paid ½ mark daily for his expenses at this time (*CDS*, ii, no. 1636).

<sup>23</sup> *Ann. Lond.*, 151; *Annales Paulini* [hereafter *Ann. Paulini*] in *Chronicles of the Reigns of Edward I and Edward II*, i, 258; J.S. Hamilton, *Piers Gaveston, earl of Cornwall 1307-1312: Politics and Patronage in the Reign of Edward II* (London, 1988), 37, 39; *VCH: Berkshire* (1907), ii, 132.

<sup>24</sup> He was the son of Edward I's brother, Edmund (d. 1296), who, along with his brother, Henry, escorted King John from Montrose in 1296.

<sup>25</sup> *Ann. Paulini*, 259; *Vita Edwardi Secundi*, 2; Hamilton, *Piers Gaveston*, 38.

Considering Balliol's 'custody' under his cousin, the earl of Surrey, and indeed his close relationship with King Edward, it is possible that Balliol, now about twenty-five years old, was also in attendance and participated in the festivities; yet, there does not seem to be any surviving evidence which proves Balliol's attendance at the marriage ceremony the previous month and there was perhaps some animosity towards the new king's favourite which accounted for his absence, as discussed below.<sup>26</sup>

Since Edward Balliol was the godson of Edward I, he had a close relationship with the king and his household. Edward I's duty of looking after his godson is likely related to the lenient treatment Balliol received during his captivity—for the English king, although not as pious as his father,<sup>27</sup> was nonetheless religious and certainly would not risk penance in purgatory for neglecting his godson. In fact, King Edward may have contemplated restoring the English Balliol lands to Edward, even though John (II) was still alive in France. This identifies the degree to which King Edward viewed John's seemingly rebellious behaviour since Edward Balliol does not appear to have been punished for his father's behaviour while in papal custody, including John's attempts to be restored to the Scottish throne.

During this leisurely captivity, after the threat of John Balliol's return to Scotland as king (c. 1299-1302) had been successfully suppressed, there were occasions when the restoration of the Balliol English and Scottish lands might have been enacted. Since 1296, these lands had been held by the crown until they were granted in 1306-07 to Guy de Beauchamp, earl of Warwick and John de Brittany, earl of Richmond. Indeed, the grant to Warwick specifically stated that if Edward I or his heirs should wish to restore the lands to Edward Balliol in the future, then he would do so and

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<sup>26</sup> NA E101/325/4; Hamilton, *Piers Gaveston*, 38.

<sup>27</sup> Prestwich, *Edward I*, 114; M. Prestwich, "The Piety of Edward I," *England in the Thirteenth Century: Proceedings of the 1984 Harlaxton Symposium*, ed. W.M. Ormrod (Donington, 1985), 120-8, at 120.

compensate Warwick with other lands in England or Scotland.<sup>28</sup> This suggests that Edward was considering a restoration (notably to Edward and not John Balliol) when an appropriate opportunity arose. Just after the death of Edward I, Balliol petitioned Edward II ‘for God and in salvation of his soul and the soul of his father’ to restore his father’s lands in England and Galloway to him, although this was not fulfilled.<sup>29</sup> Seemingly, both English kings appeared to be reluctant to take a side on Edward Balliol’s position as a young English lord who was almost in his majority. This is seen more regularly in Edward II’s continuous failure to oblige Edward with certain requests, as will be seen later.

Balliol—although in custody of his cousin, the earl of Surrey—appears to have remained in the household of Prince Edward and his brothers even after the prince became king in 1307 upon the demise of Edward I. Payments to Balliol were now being made almost regularly, which did not seem to occur under Edward I. Indeed, the king paid his expenses, but these payments usually passed to those persons who were in charge of Balliol’s custody—only a few personal payments to Balliol appear to have survived in the records up to 1307. These included payments totalling about £50 given to Balliol by the hands of Walter de Frene, now called ‘his associate,’ and others, throughout 1305 and early 1306.<sup>30</sup> In mid-June 1305, Balliol appears to be travelling with King Edward and his court and was ‘*infirmato* at Chichester and delayed there

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<sup>28</sup> Appendix E, no. 1; *Charter Rolls*, iii, 78-9; BL MS Stowe.930 f.146d.; Nicholson, *Edward III and the Scots*, 71, appendix, no. 2 (page 237). For Balliol’s lands given to Warwick and Richmond see *CPR, 1301-07*, 470-1, 492.

<sup>29</sup> Appendix E, no. 2; NA SC8/319/e387; Nicholson, *Edward III and the Scots*, 71, appendix, no. 3 (page 238).

<sup>30</sup> *CDS*, v, pt. ii, no. 472q; NA E101/367/16 m.37; /368/6 m.6d., m.19; Appendix F. The *CDS* reference gives Walter de Fraxio, while the NA record gives ‘de Freyne.’ Payments made were: 50s (22 November 1305); 20s (27 November 1305); 50 marks (28 December 1305); 1 mark (29 December 1305); 5 marks (3 January 1306).

behind the king' who had continued on to Arundel where Frene collected a payment of 40s; Frene collected an additional payment of 40s at London on 3 July.<sup>31</sup>

Balliol did begin receiving numerous direct payments, however, after the coronation of Edward II, which took place in February 1308. This could have been related to Edward's accession to the throne in 1307 and the beginning of a new reign; yet, in 1307, Edward Balliol would have been coming into his twenty-fifth year, reaching his majority and eligibility to take over his father's forfeited lands (although his father was still living—albeit in exile). This explains the inclusion in the above grant by Edward I that certain Balliol lands might be reissued to Edward Balliol if the king chose to do so. Indeed, when Hugh Despenser the elder (d. 1326) had come of age, he was allowed to inherit the forfeited lands of his father, who had died fighting for Montfort at Evesham; Richard fitz Alan also succeeded to his father's earldom of Arundel in 1330, four years after Edmund's death execution at Hereford; Edmund Mortimer, son of Roger Mortimer (d. 1330), successfully petitioned in 1331 to be restored to his father's forfeited lands. Thus, a viable restoration would not have been unusual in Balliol's case.<sup>32</sup> In 1308, expenses paid directly to Balliol consisted of three payments of 10 marks each (9 and 29 January and 12 April), a payment on 17 June for £11 6s 8d, two payments of £10 each on 15 July, an additional £10 on 18 November and a final payment of 20 marks made on 21 December.<sup>33</sup> A further payment of 20 marks was made on 6 February 1309, and an additional 20 marks on 23 June 1310 for the expenses of Nicholas de la Hurst, Balliol's valet.<sup>34</sup> For the third and fourth years of

<sup>31</sup> NA E101/367/16 m.37; *Itinerary of Edward I*, ii, 246; Appendix F. Other payments included: 20s (19 September 1305); 40s (25 September 1305); 60s (12 November 1305).

<sup>32</sup> Tuck, *Crown and Nobility*, 54, 86; G.A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957), 14. Similarly, Despenser's grandson, Hugh (d. 1349), was allowed to inherit the lands of his father (Hugh the younger, who also died in 1326) in 1337, six years after being released from prison (Tuck, *Crown and Nobility*, 87).

<sup>33</sup> NAS RH2/4/562; NA E403/140 m.1; /141 m. 3, m.6, m.9; /143 m.3, m.7; /144 m.4; /145 m.2.

<sup>34</sup> NAS RH2/4/562; NA E403/144 m.5; /154 m.3. Sir Enguerrand de Umfraville also received payments at this time: 50 marks (10 February 1310); 100 marks (22 June 1310); 50 marks (27 June 1310) (NAS RH2/4/562; NA E403/150 m.5; E403/154 m.3; E403/154 m.4).

Edward II's reign (July 1309 – July 1311), Balliol, 'in the custody of the king,' received 34s 3d for 'his wages,' a payment of 10 marks and 'for his expenses delayed at the king's cost' an additional £10.<sup>35</sup>

If one were to examine these payments in relation to Balliol's itinerary at this time, it would be necessary to assume that he received these while at the English court. On 29 January 1308, for instance, the English king, his household and many nobles, including the earl of Surrey, were in Boulogne less than a week after Edward II's marriage to Isabelle, daughter of Philip IV.<sup>36</sup> Although this does not confirm Balliol's presence at the marriage and it is probable that the payment was made via the treasury in London, there is still the possibility that Balliol, as a member of the English household and formally in Warenne's custody, was present in France. In addition, as John Balliol was in contact with Philip IV in 1308, receiving a payment in April, he may also have been a guest at the royal wedding; thus, it can be speculated that father and son were briefly reunited. Edward Balliol may also have attended the coronation ceremony of Edward II in February 1308 at Westminster Abbey which was attended by archbishops, bishops, earls, barons and burgesses.<sup>37</sup> In April and July 1308, Balliol might have been with the king at Windsor, where he received his payment in November of that year, and he may have kept winter quarters with him, Piers Gaveston and the household at King's Langley from December to February 1308-09 while in June 1310 Balliol was likely present with King Edward and the entire household at Canterbury.<sup>38</sup>

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<sup>35</sup> NA E101/619/45 m.4; E101/374/3, 11; *CDS*, v, pt. ii, nos. 566, 569; Appendix F. At the same time, John Comyn (d. 1314), son of John Comyn of Badenoch (d. 1306), received £100 for his 'equipage' in Scotland (E101/619/45 m.3). There was also a certain William de Balliol, the king's hunter, who received a payment of £9 3s 2d (NA E101/619/45 m.2).

<sup>36</sup> Prestwich, *The Three Edwards*, 82; *Itinerary of Edward II*, 27.

<sup>37</sup> *Vita Edwardi Secundi*, 3-4.

<sup>38</sup> *Itinerary of Edward II*, 30, 35, 60. Incidentally, John de Warenne was likely present at these times as well, usually witnessing charters of the king (*Royal Charter Witness Lists of Edward II (1307-26)*, ed. J.S. Hamilton, List and Index Society, cclxxxviii (2001), 2-5, 11-2, 17-9, 21-2, 24, 26-7, 29, 30-2).

Balliol continued to have his expenses paid by the king while in the household of his brothers, to which he was formally transferred on 20 September 1310 from Warenne's custody. From 8 July 1311 to 7 July 1313, expenses for Balliol's household amounted to £259 16s 8d, including expenses for him, two esquires, two valets, five *garçons*, seven horses and four greyhounds.<sup>39</sup> Payments for these particular expenses were still being made to Edward II's brother, Thomas de Brotherton, earl of Norfolk, as late as February 1319.<sup>40</sup> In addition, Balliol was given a payment of 100s for unknown reasons between 1313 and 1314.<sup>41</sup>

As mentioned above, Balliol petitioned on 2 November 1309 to the king—at this time at Great Ribston (near York)<sup>42</sup>—to be transferred from Warenne's custody to the household of the king's brothers. The exact reasons behind this are unknown; however, the timing of the transfer—and past issues—presents some new evidence. At this time, the English nobles were already very disgruntled by the relationship between Edward II and his favourite, Piers Gaveston. Gaveston, previously exiled in February 1307 by Edward I, had returned to London within two weeks of Edward's death in July. Again, in 1308, immediately after Edward II's coronation in February, the king's nobles sought Piers's banishment from the country. Edward was now faced with much opposition from his barons (as well as his father-in-law, Philip IV); only the earls of Lancaster, Richmond and perhaps Oxford remained committed to the king.<sup>43</sup> Edward

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<sup>39</sup> NA E101/374/19 m.1 (£67 6s 8d); *CDS*, v, pt. ii, no. 586; NA E101/375/8 m.5 (8 July 1312 – 7 November 1312), m.11d., at 10s per day (8 November 1312 – 7 July 1313); £182 10s; *Issues of the Exchequer*, 131; Tout, *Charters in the Administrative History of Mediaeval England*, vi, 116.

<sup>40</sup> *Issues of the Exchequer*, 131; NA E404/482/17/2 (dated 8 November 1315); E403/180 m.8; E404/482/17/2; NAS RH2/4/562 (dated 22 April and 31 May 1317 (£10 and £30 respectively)); a payment made on 6 February 1319 for £92 7s 10d was part of the £182 10s (E403/186 m.8).

<sup>41</sup> NA E101/374/20; *CDS*, v, pt. ii, no. 614.

<sup>42</sup> *Itinerary of Edward II*, 53.

<sup>43</sup> Hamilton, *Piers Gaveston*, 34, 50. As Hamilton relates, the first exile in 1307 was perhaps related to the king's frustration at his son, rather than Piers's behaviour.

consented in May 1308 to Piers's exile, but Gaveston returned from Ireland in June 1309.<sup>44</sup>

By late summer 1309, the foremost English baron involved in Piers's expulsion, Henry de Lacy, earl of Lincoln, had become a 'friendly go-between and mediator' between the other English nobles and Gaveston. The contemporary *Vita Edwardi Secundi* claims that the earl sent 'repeated and anxious requests' to John de Warenne, 'who, since the conclusion of the Wallingford tournament [1307] had never shown Piers any welcome, became his inseparable friend and faithful helper.'<sup>45</sup> The timing of this strongly suggests that Edward Balliol, who probably shared the nobles' dislike for Gaveston, disapproved of his cousin's yielding in support of the royal favourite and subsequently asked to be removed from his custody. Indeed, Edward Balliol's petition to be transferred to the household of the king's half-brothers within a few years of Gaveston's receipt of the earldom Cornwall suggests that Balliol perhaps sympathised with the brothers over the loss of that earldom, which the *Vita* claimed Edward I had intended to confer the title on either Thomas or Edmund, his sons by Margaret of France.<sup>46</sup> It also implies that Balliol was hoping to strengthen his relationship with Thomas de Brotherton, who was (until the birth of Prince Edward in 1312) Edward II's heir.

Another suggestion, previously mentioned in Chapter Five, could be that the earldom allegedly promised by Edward I in 1296 to John Balliol and his heirs had been the earldom of Surrey, whose heir at that time was a boy of ten. Edward Balliol may

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<sup>44</sup> *Vita Edwardi Secundi*, 7; *Ann. Lond.*, i, 154, 157.

<sup>45</sup> *Vita Edwardi Secundi*, 7. Warenne, then twenty-three years old, had been humiliatingly defeated by Piers and his men in the tournament.

<sup>46</sup> J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), 71; *Vita Edwardi Secundi*, 15. Indeed, the two previous earls of Cornwall—Richard (d. 1272) and Edmund (d. 1300)—had been kings' sons and Edward II's conferment to Gaveston, a commoner and foreigner, caused more resentment from his nobles. Thomas was created earl of Norfolk on 16 December 1312 by Edward II (*ODNB*, liv, 275). As this was only a few months after the execution of Piers Gaveston, it could be concluded that Edward II was making a gesture of peace towards his half-brother for the denial of the earldom of Cornwall in 1307.



have kept hopes of succeeding to all or part of his maternal grandfather's earldom until it was bestowed upon the younger John de Warenne in 1304.<sup>47</sup> This could have led to resentment which would have accounted for not only Balliol's physical absence from Warenne's custody—residing instead elsewhere throughout England—but also his demand for transfer from the earl's custody in 1309 after the latter's newly contrived friendship with Gaveston. Because Balliol had not been granted a restoration, though, it remains doubtful whether Edward I or II would grant an earldom.<sup>48</sup> Had Balliol been given his ancestral lands, such as those in Huntingdon, or a reasonable compensation, it would have revealed a significant shift in the attitude of the English crown since the forfeiture of King John in 1296.

Indeed, opposition to Gaveston caused grave consequences for Edward II after Christmas 1309, when his barons refused to appear at the February 1310 parliament at London 'as long as their chief enemy...was lurking in the king's chamber.' It was only after Gaveston was sent away that the earls and barons finally met, in late February.<sup>49</sup> In view of this, Balliol's actions are possibly more understandable. For example, after a meeting held in March 1310, Edward II decided to lead an army into Scotland to attack Robert the Bruce. A muster took place in September 1310 by which the king set out with the support of only three earls—Gilbert de Clare (Gloucester), John de Warenne

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<sup>47</sup> When Warenne died in 1347, his heir was his nephew, Richard fitz Alan, earl of Arundel (1307?-76) (Holmes, *Estates of the Higher Nobility*, 7, 39). Before 2 March 1334, Balliol, in his capacity as king of Scots, granted Warenne the earldom of Strathearn, possibly in an attempt to be recognised as his heir, but more likely to reward and secure his support during Balliol's reign (CDS, iii, no. 1118; Reid, "Edward de Balliol," 60).

<sup>48</sup> Apart from the earldom of Surrey, the earldom of Norfolk had reverted to the crown in 1306 upon the death of Roger Bigod. In April 1302, Bigod had surrendered to King Edward his lands as well as the office of marshal and made a provision that they were to be reverted to the crown should he die without children, which may have been an attempt to disinherit his brother according to the chroniclers (CPR, 1301-07, 29-31; Prestwich, *Edward I*, 537; *The Chronicle of Walter of Guisborough*, 352; *Rishanger*, 215; K.B. McFarlane, *Nobility of Later Medieval England* (Oxford, 1973), 262). Although Norfolk was, thus, an unclaimed earldom, later to be given to Edward I's son, Thomas de Brotherton, there is no indication to suggest that Edward considered granting it to Edward Balliol.

<sup>49</sup> *Vita Edwardi Secundi*, 8-9; Hamilton, *Piers Gaveston*, 77. King Edward spent Christmas at King's Langley with his household and Gaveston.

(Surrey) and Piers Gaveston (Cornwall); other earls, particularly Lancaster, Pembroke and Hereford, refused to attend because of their animosity towards Gaveston.<sup>50</sup> Given the inclination from the above evidence that Balliol was opposed to both Piers and Warenne, he probably did not answer this summons.<sup>51</sup>

Nor does he appear to have participated in the decisive battle at Bannockburn. In 1314, both Warenne and Lancaster refused to follow Edward II to war against the Scots, but the young earl of Gloucester did take part and was killed in battle. Following the English defeat, King Edward became dependent upon Lancaster, who eventually dominated the administration.<sup>52</sup> Edward Balliol does not appear to have participated in the English civil strife and political problems which occurred immediately after Bannockburn, as the death of his father later in the year required his attention. While this might be related to Balliol's personal feelings towards the English king and his adherents, it must also be remembered that Edward had no feudal obligation to serve in King Edward's campaigns since he possessed no lands and had been refused his inheritance.<sup>53</sup> Although in later years Balliol would appear keen to be involved in Scottish affairs, at this time the death of his father kept him in France and he still seemed too preoccupied with the status of his former English estates and his endeavours to regain them to take a deep interest concerning the Scots. Moreover, because of his financial dependence on Edward II, Balliol would not risk blatant defiance of the king by refusing to serve in his military.

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<sup>50</sup> *Vita Edwardi Secundi*, 10-11; *CDS*, iii, no. 166.

<sup>51</sup> However, he still received 34s 3d for his 'wages' sometime between 30 September 1310 and 7 July 1311 (NA E101/374/11).

<sup>52</sup> Haines, *King Edward II*, 95.

<sup>53</sup> My thanks to Dr Gwil Dodd for this suggestion.

*The Death of John (II) and the Crossroads for Edward Balliol*

In January 1315, Edward II, while at King's Langley, wrote to King Louis of France after hearing of the death of John Balliol, who had died c. 25 November 1314 at his ancestral castle at Hélicourt, Picardy. Edward begged favour for Edward Balliol, 'his *alumpnus*,' asking that the French king graciously receive Balliol's fealty by proxy, through Reginald de Picquigny, vidame of Amiens, and deliver his fees to him.<sup>54</sup> Fealty by proxy was refused; yet, in May 1315, 'the magnates and lieges of the council' agreed that Balliol could travel to France to give homage to King Louis. Subsequently, John de Weston, steward of the household of Thomas, now earl of Norfolk, and Edmund, now earl of Kent, who had received Balliol 'at his risk,' was discharged as his custodian 'to prevent him from being harassed at any future time.'<sup>55</sup> Balliol was perhaps disgruntled by Edward's constant reluctance to reinstate his inheritance and wished to return to France indefinitely. Indeed, Balliol's subsequent departure on 2 July with two men—Robert de Stangrave and John (? Pik, who was given a protection to join Edward overseas later)<sup>56</sup>—and his release from Weston's custody indicate that he may have intended to remain in France for some time. But he appeared before Sir John de Sandale, the English chancellor, at Sandale's inn near Alegate, London, on 21 September to announce his return.<sup>57</sup>

Although the reasons behind Edward II's request for fealty by proxy are not clear, it can be speculated that he was motivated by a change of heart concerning Balliol's position. The need to keep Balliol in England highlights how important and

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<sup>54</sup> Appendix E, no. 4; *CDS*, iii, nos. 348, 449; *Rot. Scot.*, i, 143; *Foedera*, II, i, 75; *Itinerary of Edward II*, 122. *Alumpnus* is most likely a misinterpretation of *alumnus* (a nursling or foster child). Picquigny may have been a distant cousin of Balliol, and apparently had been given a rent of 30 marks sterling by King John to take John's lands, particularly of Hornoy (Belleval, *Jean de Bailleul*, 84).

<sup>55</sup> *CPR*, 1313-17, 281.

<sup>56</sup> *CPR*, 1313-17, 338; *Rot. Scot.*, i, 143.

<sup>57</sup> *CCR*, 1313-18, 236, 305; *CDS*, iii, no. 449; *Foedera*, II, i, 87. Balliol's safe conduct from July 'to prosecute his affairs' was to last until Michaelmas (29 September), so he must have been anxious to return to England.

useful he could be against Robert I and the Scots, especially after the English army's disastrous defeat at Bannockburn the previous summer. Edward II was perhaps now willing to support Balliol's claims to the Scottish throne, an idea which he would certainly accept within a few years when he turned a blind eye, and perhaps supported, the Soules plot to overthrow Robert Bruce (discussed below). If King Edward chose to make Balliol king of Scotland at this time, or even restore him to the lordship of Galloway, Balliol would be in a more advantageous position to assist King Edward's campaigns against Bruce.

Anglo-French relations at this time must also be taken into consideration. In May 1315, the earl of Pembroke and Bishop Stapeldon of Exeter (and later treasurer) were also preparing to travel to France with further petitions concerning Edward II's claims on Gascony.<sup>58</sup> The issue of homage for Gascony had arisen again upon the death of Philip and the accession of his son, Louis X (1314-16). Edward II was reluctant to perform homage and by January 1316, he had been sent citations to renew it. The death of Louis in June caused unexpected changes and homage was again postponed. Whether or not these circumstances affected Edward II's decision to ask Louis to accept Balliol's fealty by proxy is unclear. However, since Balliol was a vassal of France and in the patronage of the English king there may have been an underlying suspicion or threat that the French king would seize Balliol into custody upon his arrival.

Sometime between February 1316 and October 1317, Balliol sent a petition to King Edward asking if he could again reside with the Earl Marshal (Thomas, earl of Norfolk<sup>59</sup>), from whom he had been discharged in May 1315. He requested that Thomas be paid a daily allowance, and that the arrears of past allowances for the cost of

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<sup>58</sup> Haines, *King Edward II*, 311. Philip IV had died on 29/30 November 1314 and was succeeded by his eldest son, although Louis was not crowned until August 1315 (*Ibid*).

<sup>59</sup> He was created Earl Marshal on 10 February 1316 (*ODNB*, liv, 275).

Balliol's maintenance be paid up as well. This would have included the above payments from 1311-13, which had been delayed but were still being made in 1319, as well as those for Balliol's expenses while in the household from 1 December 1314 to 31 January 1316 (except ninety-two days when he was in France following his father's death).<sup>60</sup> The irregular schedule of payments made for his previous stays account for the suggestion made by Balliol in this petition that part of his father's English patrimony should be delivered to him for his maintenance until King Edward could learn the terms under which John Balliol had come into Edward I's peace. Only recently, the earl of Warwick, who held most of the Balliol lands, had died and due to the young age of his heir, Thomas, the lands fell to the English crown.<sup>61</sup> This certainly accounted for Balliol's request to be restored to these lands. Finally, Balliol made clear to King Edward that he could not support himself from his estates newly inherited in France, as his father's debts to the king of France as well as local creditors left him nothing.<sup>62</sup> Although these financial terms never seem to have been met, and Balliol remained in the English king's pay, his requests underline his desire to be a legitimate, independent English lord. If this were granted, he would have a potential opportunity to re-establish himself as the powerful, ambitious and influential baron which his paternal grandfather had been.

Balliol's request for permission to take up residence with Thomas de Brotherton may not have been granted either. Thomas was mentioned as 'having' Balliol in his household on 20 October 1317 although later payments to Thomas for Balliol's

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<sup>60</sup> NA E101/376/7 m.17 (expenses 1 December 1314 to 31 January 1316 ((£167 10s)), dated 20 October 1317. There is a discrepancy of ten days, however, as 2 July to 21 September only accounts for eight-two days. Perhaps Balliol remained with Sandale before returning to Thomas's household?

<sup>61</sup> *CinqPM*, v, no. 615, dated 16 August 1315; *Fine Rolls, 1319-27*, 30.

<sup>62</sup> Appendix E, no. 5; NA SC8/317/e274; Nicholson, *Edward III and the Scots*, 71. For John Balliol's debts in France see Chapter Five. The end date for this must be October 1317 when Thomas was mentioned as 'having' Balliol in his household at the cost of the king.

expenses do not account specifically for the latter's whereabouts.<sup>63</sup> Instead, 'having' in this sense could imply those dates mentioned in the writ, that is, from 1 December 1314 – 31 January 1316, before Balliol's petition to reside with Thomas. Moreover, on 10 November 1318, the bishop of Winchester was ordered to pay Thomas a large payment of £200 'out of the money of the tenth in the diocese of Durham, in part payment of £500 that the king promised to give him for the stay of Edward Balliol in his company by the king's order.'<sup>64</sup> A similar writ dated 17 November 1319 was given to the abbot of Burton-upon-Trent to pay 100 marks of £600 owed to Thomas for Balliol's expenses to be taken from the diocese of Coventry and Lichfield 'as contained in a brieve of the lord king...at the end of Michaelmas anno twelve [1318-19].'<sup>65</sup> Contrary to Michael Penman's suggestion that Balliol had returned to England from France in November 1318, neither of these documents definitively confirms his presence at the English court nor do subsequent payments in 1319, which were all made to Thomas for previous expenses.<sup>66</sup> Rather, King Edward might have been attempting to compensate Thomas for the much delayed expenses from 1311-13 as well as current expenses up to January 1316, which possibly accounts for the generous sum. Indeed, the years 1311 to 1313 illustrated Edward II's precarious financial situation, mostly related to the king's lavish patronage of Gaveston and the latter's greed. The chroniclers accused Gaveston of plundering the royal treasury, which was proven in 1313.<sup>67</sup>

The implications are that between early 1316 and early July 1320, Balliol perhaps returned to his French estates in Picardy. Between 1318 and 1320, however,

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<sup>63</sup> NA E101/376/7 m.17.

<sup>64</sup> *CCR, 1318-23*, 26; Penman, "The Soules Conspiracy," 38. On 5 January 1324, another payment of £200 was to be given to Thomas, earl of Norfolk, in part payment of £500 (presumably the same from November 1318?), which the king again promised to give him (*CCR, 1323-27*, 52).

<sup>65</sup> NA E403/189 m.8; /190 m.8.

<sup>66</sup> Penman, "The Soules Conspiracy," 39. For example, payments were made on 6 February, 27 and 30 April, 3 May (NA E403/186 m.8; /187 m.1, m.7; /188 m.5). In a separate claim on 29 May 1319 at York, Thomas de Briggsherth acknowledged that he owed Balliol 100s, which might suggest Balliol's presence there, although again, this is inconclusive (*CCR, 1318-23*, 140).

<sup>67</sup> Maddicott, *Thomas of Lancaster*, 131.

Scottish events indicate that Balliol was at least in contact with the English court, if not personally present at some point. By this time it was clear that his attempts to regain his forfeited English lands were fruitless and he turned instead to his growing interest in Scotland indicating his possible involvement in a coup discovered in 1320 to oust Robert Bruce from the Scottish throne in favour of Balliol, who at the time of the plot would have been in his late thirties.<sup>68</sup>

The failed ‘Soules conspiracy,’ as put forth by both Penman and Professor Duncan, was an attempt by William de Soules—great-nephew of John de Soules, the guardian of Scotland (c. 1301-04) for the exiled King John Balliol—and several other conspirators with Balliol connections to depose the excommunicate Bruce king, who was viewed by many to have usurped the throne from King John in 1306.<sup>69</sup> Penman argues that the conspiracy had been planned as early as 1318, after the death of Edward Bruce, and was supported not only by significant Scottish nobles, but also perhaps the English crown. The issues discussed and put forth at Bruce’s emergency parliament in early December 1318, following the death of his brother, suggests that a possible conspiracy or coup was inevitable, or at least feared. Bruce hastily issued an act proclaiming his grandson, Robert Stewart, as his heir failing any direct issue, which can be viewed as an attempt to secure the Bruce dynasty on the Scottish throne, in opposition to a Balliol alternative, as well as to calm fears of another disputed succession.<sup>70</sup> Further laws designed to stop the spread of rumours against the king and his government in addition to Bruce’s offering of patronage to former Balliol men in hopes of earning their loyalty strongly suggest that King Robert was aware of his possible overthrow.<sup>71</sup>

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<sup>68</sup> Penman, “The Soules Conspiracy,” 38-9; *Chron. Fordun*, i, 348-9.

<sup>69</sup> Penman, “The Soules Conspiracy,” 27; Duncan, “The War of the Scots, 1306-23,” 129-31.

<sup>70</sup> *APS*, i, 466-74; *RRS*, v, nos. 139, 301 (page 560-1); Tanner, “Cowing the Community?,” 64-8; Penman, *David II*, 20.

<sup>71</sup> Penman, “The Soules Conspiracy,” 31; Duncan, “The War of the Scots,” 128.

Shortly before his appearance in England in July 1320, Balliol may have been residing in France according to evidence that Patrick de Dunbar, earl of March, being among the embassy en route to Avignon with the Declaration of Arbroath, turned back from France having allegedly discovered news of 'treasonable' contacts involving William de Soules, Enguerrand de Umfraville and Edward Balliol.<sup>72</sup> Umfraville, who had replaced Bruce as co-guardian by May 1300 and was co-heir to the Balliol barony of Redcastle in Angus, had requested an English safe-conduct to travel overseas, issued on 20 April 1320, which might suggest that Balliol was already present in France at this time.<sup>73</sup> Indeed, the envoy travelled to the papacy, delivering the Declaration probably in late June or early July 1320, providing enough time for Balliol to meet the conspirators in April or May and return to England by mid-July.<sup>74</sup> Others accused in the conspiracy, including Agnes, countess of Strathearn, Roger Mowbray and Sir David de Brechin, had connections to the former Balliol regime while Eustace Maxwell would later support Edward Balliol following his victory over the Bruce Scots at Dupplin Moor in 1332. These connections certainly suggest Edward Balliol's involvement.<sup>75</sup>

Although the conspiracy was a failure and Bruce remained on the throne until his death in 1329, the idea that Edward Balliol could have seized the Scottish throne so soon after Bannockburn is significant. Admittedly, this might have been realised had Edward II been more receptive to him, such as not denying or delaying Balliol's requests of lands, payments and residence, which could have provided him the opportunity to secure a support base sufficient enough to acquire some political

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<sup>72</sup> Penman, "The Soules Conspiracy," 28; Duncan, "The War of the Scots," 130.

<sup>73</sup> Duncan, "The War of the Scots," 127, 129; *CPR, 1317-21*, 441. For Enguerrand's Balliol inheritance see R.C. Reid, "The Motte of Urr," *TDGNHAS*, 3<sup>rd</sup> ser., xxi (1936-38), 11-27, at 18-2; Duncan, "The War of the Scots, 1306-23," 127). The safe-conduct was valid until Michaelmas, and a second was issued on 4 October (until the Purification) for Enguerrand and his entourage (a chaplain, twelve squires, four yeomen and twenty-four grooms) (*CPR, 1317-21*, 507).

<sup>74</sup> G.G. Simpson, "The Declaration of Arbroath Revitalised," *SHR*, lvi (1977), 11-33, at 20-1.

<sup>75</sup> *Great Cause*, ii, 80-5; *Handlist*, nos. 381, 384, 387; Stevenson, *Documents*, ii, 8-15; Penman, "The Soules Conspiracy," 26, 43, 48-9; Young, *The Comyns*, 72.



influence or to earn enough recognition to fuel his growing ambitions concerning the lost throne of Scotland. Instead, Balliol's attempts to be the English king's loyal subject, which his father and grandfather had been, were constantly thwarted during the reign of Edward II in favour of that king's other interests and problems, such as Piers Gaveston's patronage and the looming civil war under the Lancaster administration. The earl of Lancaster himself apparently encountered the same problem with Edward II's behaviour, as Haines claims that Edward's failure to act in 1316, at which time Lancaster was supposedly hoping to launch an assault on the Scots, augmented the earl's disillusionment at the capacity of the government.<sup>76</sup>

From 1307 until 1314, Balliol's situation appeared precarious especially in England. His inheritance and ability to strengthen his position as an English lord was at a standstill because of Edward II's reluctance. The period after Bannockburn and John Balliol's death, however, appears to have been the turning point in Balliol's behaviour, shifting from his desires to regain his English heritage or compensation to his long, but eventually successful, struggle to seize the Scottish throne from the Bruce kings. The overthrow of Edward II in 1327 and the death of Robert Bruce two years later would give Balliol a second chance to reclaim the throne with the support of Edward III.

Balliol's whereabouts are certain on 10 July 1320 (Westminster) and 20 January 1321 (York) when he received certain payments of 20 marks and 80 marks, respectively, the former of which was received 'in aid of his expenses, by the king's gift' from Aymer de Valence, earl of Pembroke as 'warden of the realm.'<sup>77</sup> Balliol

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<sup>76</sup> Haines, *King Edward II*, 104; Ramsay, *The Genesis of Lancaster*, i, 83.

<sup>77</sup> NA E403/191 m.4; /193 m.4; /194 m.5; *Itinerary of Edward II*, 192; CDS, iii, no. 701. This brief was dated 6 July, although Balliol's money was released to him by the hands of John de Wallingford, his valet, on 10 July. Edward II was in France where he remained from 19 June to 22 July 1320, during which time Valence was warden (*Itinerary of Edward II*, 200). Others receiving gifts included: David de Betoigne (two payments of £6); Gilbert de Glyncarny (two payments of 50 and 25 marks); Roger Comyn (10 marks paid by Margery de Ferendraght); Dougal MacDowell (£20); Alan de Ergael (10 marks); Beatrix of Perth (40s).

received a further payment made in the fifteenth year of Edward's reign (July 1321-22) of 80 marks 'for his sustenance,' suggesting that Balliol had been residing in England for some time.<sup>78</sup> Edward II stayed at Barnard Castle from the end of September to mid-October 1322, during which time he had been preparing for military action against Bruce and the Scots, and again in September 1323, and although this Balliol caput was no longer in the family's hands, if Edward Balliol was also there with the king, it could indicate Balliol's possible efforts to recover it.<sup>79</sup> Edward II's last stay at Barnard Castle came after the thirteen-year truce (Truce of Bishopthorpe), concluded in May 1323, between the English and the Scots.<sup>80</sup> But, given the unknown whereabouts of Edward Balliol during these years, it is difficult to place him or his involvement in any of the negotiations. Balliol, who was now about forty-one years old, was perhaps preoccupied with attempts to arrange (or annul) a marriage, which will be discussed later. The Bishopthorpe truce, though, may have been another turning point for Balliol, who would have been in his mid-fifties when the truce was due to expire, as it perhaps underlined the urgency for him to take action in Scotland.

It is also difficult to suggest if there had been a connection between Balliol's role in the Soules conspiracy and Lancaster's alleged alliance with the Scots, to whom he may have turned in 1321-22 (despite his desire to attack them in 1316) to help fight against Edward II and the Despensers; however, because there was such internal dissension among the English nobles, it is very doubtful that Balliol could hope for Lancaster's assistance in the absence of the king's help, either in 1315 or 1318-20.

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<sup>78</sup> NA E361/2 m.2, m.18d.

<sup>79</sup> *Itinerary of Edward II*, 231-2, 247; *Royal Charter Witness Lists of Edward II*, 182; Ramsay, *The Genesis of Lancaster*, i, 130-5. Barnard Castle was in the hands of the king at this time, the earl of Warwick's heir being a minor. The keeper from 27 September 1319 to 6 July 1323 was William Ridel; after this it was transferred to Richard de Berningham (*Fine Rolls, 1319-27*, 4, 30, 219). Had Balliol been present, he might have had an opportunity to convince Edward II that his usurpation of the Scottish throne was viable.

<sup>80</sup> *Flores Historiarum*, iii, 215-6; Haines, *King Edward II*, 273-4; C. McNamee, *The Wars of the Bruces: Scotland, England and Ireland 1306-28* (East Linton, 1997), 236.

Indeed, the Lanercost chronicle claims that Lancaster later refused to fight against the Scots when asked by the northern knights because he ‘cared not to take up arms in the cause of a king [Edward] who was ready to attack him.’<sup>81</sup> Of course, Lancaster’s execution after his defeat and capture by the king’s forces at Boroughbridge in March 1322 would end any possibility that Balliol may have had to obtain the earl’s support.<sup>82</sup>

Support from Balliol’s Warenne cousin does not appear to have been forthcoming either, as Lancaster and Warenne were currently involved in much animosity and feuding, related to the Ordinances—the observation of which Lancaster strongly advocated—as well as the recent abduction of Lancaster’s wife by Warenne.<sup>83</sup> Warenne’s own commitment to Edward II was also equivocal. After the execution of Gaveston by the order of Lancaster, Warenne supported the king. However, in early 1319 after Warenne reconciled with Lancaster (who himself had entered Edward II’s peace in March 1318), both earls campaigned for the banishment of the Despensers.<sup>84</sup> Yet within a few years, Warenne was back on Edward II’s side, fighting against Lancaster. His allegiances lacked the stability that Edward Balliol would certainly require should he hope to gain support for his claims to his own lands or to the Scottish throne. However, with the accession of Edward III in 1327, Warenne would become more involved in Scottish affairs and indeed he and Balliol had settled any differences which may have arisen between them during Balliol’s early custody as is evident from Balliol’s grant in 1334, as king of Scotland, to Warenne of the earldom of Strathearn.<sup>85</sup>

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<sup>81</sup> *Chronicon de Lanercost*, 242; Haines, *King Edward II*, 269. The *Vita* claims that the Scots and Welsh would support Lancaster should Edward II take action against him (*Vita Edwardi Secundi*, 80-1).

<sup>82</sup> *Vita Edwardi Secundi*, 125-6.

<sup>83</sup> *Vita Edwardi Secundi*, 80, 85, 87. If Warenne did not abduct her, he gave his consent to those who did.

<sup>84</sup> *CCR*, 1318-23, 531, 658; *Vita Edwardi Secundi*, 93, 91.

<sup>85</sup> *CPR*, 1330-34, 555; *CDS*, iii, no. 1118. As Warenne still had no legitimate heir at this time, Balliol may have granted this in an attempt to be recognised as such. As stated above, at Warenne’s death in 1347, the earldom of Surrey passed to his nephew, Richard fitz Alan, earl of Arundel.

A pattern emerges, however, when examining the English aristocracy under Edward II. As seen above, between 1307 and 1314, many leading nobles were at one time or another opposed to the king either because of his favouritism of Piers Gaveston or because of his opposition to the Ordinances of 1311. Although he was a supporter of the king, Gilbert de Clare, earl of Gloucester, nonetheless experienced some tension in his relations with Edward because of the presence of Gaveston. Gloucester and Thomas, earl of Lancaster also had disputes, originating in a feud between their retainers, which almost became violent in April 1311.<sup>86</sup> The earls of Lancaster and Warenne also held animosity towards each other, as noted above. Moreover, the premature death of Gloucester at Bannockburn sparked further quarrels involving the division of his earldom between his three sisters, which would become an underlying element in the domestic problems of the 1320s.<sup>87</sup> Sir Hugh Despenser the younger (d. 1326), husband of one of the sisters, would become Edward II's chief counsellor against the earls and barons. According to the Lanercost chronicle, the earls and barons were especially animated against Despenser because of his marriage, and because, 'being a most avaricious man,' he had attempted to gain possession of all the lands and revenues of Gloucester and 'had devised grave charges against those who had married the other two sisters, so that he might obtain the whole earldom for himself.'<sup>88</sup> Certainly, the constant feuding and internal dissension illustrate that Balliol's position as a landless son of an ex-king was constantly being blocked after 1296 by the problems and rivalries of the English crown and aristocracy. This would indeed carry on after 1315, when Balliol inherited his French lands, and into the 1320s. His circumstances were complicated not only by his own position, being financially supported by the

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<sup>86</sup> Tuck, *Crown and Nobility*, 44-5.

<sup>87</sup> *Ibid.*, 52-3.

<sup>88</sup> *Chronicon de Lanercost*, 241; *Vita Edwardi Secundi*, 108.

English king, but also by these contentions among the nobility, where he would have looked for support.

*The Disinherited and Plans for Invasion*

Between October 1322 and July 1324, Balliol might have been in France; this is suggested by a safe conduct issued on 2 July 1324 by Edward II from Surrey allowing Balliol, his household and their horses to come to the king ‘from beyond seas.’<sup>89</sup> This safe conduct does not appear to have been used since another was issued on 20 August from Westminster with the ‘same conditions as above.’<sup>90</sup> It was during this time that Balliol may have become involved with Henry de Beaumont, who would later become the leading ‘Disinherited’ noble, claiming the earldom of Buchan through right of his wife, Alice, niece of John Comyn (d. 1308). In 1323 during negotiations of the thirteen-year truce, Beaumont had refused to give his opinion on the terms, which were unpopular to those who had lost their lands in Scotland, and was subsequently ordered by Edward II to leave the council.<sup>91</sup> If Beaumont had gone to France, it is possible that he came in contact with Balliol.

Balliol again appears to have returned to France but in July 1327, he was given yet another safe conduct—issued at Topcliffe (Yorks)—to join King Edward III, who had now succeeded as king following his father’s forced abdication in January.<sup>92</sup> If the dates are correct, Balliol would have arrived just in time to participate with the English army against the invasion by the Scots, led by the earl of Moray, Sir James Douglas and

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<sup>89</sup> CDS, iii, no. 841; CPR, 1321-24, 434; *Foedera*, II, ii, 102.

<sup>90</sup> *Foedera*, II, ii, 109.

<sup>91</sup> Haines, *King Edward II*, 274; *Foedera*, II, ii, 73. Beaumont had also been dismissed from the council in October 1311 by the Ordainers, along with his sister, Isabella de Vescy, (*Vita Edwardi Secundi*, 57-8; Ramsay, *The Genesis of Lancaster*, i, 41) and was exiled in 1329-30 with Thomas Wake for their involvement in the Lancaster rebellion, headed by Henry, earl of Lancaster, brother of Thomas (W.M. Ormrod, *The Reign of Edward III: Crown and Political Society in England 1327-1377* (London, 1990), 5).

<sup>92</sup> *Foedera*, II, ii, 192; CDS, iii, no. 923; CPR, 1327-30, 137, dated 12 July.

the earl of Mar.<sup>93</sup> This campaign, the abortive Weardale Campaign, began in mid-July 1327 and ended in early August when the Scots, outwitting the English, managed to escape back to Scotland without any engagement being made.<sup>94</sup> Those who took part included Thomas de Brotherton, the Earl Marshal, David de Strathbogie, son of the late earl of Atholl, and Henry de Beaumont, who had been suspected of treachery. The latter two knights, as among the Disinherited nobles, would later support Edward Balliol's return to the Scottish throne in 1332 in hopes of recovering their lost lands and titles. If Edward Balliol had participated in this campaign with them, it would have given him a chance to move one step closer to reclaiming the Scottish throne. However, as Nicholson points out, because of King Edward's embarrassing withdrawal and abandonment of the campaign, any hopes Balliol may have had to advance his claims were 'wrecked by the blow which the Scots had newly inflicted on English prestige.'<sup>95</sup>

In late 1327, negotiations began for a peace settlement between England and Scotland, which was concluded by the Treaty of Edinburgh in April 1328. The issue of the Disinherited nobles, such as Henry de Percy, Thomas Wake of Liddel, Beaumont and his son-in-law, Strathbogie, was evidently a major concern at the negotiations, especially due to the looming death of Robert Bruce. Many of these nobles, notably Percy, Wake and Beaumont, were allegedly granted the promise of reinstatement of their lost lands in Scotland as well as some in England, although these provisions would remain unfulfilled, giving them ample reason to support an invasion of Scotland in hopes of regaining lands under a new (Balliol) regime. Also included in the peace

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<sup>93</sup> *Chronicon de Lanercost*, 259-60; Haines, *King Edward II*, 277. *Lanercost* dates the invasion as just before 20 July 1327.

<sup>94</sup> Nicholson, *Edward III and the Scots*, 35-7, 41; Haines, *King Edward II*, 277-8.

<sup>95</sup> Nicholson, *Edward III and the Scots*, 41. Moreover, as in 1310-14, because Balliol held no English lands, he was not obliged to give military service.

negotiations was the marriage of Robert I's heir, David Bruce, and Joan of the Tower, sister of Edward III (b. 1321).<sup>96</sup>

It is not known how long Balliol stayed with the king in 1327, but he eventually returned to France, only to be given another safe conduct to return 'on a visit' to England on 20 July 1330.<sup>97</sup> He may not have taken this protection as he was given a further protection for one year on 16 October 1330 for himself and his retinue.<sup>98</sup> Between 1327 and 1330, while in France, Balliol and the Disinherited were likely making arrangements for a Scottish invasion and coup to put Balliol on the throne. The fact that King Robert had died the previous June (1329) and his son, David, had not yet been crowned king of Scots, presented an opportune situation which enabled Edward Balliol to obtain enough support, both from the rancorous Disinherited and from the English king, who just three days after issuing Balliol's October protection would oversee a successful coup over his mother, Isabelle, and her lover, Roger Mortimer.<sup>99</sup>

Yet, while Balliol likely had support in England, he would not receive aid from his other superior lord, the king of France, particularly after the Treaty of Corbeil. This Franco-Scottish treaty, concluded in April 1326 between Robert I and Charles IV (1322-28), stipulated that if there were to be an Anglo-French war, Scotland would join the side of France as soon as the 1323 Truce of Bishopthorpe had ended (in 1336). In addition, if the Scots concluded a treaty with England, the result would be an Anglo-French war.<sup>100</sup> Following the War of St Sardos (1323-25) between Edward II and Charles IV over Gascony, tensions between the two countries remained visible and in

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<sup>96</sup> S. Cameron and A. Ross, "The Treaty of Edinburgh and the Disinherited (1328-1332)," *History*, lxxxiv, 274 (1999), 237-56, at 239-42; Penman, *David II*, 29. Later attempts by Balliol to have this marriage annulled so he could marry Joan will be discussed in the next chapter. Indeed, Balliol was present at the English court in 1321 and may have been promised a future marriage to Joan when she was born. Theoretically a marriage to Joan could also have been promised for a son, should Balliol produce one.

<sup>97</sup> *CPR, 1327-30*, 547, from Woodstock.

<sup>98</sup> *CDS*, iii, no. 1010; *CPR, 1330-34*, 12; *Foedera*, II, iii, 51.

<sup>99</sup> Nicholson, *Edward III and the Scots*, 64.

<sup>100</sup> AN J677/3-5; McNamee, *Wars of the Bruces*, 239; Nicholson, *Edward III and the Scots*, 51.

1325, Queen Isabelle had returned to France in hopes of finalising a peace between her husband and her brother. Of course, Isabelle's return to England signalled the fall of Edward II's kingship. What these events meant for Balliol was that if he attempted to take Scotland in the late 1320s, especially with the knowledge and connivance of the English, he would receive no assistance from the French king. Furthermore, if he succeeded in his English-backed conquest, he might face an immediate war against France while lacking a powerful support base in either England or Scotland.

Unfortunately for Balliol, this would be the case anyway when he finally invaded Scotland six years later, although it may have been this reasoning which caused him to hold off until 1332. At some point after October 1330, he had returned to France. It was during these frequent journeys from 1324-32 that Balliol, who would have been about fifty years old in 1332, may have been attempting to secure an alleged marriage to Margherita de Taranto, daughter of Philip, prince of Taranto (d. 1332), younger brother of King Robert I of Naples (d. 1343), and Catherine de Valois, daughter of Charles de Valois, which certainly would have been annulled later.<sup>101</sup> The pro-French Charles II of Naples (1289-1309), father of Philip and Robert and father-in-law of Charles de Valois, attended the marriage of Edward II and Isabelle in January 1308, which may have given Balliol, then about twenty-six and hopeful to inherit vast estates soon, an opportunity to secure a marriage. It is probable that any negotiations were at the instance of the English king, as patronage or as compensation for Balliol's denied inheritance. Unfortunately, no contemporary evidence has survived to confirm this; the earliest reference comes from William Betham's 1795 collection of

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<sup>101</sup> W. Betham, *Genealogical Table of the Sovereigns of the World* (London, 1795), table 626; C. Hopf, *Chroniques Gréco-Romanes* (Berlin, 1873), 470; G. Boccaccio, *The Decameron*, ed. G.H. McWilliam (London, 1995), 812; A. Beam, "One Funeral and a Wedding: The Neglected History of Scotland's Forgotten Kings," *History SCOTLAND*, iii, 1 (2003), 16-23, at 22-3; M. Camera, *Elucubrazioni Storico-Diplomatiche su Giovanni I Regina di Napoli e Carlo III de Durazzo* (Salerno, 1889), Table III; C. Hopf, *Chroniques Gréco-Romanes* (Berlin, 1873), 470; E. Léonard, *Les Angevins de Naples* (Paris, 1954), Table IV.



genealogical tables of world sovereigns. Such a marriage, if it did exist, was likely annulled—or ended in divorce—upon Balliol's departure to England, his invasion of Scotland (France's ally) and the immediate confiscation, as an enemy of France, of certain of his ancestral French estates.<sup>102</sup>

Indeed, before the invasion, two of Balliol's French lordships were confiscated—one on account of a serious situation in which Balliol found himself in late 1330. By 18 December 1330, Edward Balliol was being sought out by the procurators of the French king, Philip VI (1328-50),<sup>103</sup> on account of the murder of Jean de Candas, squire, which resulted in the forfeiture of the lordship of Dompierre.<sup>104</sup> Jean's brother, Ferrand, appeared to have no intentions to join the procurator in the pursuit and instead was 'holding back to pursue the said knight [Balliol] by way of accusations or of pledge of battle.' Balliol was subsequently imprisoned by the king—perhaps immediately after his return from England—and was to be guarded 'until the end of the inquisition.'<sup>105</sup> Philip's reasoning behind his retention of Edward Balliol does not appear to have political undertones, but rather was because of Balliol's obvious criminal behaviour. While Edward III by this time had asserted his majority by taking royal authority away from Isabelle and Mortimer, Philip does not seem to counter this by incarcerating Balliol. King Edward, moreover, may not have been aware of Balliol's situation because of his own domestic priorities. However, it appears

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<sup>102</sup> Certainly he must have been divorced by 1334 when he offered to marry Joan, Edward III's sister, who was presently married to David Bruce (NA E39/11; *CDS*, iii, no. 1108; *Rot. Scot.*, i, 395, 397-8, 410, 417, 431). Margherita de Taranto later married Francesco del Balzo, duke of Andria, around 1348 (Camera, *Elucubrazioni Storico-Diplomatiche*, 105).

<sup>103</sup> He was nephew of Philip IV and brother of Jeanne de Valois, Balliol's betrothed from the 1295 French treaty.

<sup>104</sup> *Actes du Parlement de Paris*, II, ii, no. 5504, dated 21 February 1344; *The Brut*, i, 274; Sinclair, *Heirs of the Royal House of Baliol*, 4. Hornoy was also confiscated in 1330 (Bellevall, *Les Fiefs et Les Seigneuries*, 23, 176; *Idem, Jean de Bailleul*, 11-2; *Inventaire Comptes Royaux*, no. 183, which has the forfeiture of the four lordships from 2 August 1331 to 15 August 1332 with a clause to restore for £76 4s 7d ob.; see Chapter One on the Balliol lands).

<sup>105</sup> *Actes du Parlement de Paris, Parlement Criminel*, nos. 3117.v.C, 3137A, B (dated 11 January 1331), 3137.v.A.

that Edward was soon released by the interest of Henry de Beaumont. The late fifteenth century chronicle, *The Brut*, claims that Beaumont spoke privately with the king (styled (*sic*) as Louis) and requested that Balliol be handed over to him and that Beaumont ‘wold graunt him of his grace Sir Edward Bailoilles body unto the next parlement, that he might leve with his owen rentes in the mene-tyme, and that he must stande to be judged by his piers at the parlement.’<sup>106</sup> Indeed throughout the next decade, Philip considered Balliol ‘outlawed and stripped of all his goods in France by reason of the crime of *lèse majesté* resulting from his alliance with the king of England.’<sup>107</sup> The murder of Jean de Candas as well as Balliol’s planned invasion of Scotland certainly compromised his situation in France and it also would have severely damaged Balliol’s prestige regarding his royal marriage since Philip VI and Margherita de Taranto were cousins.

Beaumont and Strathbogie had apparently travelled to Picardy in the summer of 1331, having been given safe conducts to cross the English Channel.<sup>108</sup> By this time, Edward III might have become aware of Balliol’s imprisonment and gave leave to Beaumont and Strathbogie to check on the situation and possibly negotiate with King Philip. Indeed, Beaumont was given another safe conduct on 6 August to cross from Dover in the king’s service on an unspecified foreign mission, which, in its timing, may validate the above story of Balliol’s liberation from prison.<sup>109</sup> Indeed, he appears to have persuaded Balliol to join the Disinherited and return to Scotland as Balliol is found residing, possibly by October 1331, at the Warenne manor of Sandal-upon-Ouse in

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<sup>106</sup> *The Brut*, i, 274.

<sup>107</sup> *Actes du Parlement de Paris*, II, ii, no. 5504, dated February 1344.

<sup>108</sup> *CCR*, 1330-33, 316 (dated 3 June 1331), 332 (dated 23 July 1331).

<sup>109</sup> *CCR*, 1330-33, 333; Nicholson, *Edward III and the Scots*, 70. On 19 November, Beaumont was given £100 for his expenses going overseas in the king’s service to treat with Philip VI concerning a joint crusade (NA E403/259). Further letters were given on 28 November to Beaumont (for this same business) and Walter Comyn (*CPR*, 1330-34, 223; Nicholson, *Edward III and the Scots*, 70).

Yorkshire with Beaumont's sister, Lady de Vescy.<sup>110</sup> This also indicates Warenne's possible involvement in Balliol's planned *coup d'état* in Scotland. Certainly, the Scottish parliament called in November 1331 in order to crown the child Bruce king illustrates the concern the Scots felt for Balliol's recent arrival in England seemingly under the influence of Beaumont and the Disinherited.<sup>111</sup>

Although Beaumont was responsible for inviting Balliol to return and claim the throne of Scotland from the child king, David II, there are conflicting stories in the chronicles. The author of *The Brut* (c. 1460-80) states that Donald, earl of Mar, the regent for David Bruce from August 1332, went to Balliol in 1331 after hearing of Balliol's arrival in England and

made with him grete joye of his commyng agayne, and saide to him, and bihight that alle grete lordes of Scotland shulde bene to him entendant, and holde for him as Kyng, as right heir of Scotland, and so miche thai wolde done, that he shulde be crounede Kyng of that lande, and to him dede feaute and homage.<sup>112</sup>

Indeed, Mar had been given a protection on 15 October 1331 to go south into England with his retinue,<sup>113</sup> which considering Balliol's residence in Yorkshire about this time may be ample evidence for suspecting Mar of giving support—either openly or secretly—to Balliol and the Disinherited. Although Mar was a nephew of Robert I, he had been in England from 1305, refusing to return to Scotland after 1314 because he preferred to serve Edward II.<sup>114</sup> Incidentally, during his time in England he appears to

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<sup>110</sup> *The Brut*, i, 274; Nicholson, *Edward III and the Scots*, 64, 71-2; Penman, *David II*, 43. Sandal-upon-Ouse is now called Sandal Magna, near Wakefield; a castle was reportedly built there in 1320 by the earl of Surrey (T. Baines, *Yorkshire Past and Present* (London, 1870-71), ii, 259, 361, 457).

<sup>111</sup> *APS*, i, 511-2.

<sup>112</sup> *The Brut*, i, 274; Penman, *David II*, 43-4; Nicholson, *Edward III and the Scots*, 73. As Penman argues, Mar's offer to Balliol may have been propaganda directed at justifying English military aggression.

<sup>113</sup> *CDS*, iii, no. 1040.

<sup>114</sup> He was also given a payment of 20s on 23 July 1317 (NA E101/376/7 m.10).

have fathered a bastard son, Thomas, by a Balliol woman, perhaps a cousin—through the Cavers Balliols—or an unknown sister of Edward.<sup>115</sup> However, following Edward II's deposition in early 1327, he returned to Scotland and was restored to the earldom of Mar by Robert Bruce.<sup>116</sup> Yet, the *Chronicle of Lanercost* goes as far as to say that in the summer of 1327 when Mar invaded England, with Douglas and Randolph during the Weardale Campaign, it had been in hopes to 'rescue [Edward II] from captivity and restore him to his kingdom...by the help of the Scots.'<sup>117</sup> According to Penman, years later in 1332, Mar and other Scots may have seen Balliol's restoration as an opportunity to appeal or readdress the Scottish land settlement, which they would be unable to do until David Bruce had reached adulthood.<sup>118</sup>

*Lanercost* partly corroborates the validity of Mar's pro-Anglo-Balliol stance by claiming that 'he had always hitherto encouraged my lord Edward de Balliol to come to Scotland in order to gain the kingdom by his aid; but when he found himself elected to the guardianship of the realm [following the death of Thomas Randolph, earl of Moray, on 20 July], he deserted Edward and adhered to the party of David,'<sup>119</sup> perhaps because of his kinship ties to Bruce. Although he may have been pro-English or favourable to Balliol, he supported the Bruce party after his election on 2 August and died just over a week later while fighting against Balliol and his forces at Dupplin Moor.

According to the fifteenth century chronicles of Wyntoun, Bower and Pluscarden, the person responsible for inviting Balliol back to Scotland was a certain traitor by the name of Twynam Laurison. Laurison had been recently punished for his

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<sup>115</sup> *Rot. Scot.*, i, 836, 850; Penman, *David II*, 47; *Idem*, "The Soules Conspiracy," 41n. A connection between the Cavers Balliols and the earls of Mar may be seen through the marriage of the widowed countess of Atholl, Isabella, to Alexander de Balliol of Cavers (d. c. 1311), the former chamberlain. Isabella's son from her previous marriage, John de Strathbogie (d. 1306), would later marry Marjory, daughter of Donald, earl of Mar (d. c. 1297) (Ross, "The Strathbogie Earls of Atholl, Part I," 3-4).

<sup>116</sup> Brown, *The Wars of Scotland*, 228; Barrow, *Robert Bruce*, 274.

<sup>117</sup> *Chronicon de Lanercost*, 259.

<sup>118</sup> Penman, *David II*, 44.

<sup>119</sup> *Chronicon de Lanercost*, 267. Randolph had allegedly died of poisoning 'by English treachery' (*Chron. Bower*, vii, 63).

adultery and ‘degenerate’ character and in his anger, he seized Master William Eckford, the official who had ‘thundered a sentence of excommunication,’ just outside Ayr. Sir James Douglas, postponing his voyage to the Holy Land with Robert I’s heart, drove Laurison out of the country, where he went to France and,

passing over to Edward Balliol, said to him, “Behold, my lord king of Scotland, the time has come for thee to reign...for Robert Bruce, that strong usurper of thy throne, is dead, and his son is a youth under age and could not put any obstacle in thy way. Thou knowest about the death of many nobles put to death at the Black Parliament: their kinsfolk will readily flock to thee and lend thee aid. The king of England will willingly rise and help thee. Therefore lift up thy heart and be strong in thy right and act manfully, and call upon thy friends to help thee, and reign long and happily.”<sup>120</sup>

Whether it was Beaumont (perhaps assisted by Strathbogie), Mar or Laurison who was responsible for Edward Balliol’s return and invasion is not truly known; however, it very well could have been Balliol’s own initiative which drove him to seek support for the invasion. Pluscarden’s ensuing claim that Balliol, ‘the unhappy man,...would never have inclined his heart to such a scheme had he not been egged on by the above mentioned traitor’ is very questionable, although Laurison’s appearance in south-west Scotland can possibly place him among Balliol followers in Galloway. Indeed, there is enough evidence to support Nicholson’s view that Balliol had been convinced of invasion by the militarily experienced and Disinherited noble, Henry de Beaumont.<sup>121</sup> Their involvement together from 1330, including the claim that Beaumont freed Balliol from a French prison, his hospitality to Balliol in the winter of

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<sup>120</sup> *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 24, lines 3291-3322; *Chron. Bower*, vii, 65-7, 73; *Liber Pluscardensis*, ii, 263; Penman, *David II*, 33.

<sup>121</sup> Nicholson, *Edward III and the Scots*, 75; *The Brut*, i, 274-5.

1331 and the military experience Balliol would need to launch a successful attack into Scotland, all point to the conclusion that Beaumont may have been the key player in the invasion.

In 1332, Balliol had returned, according to *Lanercost*, to take counsel privately with Edward III before the invasion of 6 August, when Balliol and his Disinherited followers landed at Kinghorn in Fife.<sup>122</sup> The *Chronicle of Melsa* states that Edward III had prohibited Balliol's forces from advancing into Scotland overland through England, as it was not becoming to harass his brother-in-law, David Bruce, whereupon Balliol and his forces set out by ship, embarking from Kingston-upon-Hull (Yorks) on 31 July.<sup>123</sup> As given above, Beaumont's role in these private talks indicate that he had been the chief organiser of the campaign. According to *The Brut*, Beaumont had asked permission from Edward III to allow the expedition to set out by land from Yorkshire, which the king denied. Reputedly, Edward III permitted the invasion to take place but only with the understanding that should it be a failure, it would be the king's prerogative to disavow any connections he held with the Disinherited, including the ability to seize their English lands and possessions.<sup>124</sup>

Whether Edward III had, in truth, prohibited the invasion, he nonetheless turned a blind eye to the campaign of Balliol and his followers, including Beaumont, Strathbogie, Gilbert de Umfraville (claiming the earldom of Angus), Ralph, lord of Stafford (one of Edward III's ablest officers), Henry Ferrers and his two brothers, Alexander de Mowbray, John de Mowbray, Thomas Ughtred, Nicholas de la Beche, Robert Winchester, Richard Talbot, Walter Comyn, Sir Fulk fitz Warin, John de Felton

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<sup>122</sup> *Chronicon de Lanercost*, 267; J. Sumption, *The Hundred Years War I: Trial by Battle* (London, 1990), 125.

<sup>123</sup> *Chronica Monasterii de Melsa*, ii, 362-3; J. Capgrave, *Liber de Illustribus Henricis*, ed./trans. F.C. Hingeston (London, 1858), ii, 195. There was a grant made on 26 July from Berwick-upon-Tweed, before the invasion, to Balliol's clerk, Simon de Sanford, for life, of the 'keepership of the Hospital of Rutherford next Jedworth' (*Rot. Scot.*, i, 327; Reid, "Edward de Balliol," 59).

<sup>124</sup> *The Brut*, i, 275; Nicholson, *Edward III and the Scots*, 75-6.

and ‘a small force of English mercenaries,’ which the chronicles claim was between 1,500 and 2,000 strong.<sup>125</sup> Indeed, as Nicholson points out, by Midsummer 1331 the Scots had made the final payment of the 30,000 marks stipulated from the Treaty of Edinburgh (1328) and thus the English had ‘nothing more to gain...and the need for conciliation had correspondingly diminished.’<sup>126</sup>

*Lanercost* continues to mention how the realm of Scotland was ‘then most confident in its strength,’ because of their military success under Robert I as well as their larger forces.<sup>127</sup> When Balliol and the Disinherited reached Kinghorn, they encountered a force of 4,000 Scots under Duncan, earl of Fife, Sir Alexander de Seton<sup>128</sup> and the bastard son of Robert I, Sir Robert Bruce, which they successfully drove away; following a few days rest, Balliol and his small army continued to Dunfermline.<sup>129</sup> At Dupplin Moor on 11 August, the Scottish army under the earl of Mar and including the earls of Fife, Moray (Thomas Randolph, son of the late guardian), Murdoch of Menteith and John Campbell of Atholl, as well as Sir Robert Bruce, met with Balliol and his Disinherited. While the Scottish army outnumbered Balliol’s forces, they were hardly anything more than unpaid men assembled to give their feudal obligation.<sup>130</sup> Balliol, however, had men such as Beaumont, Strathbogie and other nobles who were well-trained and experienced and were ‘strengthened by

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<sup>125</sup> *Chronicon de Lanercost*, 267; *Chronica Monasterii de Melsa*, ii, 362; *Chron. Fordun*, i, 355; *Bridlington*, 103-4; *Eulogium Historiarum*, iii, 200-1 (which gives Gilbert Talbot). Talbot was claiming the remainder of the lands of the Comyns of Badenoch through his wife, Elizabeth, daughter of the Red Comyn. Ferrers, a distant cousin of Balliol, claimed lands in Galloway and the Lothians. Walter Comyn was likely hoping to acquire family lands in the north, including a portion of Garioch, which had been given to Andrew Murray. Beaumont, Thomas Wake, Sir Thomas de Rosslyn, Fulk fitz Warin and Sir Griffin de la Pole had been exiled in France and had returned to England, according to *Lanercost*, in 1330.

<sup>126</sup> Nicholson, *Edward III and the Scots*, 70.

<sup>127</sup> *Chronicon de Lanercost*, 267; C. Brown, *The Second Scottish Wars of Independence: 1332-1363* (Stroud, 2002), 27-8.

<sup>128</sup> Shortly after his arrival in Perth, Balliol issued a grant to Robert de Byncestre of the extensive Lothian lands in Scotland of Alexander de Seton (*CDS*, iii, no. 1223; Reid, “Edward de Balliol,” 59. This petition from 1336 has no other details concerning the grant).

<sup>129</sup> *Chronicon de Lanercost*, 267.

<sup>130</sup> Nicholson, *Edward III and the Scots*, 87.

God's protection and the justice of his cause' and inflicted heavy casualties in this 'no less astounding than unhappy massacre,' including the earls of Mar, Moray, Menteith, Atholl, Sir Robert Bruce and Alexander Fraser of Cowie, while the earl of Fife was taken prisoner. *Lanercost* further states that Balliol 'caused all the slain aforesaid to be buried at his expense,'<sup>131</sup> a sympathetic gesture not recorded for the later battles of Halidon Hill and Berwick.

Indeed, Dupplin Moor was considered by some chronicles to be a judgment of God. As above, the English chronicle of *Lanercost* claimed Balliol was protected by God, whereas the Scottish chronicles of *Fordun* and *Wyntoun* related how the Scots were struck down 'by the vengeance of God.'<sup>132</sup> It was the religious undertones of this victory which led many to believe that Balliol's right to the crown had been vindicated by divine intervention which accounts for the later claim that the 'fighting bishop' of Dunkeld, William Sinclair, had gone into Edward Balliol's peace and 'undertook to bring to the king all the bishops of Scotland, except the bishop of St Andrews.' Dunkeld's sudden change of heart, having been a strong supporter of Robert I, could be related to convictions of this divine intervention, although he may also have hoped to gain control of the wealthier see of St Andrews.<sup>133</sup> Further proof of divine favour and religious approval, again emphasised by *Lanercost*, occurred at Balliol's coronation a few weeks later when there were 'an immense multitude of men and but slight means of feeding them, [whereas] God nevertheless looked down and multiplied the victuals there...so that there was ample provision for all men.'<sup>134</sup>

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<sup>131</sup> *Chronicon de Lanercost*, 268; *Bridlington*, 106; *Chronica de Melsa*, ii, 365.

<sup>132</sup> *Chron. Fordun*, i, 354-5; *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 26, lines 3550-3; *Chronicon de Lanercost*, 268.

<sup>133</sup> *Chronicon de Lanercost*, 269; Barbour, *The Bruce*, Book 16, lines 574-625; W. Croft Dickinson, *Scotland from the Earliest Times to 1603* (3<sup>rd</sup> edn. (rev./ed. A.A.M. Duncan), Oxford, 1977), 177. James Ben, bishop of St Andrews, had apparently been so devastated by Dupplin that he abandoned the see and died in exile in Flanders (*Liber Pluscardensis*, ii, 267; Nicholson, *Edward III and the Scots*, 93).

<sup>134</sup> *Chronicon de Lanercost*, 269. This quote and others, given by *Lanercost* regarding the invasion, underlines the pro-Balliol/Anglo stance.



As king, Balliol now had to display his strength and ability to rule Scotland, an ability which thus far was dependent on his military skills and victories. This was very much similar to the situation which Wallace and Bruce found themselves in 1297 and 1306, respectively. Admittedly, the claim by one chronicler that those present at Balliol's coronation 'were armed save for their helmets, since people and nobles inclined to Balliol more from fear than from love' surely exhibits Balliol and his regime as a force to be taken seriously.<sup>135</sup> But equally, Edward Balliol was not wholly in control of the realm yet, as the remaining Scottish nobles who had not been killed or captured at Dupplin Moor still refused to recognise the new Balliol regime.

At this point, Balliol needed to consolidate his power but in order to do this, he would require finances, men and a stronger authority with which to demonstrate his strength—inevitably this came from Edward III. Edward's involvement, indeed, can be related directly to the Balliols' loyalties to the English kings and the relationship which Edward Balliol had with the royal family throughout his life. But had his upbringing made him an English servant in the mould of his Balliol predecessors? Edward was perhaps more conscious of his family's English loyalty than John (II) was since Edward was influenced by the English kings and the royal household as a young boy and into manhood, becoming as Duncan puts it 'a creature of England.'<sup>136</sup> Yet admittedly, Balliol's situation was quite different after 1296 as he could not be a true 'creature' of a king and country in which he possessed nothing.<sup>137</sup> Because of his upbringing at the

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<sup>135</sup> *Bridlington*, 108-9.

<sup>136</sup> Duncan, "The War of the Scots," 127.

<sup>137</sup> Balliol's only English possession appears to have been a grant of a £10 rent from Willey Haye in Sherwood forest, which he was given jointly with William de Aldeburgh in May 1363 (BL MS Add.Ch.76793; *CPR*, 1361-64, 342-3; *CCR*, 1360-64, 467). However, the lands actually belonged to John atte Wode; Balliol and Aldeburgh were simply given rights to enter the lands if John permitted it. Edward was apparently in possession of Buittle, Kenmure and Kirkandrews in June 1334, when he conceded them to Edward III (*Foedera*, II, iii, 116); Edward later regranted them to Balliol in early 1348 (*Rot. Scot.*, i, 710, 715, 720; Reid, "Edward de Balliol," 45) and in January 1365, it was intended that a younger son of Edward III (Lionel or John of Gaunt presumably), would receive £1,000 worth of lands formerly held of Edward Balliol in Galloway (*APS*, i, 495; Penman, *David II*, 332; see also Chapter Seven).

English court, his political influences and ambitions cannot be necessarily a reflection or continuation of those of his grandfather and father, but rather they seemed to derive and increasingly intensify from his treatment while in the custody of Edward I, and especially of Edward II. The longer Edward II delayed Balliol's inheritance, in turn causing him to be more dependent on the king's pension, the more Balliol appears to have become obsessed with the Scottish throne, something his increased involvement with Soules and the Disinherited reveals.

His attitude between 1296 and 1314 was not consistent with that after his return to England in 1315. Edward Balliol's behaviour changes after 1315, presumably with the death of his father, as well as the English defeat at Bannockburn. Following this, Edward II's once indifference to Balliol's position also appears to change—but only slightly and temporarily. The English king, through his attempt to keep Balliol from travelling to the continent after his father's death as well as his alleged knowledge of the Soules conspiracy, perhaps began to contemplate the idea of another vassal king in Scotland. From at least 1300 to 1329-32 one would expect the English to have made every use possible of Edward Balliol, but this is not the case. Rather, domestic political problems and aristocratic rivalries in England, after 1314 especially, would subdue any realisation of these ideas and would, in fact, lead to Edward II once again turning away from Balliol's plight.

However, there remains an important question: why did Balliol adhere to England for so long, even when he had been repeatedly denied his inheritance as well as partial financial support from the English king? Edward II had not given Balliol a stipulated or regular allowance (as far as documentary evidence shows<sup>138</sup>) nor had he been granted his English patrimony which he had repeatedly requested. Although

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<sup>138</sup> Balliol's expenses while in English custody, which were made to Thomas de Brotherton, John de Weston or others in lieu of them, totalled £1,616 9s 8d; payments made directly to him totalled £282 4s 4d and 36 marks, all of which appear random.

Balliol's early interest did concern the restoration and inheritance of his English lands,<sup>139</sup> by the mid-1310s this prospect had grown remote after frequently seeing his promises broken and requests denied concerning such issues as his English inheritance, a possible succession to the earldom of Surrey and, also, his requests for financial support after 1315. These repeated denials and frustrations provoked Balliol to give up his interest in securing his inheritance to the extensive Balliol English estates, yet he still remained in England. In France, Balliol still held his ancestral lands—although as mentioned earlier these did not bring sufficient revenues—and he does not appear, before 1330, to have offended the French king. So why did Balliol not depart to France to live as a loyal French noble?

Edward's relations with France cannot be viewed in the same light as those that he had with England. He does not appear to have been supported by the French crown after his inheritance in 1315 and his continued financial support from Edward II probably caused the French to view him as an ally of England, which would have a stronger effect after 1332. During the mid-1320s, Balliol was possibly seen as expendable to the French; to Edward II, though, Balliol remained a valuable asset to retain, or at least an essential figure to keep on his side. This may have been the English king's intention by offering empty promises of restoration and financial support after 1315. In turn, Balliol's own travels to France, at least three separate trips in the mid-1320s, raise further questions. Why did Balliol keep returning to France? While he may have been tending to his French lands, his alleged marriage, or the plans of the Disinherited, it may have been a threat on Balliol's part to persuade or provoke Edward II to recognise the long promised English inheritance.

Balliol may have had different reasons for remaining on English soil: because of

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<sup>139</sup> Nicholson, *Edward III and the Scots*, 71.

the Franco-Scottish alliance of 1326, and Philip IV's prior recognition of the Bruce line in 1309, he could not have hoped for assistance from the French kings in his plans to seize the Scottish throne, and instead had more chance of success by turning to Edward II and the English nobles. Indeed, the support that the Soules conspiracy may have witnessed in 1318-20 may have led Balliol to concentrate on Scotland. After the conspiracy's failure, though, he switched his attention in the mid- and late 1320s to solidifying his connections with the Disinherited. The fortunate turn of the tide in 1327, when Edward II was dethroned in favour of his teenage son, Edward III, meant that Balliol and the Disinherited were able to concentrate on their plans, which culminated with the successful invasion of Scotland in 1332. It was the financial, and perhaps military, guidance of Edward III that Balliol would have to procure as he understood the limitations of his capacity to rule Scotland independently.

A large part of these limitations was due to the support base which Balliol could claim in his campaigns to recover his family's English estates and the Scottish throne. Notably, the Disinherited were supporting Balliol in an attempt to win back their lands in Scotland, and the political success of Balliol as king rested on his military victories and his following. One very important aspect, however, must be emphasised. The fact that Balliol himself had not been successful in regaining his own English or Scottish lands from English kings underlines the problems he would face during his kingship. John (I) and John (II) had exercised their power and had been able to advance their political careers in English service through their landed resources, wealth and influence in both realms, but especially in northern England. The Balliols' northern English lands in Northumberland and Durham formed the basis of their power and their value to the English kings over the centuries and their loss in 1296 signified a turning point in the family's influence.

The fact that Edward Balliol had been detached from this during his minority as well as denied his inheritance after 1307 is something which must be taken into consideration when examining Balliol's importance to Edward II. Balliol's lack of landed resources would affect his ability to rule and the consequences it brought him after his capitulation to Edward III in 1356. This would explain why his campaign to recover either his family's ranking in England or the Scottish throne failed. Moreover, he lacked deep-rooted influence in either realm because of John's forced abdication and forfeiture. However, in order to evaluate Edward Balliol's status and reputation, it is essential not to assess him—just as with his father—as a Scottish king. The Balliol family had remained loyal to the English crown since the conquest of 1066 and their behaviour and ambitions can only be judged as noble English lords. In the thirteenth century, they remained successful partly because of John (I)'s recovery in the late 1250s. John (II) had expected to recover his estates after his forced abdication in 1296 and thus is viewed as giving up too easily for the Scots. Undoubtedly, Edward had hopes of recovery as well. This was an ambitious, baronial and political family, striving to acquire all it could by means of English service. However, without their northern English lands, the family would not have had the political standing and affluence it did, which is visible after 1296 and through Edward's unsuccessful attempts to regain the lands.

Nonetheless, there can be no doubt that Edward Balliol was remarkably determined. It is not known if he would have continued (or even begun) his struggle to claim the Scottish throne had Edward II been willing to grant him the former Balliol lands, or an earldom. The years 1296-1332 especially saw Edward Balliol being politically blocked by Edward II's domestic problems and the rivalries of the English aristocracy. After years of constant denials, Balliol may have been distancing himself

from the English crown, leaning towards the small group of Disinherited who would follow him on his quest to retake Scotland. Unlike his father and grandfather, he was forced to build his status from nothing, which proved to be a very difficult path. Yet, what drove him so strongly to take what he believed was rightfully his must certainly be attributed to the political ambition he inherited from his father and grandfather.

## Chapter Seven

### *The Kingship and Death of the Last Balliol*

*Those present at his coronation 'were armed save for their helmets, since people and nobles inclined to Balliol more from fear than from love.'*<sup>1</sup>

Edward Balliol's sudden rise to the Scottish throne in 1332 was the result of his political aspirations which had been gradually intensifying in the fifteen years before the invasion of Scotland. It was also the consequence of unforeseeable events in the previous years: the death of Robert I and accession of his child son, the overthrow (and death) of Edward II and accession of his teenage son as well as the combined efforts of the Disinherited under Henry de Beaumont to support Balliol's return. While the Balliol party appeared to have secured their authority within a few weeks of the invasion, major problems were apparent and the complete subjection of the Scots to the new regime would prove to be difficult for Balliol and his followers.

One of the many difficulties facing Edward Balliol leading up to and after his coup was the lack of a natural following for himself and his cause, a considerable hindrance which seemingly was at the root of his failures. Again, because Balliol lacked a territorial support base and had been unsuccessful in his attempts to regain his own English lands, his predicament during the years 1332-56 is more apparent. A second problem was the unstable loyalties throughout his reign. There were major defections in the early years and by the 1340s, the regime had lost many key magnates.

### *Loyalty to the Second Balliol Regime*

Edward Balliol increased his support from the defeated Scots following his victories at Dupplin Moor and Perth in August 1332, especially in Galloway where news of his triumph resulted in the outbreak of rebellion. The Galwegians who had previously shown loyalty to the Balliol regime under King John, including the

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<sup>1</sup> *Bridlington*, 108-9; *Liber Pluscardensis*, ii, 266.

MacDowells, Maclellans and possibly the McCullochs,<sup>2</sup> heard that their ‘special chieftain was the king’ and began raiding the lands of the Bruce Scots under the leadership of Sir Eustace de Maxwell of Caerlaverock, one of the nobles acquitted for the Soules Conspiracy in 1320.<sup>3</sup> The MacDowell family had provided resistance against the Bruce regime until 1312, but after 1332 they emerged ‘as the kingmakers in Galloway’ (despite a brief shift against Balliol’s supporters in 1334) until their eventual defection away from Balliol’s party in 1353.<sup>4</sup> Similarly, Sir Matthew Maclellan and his son, John, supported Edward after 1332 until the mid-1350s, at which time they returned to David II’s allegiance. Patrick and Gilbert McCulloch also adhered to Balliol from the 1330s until the 1350s, when Edward surrendered his claims to Edward III.<sup>5</sup>

Support from the lords of Argyll, the MacDougalls, who had previously adhered to King John, might also have been forthcoming. John, lord of Argyll, had served the English king in Ireland after 1309, perhaps putting him in contact with Balliol, and had lost some of his territory to the MacDonalds after Bannockburn, which he might have been keen to recover. Unfortunately, the death of John in late 1317 probably left Edward Balliol without a potentially strong adherent in the West, until his pact made with John MacDonald, lord of the Isles, in 1335.<sup>6</sup> Balliol also received nominal support from the areas of Fife, Strathearn, Fothrif and Gowrie and it would appear that other areas might soon come under his peace.<sup>7</sup>

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<sup>2</sup> Oram, *Lordship of Galloway*, 157, 208; Reid, “Edward de Balliol,” 51.

<sup>3</sup> *Chronicon de Lanercost*, 269; Brown, *The Second Scottish Wars of Independence*, 31. In response to this rebellion, Andrew Murray of Bothwell and Avoch, who had been elected guardian of Scotland following Mar’s death, Patrick, earl of March and Archibald Douglas made their way to Galloway to put down the rebellion. Murray was the son of Andrew Murray (d. 1297) and had been with John Balliol and other prisoners in the Tower in 1296 (see Chapter Six; Nicholson, *Edward III and the Scots*, 92).

<sup>4</sup> Oram, “Dervorgilla, the Balliols and Buittle,” 171; R. Oram, “A Family Business? Colonisation and Settlement in Twelfth- and Thirteenth-Century Galloway,” *SHR*, lxxii (1993), 111-45, at 140; *Chronicon de Lanercost*, 278.

<sup>5</sup> Oram, “A Family Business?,” 137-9.

<sup>6</sup> McDonald, *The Kingdom of the Isles*, 181-2.

<sup>7</sup> *Chron. Fordun*, i, 355; *The Brut*, i, 280-1; Nicholson, *Edward III and the Scots*, 93.



As above, the *Chronicle of Lanercost* claimed that the earl of Fife—possibly in return for his release from captivity—brought thirteen knights into Edward’s peace.<sup>8</sup> Fife’s role here surely merits closer investigation and the events following Balliol’s successes might provide insight into Fife’s allegiance during the civil war. As Penman states, just before the coronation of David Bruce in late 1331, there was still evidence of dissent among Bruce supporters and only when an invasion by Balliol and the Disinherited was inevitable did a majority of Scots rally behind the Bruce regime.<sup>9</sup> Clearly, the absence at David II’s coronation of Duncan, earl of Fife, who held the traditional role of enthroning the Scottish kings, and of Malise, earl of Strathearn, demonstrates the uncertainty of the future of David’s reign, especially since both earls, as well as Patrick, earl of March (who had just been in Galloway defending against Anglo-Balliol incursions), can be seen defecting to Balliol’s government after the defeat of the Scots within a year of Bruce’s coronation. This uncertainty is further shown particularly by Fife’s role in enthroning Balliol at Scone on 24 September,<sup>10</sup> while the bishop of Dunkeld crowned and anointed him king of Scots, although it could be argued that the earl was forced to do so upon his release.<sup>11</sup> However, as argued by Roland Tanner, the role of the earl of Fife in Balliol’s coronation was not likely made under duress.<sup>12</sup> Indeed, he may also have brought the thirteen knights into new king’s peace as a gesture of new allegiance. The young earl had been brought up at the English

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<sup>8</sup> *Chronicon de Lanercost*, 269.

<sup>9</sup> Penman, *David II*, 43, 45; Brown, *The Wars of Scotland*, 230-1, 234, 238.

<sup>10</sup> *Chron. Fordun*, i, 355. Balliol’s crowning on 24 September may have been the birthday of John Balliol in 1249, which according to Dervorguilla’s post-mortem was the feast of St Michael (29 September) (*CinqPM*, ii, no. 771), or the anniversary of his death in 1314, for which Edward was making a symbolic gesture, although it is probably impossible to prove this theory.

<sup>11</sup> *Chron. Fordun*, i, 355. It is known that the previous earl of Fife, murdered in 1289, was not pro-Comyn. The family rivalry between Fife (including MacDuff) and the Comyns in the 1290s does not warrant any allegiance to John or Edward Balliol. Neither does Fife’s role in fighting against Edward Balliol in the early stages of the invasion in 1332, until he was captured.

<sup>12</sup> Tanner, “Cowing the Community?,” 71.

court, only submitting to Robert I's peace in August 1315,<sup>13</sup> and had married Marie de Monthermer, daughter of Princess Joan of Acre, daughter of Edward I, and her second husband, Ralph de Monthermer.<sup>14</sup> This would provide ample opportunities for Balliol, also raised at the English court, to meet the earl—which may have also been the case for the earl of Mar. Moreover, the role of many Fife men in the Soules conspiracy of 1318-20—the attempt to restore the Balliol dynasty to the Scottish throne—may have been supported by the earl.<sup>15</sup> Following his capture at Dupplin in 1332, Fife appears to have changed allegiance away from the Bruce Scots and may have served as Balliol's warden in the north with David de Strathbogie, before being captured by Simon Fraser when Perth fell to the Bruce Scots.<sup>16</sup> At this time, Duncan might have felt some resentment for Strathbogie, who by 1335 had become involved in negotiations with Robert Stewart that could have promised Stewart the earldom of Fife or the marriage of Duncan's heiress, Isabella.<sup>17</sup> At best, the earl might well have been a closet Balliol partisan, and at least, he could be comparable to the ever-shifting earls of March.<sup>18</sup>

Among Edward's strongest adherents were men such as Beaumont, Strathbogie, Umfraville, Mowbray, Thomas de Wake,<sup>19</sup> Henry de Percy, John de Warenne and other Disinherited, who may also have had personal knowledge of Balliol because of their

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<sup>13</sup> *RRS*, v, no. 72; Penman, *David II*, 24. By the terms of this agreement, Duncan resigned the earldom but received it back on condition that should the earl die childless, it would fall to the king and his heirs.

<sup>14</sup> Her first husband was Gilbert de Clare, earl of Gloucester (d. 1295).

<sup>15</sup> Penman, "The Soules Conspiracy," 44; Tanner, "Cowing the Community?," 71; Nicholson, *Edward III and the Scots*, 94.

<sup>16</sup> Penman, *David II*, 49.

<sup>17</sup> See below for more on this. Isabella married as her second husband Stewart's son, Walter, in 1360 (Penman, *David II*, 58).

<sup>18</sup> Indeed, the earls of March (or Dunbar) were inconsistent in their allegiances and have been chastised for their lack of patriotism and 'nationalist' behaviour. As Alastair Macdonald has underlined, though, the earls were very important as leaders of local societies—especially in the Borders—and their changes in allegiance were often related to the maintenance of their regional position (A.J. Macdonald, "Kings of the Wild Frontier? The Earls of Dunbar or March, c. 1070-1435," in *The Exercise of Power in Medieval Scotland, c. 1200-1500*, eds. S. Boardman and A. Ross (Dublin, 2003), 139-158, at 139, 141-2, 145, 154).

<sup>19</sup> Wake, like Henry de Beaumont, had been denied his inheritance following the Treaty of Edinburgh (1328) although they were both restored after the fall of the regime of Isabelle and Mortimer. Wake would only receive his English lands after Edward III's assumption of royal power in 1330 (Cameron and Ross, "The Treaty of Edinburgh and the Disinherited," 253-5).

connections to the royal court and household. This is comparatively different from the support that King John had in the 1290s. John's support base was comprised of the leading political faction, the Comyns, who helped to ensure his authority and attempted to restore order; Edward could claim only slight Scottish support, from the Galwegians and defecting Scots, mainly men who came to Balliol's peace after his coronation.

Percy, Warrene and Umfraville could claim kinship or marriage ties to Balliol and the closeness of their relationship is illustrated by Balliol's grants to each lord. In May 1333, Percy entered Balliol's service for life promising men-at-arms, bannerets and knights and in return was granted 2,000 marks of land in Scotland south of the Forth.<sup>20</sup> The lands were unnamed, though they were likely situated in Annandale, as apparent from a later grant giving him the manor of Carstryvelin and the forfeited lands of Sir Walter de Corry and his son, John, in Annandale.<sup>21</sup> In September 1334, Percy was also granted the castle and peel of Lochmaben near Annandale, formerly held by Thomas Randolph, earl of Moray, to the total value of 1,000 marks, giving him a total of 3,000 marks worth of the Scottish kingdom, which he later renounced in favour of Edward III.<sup>22</sup>

Despite their differences decades before, Balliol granted to his cousin, John de Warrene, the earldom of Strathearn, formerly held by Bruce supporter (but temporary Balliol partisan), Malise. Edward III had written to both Balliol and Henry de

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<sup>20</sup> *The Percy Chartulary*, 447; Reid, "Edward de Balliol," 60; Nicholson, *Edward III and the Scots*, 119, 141.

<sup>21</sup> Appendix E, nos. 29, 33-4; *The Percy Chartulary*, 436-7; *Rot. Scot.*, i, 263-4; *CCR, 1333-37*, 327; Stevenson, *Documents*, i, 278, dated before 8 March 1334. It was said that if the value of the manor should exceed £690 16s 6d, the remainder would revert to the king. Walter de Corry had been appointed constable of the castles of Wigtown, Kirkcudbright and Dumfries by Edward I when he had received Balliol's submission in 1292. In May 1351, William de Bohun, earl of Northampton, constable of England and lord of Annandale (the lordship being granted to Humphrey de Bohun after Bruce's murder of Comyn in 1306) was ordered to give Percy the lands. In 1379 the exchequer was authorised to accept the acquittances of Percy's grandson, Henry, earl of Northumberland, for the 500 yearly marks granted to the elder Percy for the exchange of these lands made to Edward III (*CDS*, iv, no. 281).

<sup>22</sup> Appendix E, nos. 18, 33-4; *The Percy Chartulary*, 448-50; *CDS*, iii, no. 1133. It was confirmed on condition that if the land value (said to be £497 17s 8d) exceeded that amount, the remainder would revert to the king.

Beaumont on 2 March 1334 after he had heard that Malise, 'a notorious rebel,' was pressing Balliol to restore his earldom to him. King Edward urged Balliol 'to act with deliberation, and not recall a grant made to one [Warene] who aided him in adversity' and further asked Beaumont 'as one in whom he has full trust' not to allow any suits to be brought before him regarding Malise's restoration.<sup>23</sup> Warene continued to have problems with Strathearn as evident from a letter of November 1338 in which he asked Edward III for a protection for his clerk, Sir Robert Doget, who was going to Strathearn to defend it from the enemy, and including a request to Balliol to deliberate the matter properly, 'so that the earl of Warene and others in like case may not be compelled to bethink them of another remedy.'<sup>24</sup>

The Umfravilles, as seen in previous chapters, were long time supporters of the Balliol family and their loyalty to Edward Balliol was strong. In 1325, Gilbert had succeeded his father, Robert, second son of Gilbert de Umfraville (d. 1307), who during the Barons' War had been brought back into Henry III's peace by John (I). Before 1329, however, Robert I seized the earldom of Angus and bestowed it upon Sir John Stewart of Bonkle.<sup>25</sup> This was later restored to Gilbert, as were many other lands of the Disinherited, by Edward Balliol following his successful invasion. Moreover, through marriage ties, the Umfravilles claimed the Balliol lands of Urr, Tours-en-Vimeu and the barony of Redcastle. Confirmation of their relation to the Balliols, though, remains a mystery. Enguerrand de Umfraville, who took part in King John's government and the 1295 treaty, may have had a Balliol mother (or wife) which accounted for his claims to Redcastle.<sup>26</sup>

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<sup>23</sup> *CDS*, iii, nos. 1118-9. At some point after the battle of Halidon Hill (July 1333), Earl Malise had resigned his earldom to Balliol, who seemingly then gave it to Warene, for which Malise was later accused of treason by David II's parliament in June 1344 (J.M. Thomson, "A Roll of the Scottish Parliament, 1344," *SHR*, ix (1912), 235-40, at 238).

<sup>24</sup> *CDS*, iii, no. 1289; *CCR*, 1333-37, 301.

<sup>25</sup> Barrow, *Robert Bruce*, 274, 282.

<sup>26</sup> Duncan, "The War of the Scots," 127.

Similarly, the Mowbray family were faithful to Balliol's regime, with the exception of a temporary defection in 1334 by Alexander de Mowbray, who had previously been granted lands in Roxburghshire, and his brother, Geoffrey, and another kinsman, Roger. The three were arrested and imprisoned because they endeavoured 'to persuade the king of Scotland to break faith and allegiance to the king of England, and to put his trust in the Scots, regardless of the homage he had done to the king'; this was an accusation which, according to *Lanercost*, Balliol confirmed.<sup>27</sup> By December 1335, about a year after his disputes with Balliol and the Disinherited and his subsequent submission to Scottish allegiance, Alexander had returned to Edward III's peace. In return, the English king granted him the lands he held 'on the day of the homage done to the king by Edward, king of Scotland, at Newcastle-upon-Tyne [in June 1334],' including the manor of Bolton in Allerdale (Cumberland), which Edward III had granted to Anthony de Lucy.<sup>28</sup> Petitions in 1361 by Mowbray confirm that Balliol had given him lands in Roxburgh before Halidon Hill (July 1333), having been forfeited previously by Sir Patrick and Thomas de Chartres although the men appear to have kept them until Neville's Cross more than ten years later.<sup>29</sup>

David de Strathbogie, claiming the earldom of Atholl, was also a leading Disinherited noble. His father's lands had been granted to Isabella de Beaumont, lady de Vescy, during his short minority and he later married Henry de Beaumont's daughter, Katherine. Following Balliol's parliament in February 1334, not only was Beaumont styling himself earl of Buchan and Moray and constable of Scotland, but Strathbogie was in possession of Robert Stewart's lands in Renfrew, Clydesdale and

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<sup>27</sup> *Chronicon de Lanercost*, 290. The chronicler places this episode in the summer of 1337, and must be wrongly dated.

<sup>28</sup> *CPR, 1334-38*, 189; *CDS*, iii, nos. 1111, 1129, 1137, 1189.

<sup>29</sup> *CDS*, iv, nos. 60-1. Edward III restored the lands to Mowbray.

Roxburghshire, possibly with the title of 'steward of Scotland.'<sup>30</sup> This grant may have been influenced equally by Balliol or Edward III as a means to keep a powerful magnate like Strathbogie on their side. The earl's legitimate claim to the vast lands in northern Scotland, including Atholl, Lochaber and Badenoch, in addition to his claims by marriage to Buchan and Moray, certainly underline Strathbogie's importance to the Balliol cause in the north. Edward III may have hoped that Strathbogie's connections in these areas, as well as in Fife, would give the English crown a leading commander north of the border, or even a future Scottish vassal king, and so he appointed the earl as regional lieutenant in early 1334.<sup>31</sup> Strathbogie's presence at previous English parliaments, especially those at York in the winter of 1332-33 which concerned the Scottish war, surely gives testament to this.<sup>32</sup>

Balliol's parliaments would undoubtedly give clues as to his supporters and his first parliaments were likely venues to receive homages and submissions from his subjects. However, detailed accounts for all save one (February 1334) are lacking. His first parliament was held in October 1332 at Roxburgh and the known attendees were David de Strathbogie, Henry de Beaumont, Henry de Percy, Ralph de Neville, William de Shareshull and Thomas de Bamburgh; the following year, October 1333, we find Percy, Neville, Strathbogie and Beaumont.<sup>33</sup> Significantly absent from these initial parliaments was King Edward III, although these men were sent to secure his own interests in Scotland (see below). Other parliaments were recorded on October 1334,

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<sup>30</sup> *Chron. Bower*, vii, 95; *Liber Pluscardensis*, ii, 204; A. Ross, "Men For All Seasons? The Strathbogie Earls of Atholl and the Wars of Independence, c. 1290-c. 1335, Part II: Earl David IV," *Northern Scotland*, xxi (2001), 1-15, at 2, 6; Penman, *David II*, 55.

<sup>31</sup> M. Penman, *The Scottish Civil War: The Bruces and the Balliols and the War for Control of Scotland, 1286-1356* (Stroud, 2002), 114; Penman, *David II*, 61-2.

<sup>32</sup> NA C47/30/2 (14-16); *CDS*, v, pt. ii, nos. 727-8; *Chronicon de Lanercost*, 270; *Scalachronica*, 161; Ormrod, *The Reign of Edward III*, 64, 100.

<sup>33</sup> *Rot. Scot.*, i, 259, 261; *CDS*, iii, no. 1094; *CPR, 1330-34*, 503.

July 1335 and July 1336, and although no mention is made of detailed proceedings they were surely related to military summons and campaigns against the Bruce Scots.

The third parliament, held in Edinburgh on 12 February 1334, however, does provide an outline of his ecclesiastical and noble supporters. Only about half of the Scottish bishops were present including William Sinclair of Dunkeld (d. June 1337), who had also been present at Balliol's coronation, Alexander de Kyninmund of Aberdeen,<sup>34</sup> John de Lindsay of Glasgow (d. August 1335), Adam Murray, bishop of Brechin, Roger de Ballinbreth of Ross, Maurice, bishop of Dunblane, and Simon de Wedale, bishop of Whithorn.<sup>35</sup> This indicates that Sinclair's efforts, as claimed by the Lanercost chronicle, to bring over all the bishops of Scotland to Balliol's peace was not as successful as he had hoped, despite the adherence of the abbots of Dunfermline, Coupar, Inchaffray, Arbroath and Scone.<sup>36</sup>

Among the nobles present at this parliament were Beaumont, Strathbogie, Alexander de Mowbray, Patrick, earl of March, Duncan, earl of Fife, Malise, earl of Strathearn, John de Felton, William de Keith and Alexander de Seton, who had only the year before fought against Balliol at Halidon Hill. Mowbray and Felton, as Balliol's 'commissioners,' were appointed to carry out the terms of perpetual peace made at this parliament, which included Balliol's renewed homage to Edward III for the realm of Scotland.<sup>37</sup> Considering the role which many of these nobles played in the early years of the regime, it is likely that they had also attended later parliaments.

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<sup>34</sup> Kyninmund had been among the group of Scots who travelled to the papal curia in the summer of 1320 to petition the Declaration of Arbroath (Barrow, *Robert Bruce*, 241, 304-5).

<sup>35</sup> *APS*, i, 542; *Foedera*, II, iii, 106; J. Dowden, *The Bishops of Scotland* (Glasgow, 1912), 63, 111, 311. This list was given by William Syreston, a clerk of the York diocese and notary public (NA E39/15/3). Although *Foedera* claims that Henry, bishop of Whithorn (Candida Casa) was present, the *APS* does not mention a bishop of Candida Casa in the records for Balliol, which Dowden supports (*The Bishops of Scotland*, 361). Contrary to Simon's predecessors, this bishop of Whithorn does not appear to have interfered with Balliol, and in 1347, he issued certain letters at Edward's request which provided for Sweetheart Abbey (Reid, "Buittle Church, etc.," 191, 193; *Papal Letters*, iii, 396; see below).

<sup>36</sup> *Chronicon de Lanercost*, 269.

<sup>37</sup> *Rot. Scot.*, i, 261; *CDS*, iii, nos. 1110-1.

In addition to the grants to Henry de Percy and John de Warenne, Balliol also granted to Richard Talbot the castle of Kildrummy, which belonged to Andrew Murray through his wife, Christian de Bruce, and certain lands in Keith, formerly of Robert de Keith, King Robert's marshal, provided that he would 'pledge himself not to take part in any quarrel against the king, excepting in allegiance to him' and would have the castle ready for Balliol 'in case he needs to retreat there.'<sup>38</sup> Gilbert Talbot, kinsman of the above Richard, received the barony of Dirleton in east Lothian, extending to £140 of land, Ralph de Dacre acquired the (unnamed) lands, castles and manors belonging to Roger de Kirkpatrick and Humphrey de Bois, while other grants went to lesser men, such as Thomas de Wakefield, a clerk of Edward III, John de Wirkeleye, master of the hospital of St John of Jerusalem in Scotland, Simon de Sandford, clerk, William de Stapilton, his valet, Reginald More of Fentoun (chamberlain for King David (1329-33, 1334-41) whose suspicious loyalty caused his replacement by William Bullock in 1341), John de Barneby and Robert de Byncestre.<sup>39</sup>

Before November 1336, Balliol had also granted the stewardship of Scotland to Richard, earl of Arundel, 'belonging to him by descent.' In 1339, Richard resigned his hereditary right to the stewardship in favour of Edward III and received in return 1,000 marks.<sup>40</sup> Arundel had been serving Balliol in Scotland by supplying an army along with William Montague, earl of Salisbury. Both men were given substantial payments during the Anglo-Balliol campaigns of 1337-38, including £933 6s 8d for Salisbury's

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<sup>38</sup> BL L.F. Campbell Charters, xxx, 11, 12; NAS RH1/2/107; RH1/2/604/2; Appendix E, nos. 15-6; *Nat. MSS Scot.*, ii, nos. 35, 37.

<sup>39</sup> Appendix E, nos. 6-7, 32, 35, 38-9, 44-6; *CDS*, iii, nos. 1130, 1139, 1189, 1223, pages 330, 336; *CPR*, 1330-34, 557; *Rot. Scot.*, i, 294, 386; *The Percy Chartulary*, 436. Wakefield received the hospital of St Leonard near Edinburgh, confirmed by Edward III from Barnard Castle; Wirkeleye received the manor of Templiston, also near Edinburgh; Sandford, the hospital of Rotherford; Stapilton, lands in Liddesdale and Teviotdale; More, fifteen husbandlands in the barony of Drem; Barneby, the vill of Elstaneford (Haddington); Byncestre all the Scottish lands of Alexander de Seton. Byncestre also received lands of Sir Roger de Stirling in Berwick by Edward III (*CDS*, iii, no. 1114).

<sup>40</sup> *CDS*, iii, no. 1218. This was probably granted after November 1335 (when the earl of Atholl, also claiming the stewardship, was killed in battle at Culblean).



'fees,' £2,003 17s 7½d for wages, £155 compensation for eight horses and an imprest to Arundel for £109.<sup>41</sup>

Within months of his successful invasion, Balliol had to show gratitude and rewarded all his partisans, lesser men and nobles, by grants such as one in July 1333 from York to William Duresme, a merchant of Darlington, of the unnamed lands of William de Eughless with a yearly value of £40 and witnessed by Beaumont, Strathbogie, Richard Talbot, Thomas Ughtred and John de Felton.<sup>42</sup> In September 1333 at Glasgow, Balliol granted Geoffrey de Mowbray, brother of Alexander, lands in Roxburgh and Selkirk Forest in right of his wife, Isabella, countess of Mar.<sup>43</sup> Edward Balliol also had a small personal following of lesser nobles such as Sir Edmund Barde, Sir Robert Gower (of Aldington Manor, Kent), Sir William de Aldeburgh (and his kinsmen, John and Richard), William de Stapilton, John de Neuson, Thomas de Reynyngton, William Strugg, John de Bolton, Thomas de Thorp, John de Weston, John de Wygnynton, Thomas de Bride, Richard Sefoul, John Rok and Roger de Tong. Many of these men, named as valets or attorneys, had received payments on Balliol's behalf from the English crown and were likely Englishmen rather than Scotsmen, possibly assigned to Balliol's service by King Edward.<sup>44</sup> Among the Scots who might have been tempted to join the Balliol party in the 1330s, one might include men from the northeast, or even Fife and on the Borders, whose earls, such as Duncan of Fife and

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<sup>41</sup> *Rot. Scot.*, i, 503; A.E. Prince, "The Payment of Army Wages in Edward III's Reign," *Speculum*, xix, 2 (1944), 137-60, at 142, 144-5. In total, during 1337-38, the English king had paid over £1,250, including payments to the wardens of various castles in Scotland and a payment to Balliol of £173.

<sup>42</sup> Appendix E, no. 17; *CPR, 1334-38*, 110. This grant, as well as certain pardons listed below, suggests that Balliol had some kind of following in Yorkshire.

<sup>43</sup> *Rot. Scot.*, i, 278. Balliol may have had the custody of the child earl of Mar, Thomas, who was handed over to Edward III with his half-brother, Thomas Balliol, and perhaps Isabella of Fife, in early 1334 at Newcastle (Penman, *David II*, 51, 96, 159). Mar was later placed in the custody of his stepfather, William of Carswell (*Rot. Scot.*, i, 708).

<sup>44</sup> Reid ("Edward de Balliol," 50) gives many of these, but also omits some. See the payment log in Appendix F for records of received payments. On 14 December 1332 while at Roxburgh, Balliol granted to his valet, Richard Sefoul, £20 of land held by his forbears (*CDS*, iii, no. 1249; *Rot. Scot.*, i, 514). This was confirmed by Edward III in November 1337.

Patrick of Dunbar, had changed allegiance at some point during the course of the war, but especially in Galloway, as previously outlined. The chronicler of Lanercost's claim that Balliol should 'put his trust in the Scots' might suggest that there was a sufficient number of Scots who would support him.

Because of the circumstances of his reign and the lack of extensive parliamentary records and appointments, it is difficult to confirm the officers of Balliol's government. According to Sir James Balfour's fifteenth century 'List of Officers of State,' Sir Alexander Lindsay remained justiciar of Scotland north of the Forth 'in the absence of King David II during the reign of Edward Balliol, the usurper.' Similarly, the manuscript claims that Sir Alan Lyle, sheriff of Ayr, was made Great Chamberlain at Renfrew in 1334 but was displaced in favour of William Bullock, Balliol's chaplain.<sup>45</sup> Bullock was subsequently dismissed before 15 October 1335, when Thomas de Burgo (de Burgh) is mentioned as chancellor and chamberlain<sup>46</sup>; however, Burgh is also mentioned as 'chancellor of the king's [Edward III] lands in Scotland' and 'chamberlain of Berwick-upon-Tweed' which highlights the English king's influence in Balliol's government.<sup>47</sup> Godfrey de Ros appears as sheriff of Ayr and Lanark until his death in 1335/6 and may be related to (or the same as) a Godfrey de Ros who witnessed a charter by King John Balliol in June 1295 to the church of Glasgow.<sup>48</sup> David Wemyss, sheriff of Fife (1337-59), was previously a Bruce supporter

<sup>45</sup> NLS Adv.MS.33.2.10 ff.55, 82; Reid, "Edward de Balliol," 49; *Chron. Bower*, vii, 97; *Chron. Fordun*, i, 364. However, Bower claims that Lyle was appointed sheriff of Bute and Cowal at this time, not chamberlain (*Chron. Bower*, vii, 97). It is not known which source Balfour used to confirm his claims.

<sup>46</sup> *CDS*, iii, nos. 1194, 1196, 1250-1; *Rot. Scot.*, i, 384; Reid, "Edward de Balliol," 61. Bullock was later admitted to the privy council of David II 'but being accused of high treason in [taking] the castle of Cupar and St Andrews in Fife for Edward Balliol while King David remained in France, he was condemned to perpetual prison in the castle of Lochindorb in Badenoch where he perished miserably of famine in 1342' (NLS Adv.MS.33.2.10 f.56; *Chron. Bower*, vii, 127, 141-5; Brown, *The Black Douglases*, 42; Penman, *David II*, 90).

<sup>47</sup> *CDS*, iii, nos. 1194, 1250.

<sup>48</sup> *Chron. Bower*, vii, 107; *The Book of Caerlaverock: the Memoirs of the Maxwells, Earls of Nithsdale, Lords Maxwell and Herries*, ed. W. Fraser (Edinburgh, 1873), i, 102-3. For the grant, confirming a donation of Dervorguilla de Balliol see Appendix D, no. 36; *Registrum Episcopatus Glasguensis*, i, no.

and did not join Edward Balliol's party until 1333 along with his cousin, Sir Michael Wemyss; now in Balliol's allegiance, both men took part in the 1335 English siege of Lochleven Castle.<sup>49</sup> This may have been a reflection of Duncan, earl of Fife's own behaviour, who before this had also shifted his allegiance to the Balliol cause. However, the loyalty of all Balliol's supporters depended on his military victories and his ability to retain the Scottish throne; while Robert Bruce had managed to overcome the same difficulties, Balliol had other problems as well.

The first five years of Balliol's reign were essential to the maintenance of his rule. However, he had difficulty asserting royal authority and re-establishing a strong kingship in Scotland. This was quite possibly a reflection of his treatment by Edward I and Edward II during Balliol's early career and his failure to secure his inheritance. His attempts to gain control of the kingdom are seen mostly through his patronage offered to his supporters, primarily by way of granting forfeited Scottish lands, as given above. Ironically, Balliol's position in the early years of his reign is comparable to the plight in which Robert Bruce found himself from 1306-14, especially 1307-10, when he also lacked a great amount of support. Yet, Bruce eventually succeeded because of his 'single-mindedness, ruthlessness and contempt for legal niceties,'<sup>50</sup> and his support from regional leaders, including James the Steward (before his death in 1309), Bishop Wishart of Glasgow and Sir James Douglas. His many acts of legislation after 1309, including the Statute of the Disinherited and two tailzies (1315 and 1318), as well as the Declaration of the Clergy and the Declaration of Arbroath illustrate a king who had to

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250. Ros was apparently killed by Maurice de Murray to avenge his brother's death (*Chronicon de Lanercost*, 285).

<sup>49</sup> *Chron. Bower*, vii, 97-9; *Memorials of the family of Wemyss of Wemyss*, ed. W. Fraser (Edinburgh, 1888), i, 14-6, 35-8. David was son of John Wemyss and nephew of Michael Wemyss, John (II)'s auditor in 1291-92.

<sup>50</sup> Tanner, "Cowing the Community?," 72. Indeed, the 1315 and 1318 tailzies called for oaths declaring allegiance to Bruce to be given by those assembled, suggesting that Bruce—nine years after his usurpation of the throne—still felt a threat of internal dissension (Tanner, "Cowing the Community?," 65; Duncan, "The War of the Scots," 128).

exploit the role, concept and ideology of the 'community of the realm' to put forth a more powerful image. Moreover, the seals on the 1315 tailzie issued by Bruce, which declared that his brother, Edward, would be his heir, suggest great manipulation on Bruce's part as he was forcing those nobles who might have had wavering loyalties to declare the allegiance publicly.<sup>51</sup> Edward Balliol also possessed ruthless characteristics by forfeiting the Bruce Scots following his invasion. His repeated homages to Edward III in 1332-34 surely would not secure loyalty from these Scots, despite his clear motivation and determination to lead and rule Scotland.

With the exception of a few charters from Perth, Scone and Glasgow, Balliol's rule consisted of only the southern portion of Scotland, namely, Edinburgh, Galloway and the Borders.<sup>52</sup> Even after the Scottish defeat at Neville's Cross in 1346, Balliol, and any court which he could claim to have, had been reduced to a confined residence on Hestan Island in Galloway.<sup>53</sup> The extent of his royal itinerary, then, underlines the difficulty of exerting his authority throughout the entire realm.

His reign was also one of uncertain loyalties and heavily based on conquest and conflict. Nearly all of Balliol's surviving charters, close to seventy, dealt with land grants to his supporters and were usually in connection with disinherited Bruce followers, indicating that Balliol's military regime lacked real political organisation. Admittedly, this is justified by campaigns against the Bruce Scots which had been financed by the English crown, as well as the insistence made by King Edward in 1335 that Balliol should have a constable and marshal in his army. Indeed, the structure of his government, although severely lacking in official duties, did have a chamberlain and a chancellor and appeared to be partly functional. Moreover, his first parliament, held

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<sup>51</sup> Tanner, "Cowing the Community?," 68.

<sup>52</sup> See Appendix E for a list of *acta*.

<sup>53</sup> Indeed, Galloway, as part of the Balliol inheritance, was perhaps the only area in Scotland that was familiar to Edward.

within six weeks of his initial victory and within a week of his enthronement, reveals that the Scots may have recognised his kingship more readily than that of Bruce, who held his first parliament only after three years on the throne. Yet, the fact that Balliol remained childless and unmarried added to the insecurity of the future of the dynasty and perhaps lessened his status as king. The lack of a firm support base no doubt depicted Balliol as a usurper and not a legitimate king, especially in the eyes of both Englishmen and Scots. Again, that Bruce was also viewed as a usurper by some after 1306 is noteworthy. Initially, he too had difficulty creating a stabilised political structure and obtaining recognition for his seizure of the throne. As mentioned earlier, his ability to manipulate the administration of the regime, especially from 1309-20, by issuing several propaganda pieces outlining his alleged support was essential to his eventual success as king, particularly when combined with patronage to his subjects and his military successes. Balliol, on the other hand, lacked this ability, despite a determination to establish some royal authority through patronage and parliament. However, his isolation in Scotland, with few natural followers, meant that the regime would contain fatal flaws no matter how firm its foundation.

Indeed, Balliol was viewed by the English as the ‘the very and true king of Scotland, as by heritage and right line.’<sup>54</sup> But even to the English, Balliol’s success at Dupplin had not been expected. An English parliament in September 1332 had decided that it would be best for Edward III to proceed northwards and voted him a tenth and fifteenth ‘for the safety of the realm against incursions from Scotland.’ What this implies, as Jonathan Sumption believes, is that the English nobles suspected that Balliol’s efforts were likely to fail, despite his initial success, and that ‘the main danger

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<sup>54</sup> *Chronicon Angliae, ab anno domini 1328 usque ad annum 1388: Auctore Monacho quodam Sancti Albani*, ed. E.M. Thompson (London, 1871), 4; *The Brut*, ii, 291. As Nicholson points out, in BL MS Harl.530 f.104, a written account of the Scottish succession beginning with Malcolm Canmore and ending with Edward Balliol does not include the two Bruce kings (Nicholson, *Edward III and the Scots*, 7).

was of retaliatory raids by a revived and strengthened government of Scotland.<sup>55</sup> It might also suggest that the English nobles were not concerned with securing Balliol's power in Scotland. As will be seen later, the magnates found it difficult to decide how to proceed with Balliol and his conquests in Scotland and frequently could not decide on a course of action. Obviously, Balliol had already experienced this indifference and reluctance under Edward I and Edward II concerning his English inheritance, yet the slow pace of military reinforcements from the English parliaments and Edward III would undermine his success in Scotland.

#### *The Anglo-Balliol Campaigns, 1332-40*

After his coronation, Balliol headed south into Galloway, perhaps to rally more support from this area, known to have pro-Balliol sentiments, before continuing to Roxburgh. His seemingly quick victory over the Scots was anything but secure, as the Scots would not succumb so easily to Balliol's rule, despite their own problems with the constant change in leadership. The Scots, led by Simon Fraser, succeeded in retaking Perth from Balliol's forces under the earl of Fife in early October 1332 and later the new guardian, Andrew Murray, and his distant cousin, Archibald Douglas, brother of Sir James (d. 1330), followed Balliol into Galloway and on to Roxburgh. It was in a skirmish here that Murray was captured and replaced by Douglas as guardian.<sup>56</sup>

With Murray captured and Roxburgh effectively secured by Balliol's forces, Edward remained there for two months receiving submissions and issuing charters to some of his supporters, granting them nearby lands of forfeited Scots. Sir Ivo de Aldeburgh, a Yorkshire man, who was a warden of Roxburgh in 1312 and the father of

<sup>55</sup> *Rot. Parl.*, ii, 66-7; Sumption, *Trial by Battle*, 126; Nicholson, *Edward III and the Scots*, 94-5. Moreover, Balliol was about fifty years old and still childless.

<sup>56</sup> Brown, *The Black Douglasses*, 34; Brown, *The Wars of Scotland*, 235; Penman, *David II*, 49.

William de Aldeburgh, Balliol's trusted friend in later years, was granted the lands in Broxmouth forfeited by Andrew Gray.<sup>57</sup> Similarly, Thomas de Ughtred was granted Sir John Stewart's manor of Bonkle and other lands while Walter de Selby received Plenderleith forfeited by William Wyschard (Wishart?). Many of Balliol's charters are missing witness lists, but Ughtred's charter provides a list and thus a reasonable assumption of who were Balliol partisans immediately following his successful invasion: the earls of Buchan (Beaumont), Atholl (Strathbogie), Angus (Umfraville) and Fife (Duncan), Richard Talbot, Henry de Ferrers, Alexander de Mowbray and Eustace de Maxwell, knights.<sup>58</sup>

The new government under Edward Balliol—while lacking organisation and strength—initially appeared ready to secure royal authority, as apparent from a parliament held at Roxburgh in October. On 1 October 1332, Edward III had requested that David de Strathbogie and Henry de Beaumont 'assist in procuring the assent' of Balliol's parliament 'now in session' to the agreements made between the two kings. In addition, the English king sent Henry de Percy, Ralph de Neville, William de Shareshull and Thomas de Bamburgh to attend the parliament and 'to sue out such confirmation and to receive in his name whatever is due by the agreements.'<sup>59</sup> What this suggests, however, is that Balliol was not in full control as king and was subject to the requests of the English king, in some ways comparable to his father's position as king under the Comyn regime and Edward I.

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<sup>57</sup> *CDS*, iii, nos. 319, 1480; *Rot. Scot.*, i, 707; Reid, "Edward de Balliol," 50, 59, dated 3 October 1332.

<sup>58</sup> Appendix E, nos. 8-9; *Rot. Scot.*, i, 273, 820; *CPR, 1330-34*, 553; *CDS*, iii, nos. 1128, 1670, both given at Roxburgh 20 and 24 October, respectively. Edward III confirmed Ughtred's charter in June 1334 and again in April 1340 (*CDS*, iii, nos. 1129, 1327). Ughtred was promised that if the lands were recovered by Stewart's heirs, 'or by any other,' he would be granted land of equal value elsewhere in Scotland.

<sup>59</sup> *CPR, 1330-34*, 503. William de Shareshull was later paid £13 6s 8d for his expenses going to Scotland to 'expedite the business of the lord the king of England, in the parliament of the said king of Scotland' (*Issues of the Exchequer*, 143). By the beginning of August 1333, Bamburgh was serving as chancellor of the English-controlled town of Berwick (*Rot. Scot.*, i, 257).

These agreements were related to Balliol's homage and fealty to Edward III, likely given before the July invasion and which was confirmed by letters patent drawn up in late November.<sup>60</sup> At a subsequent parliament in February 1334, he renewed this homage and granted to Edward III 'in pursuance of an act of his parliament in Edinburgh' (held in October 1333) the town, castle and county of Berwick, in part of £2,000 of lands in Scotland, to be annexed to the English crown.<sup>61</sup> This is similar to Balliol's previous grants to Percy (1333-4) of lands south of the Forth, suggesting that Balliol did not have possession of much of the kingdom and what he did control was not the wealthiest. It appears from these negotiations that Edward may have been hoping for a divided kingdom, or even lordship, of Scotland with the English king in control of the Borders area possibly to protect English interests in Northumbria and Cumbria. In doing so, full English control might have extended the Anglo-Scottish border upwards to the Forth, and eventually included Galloway (if certain intentions—discussed below—involving his second son, Lionel, are to be believed). Balliol, though, might have secured more support for his claims to the throne if he had retained the Borders, which were nearer to his family's former strongholds in northern England. It would seem more plausible that he would welcome this proposition since he might have been placed in a position to act as king's lieutenant in the north.

As Nicholson points out, these agreements from 1332 to 1334 outlined the nature of Balliol's homage but made no mention of wardship, relief or attendance at English parliaments, focusing instead on military service.<sup>62</sup> This shows that the nature of the relationship between Edward Balliol and Edward III was quite different from that between King John and Edward I, who demanded John's presence at English

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<sup>60</sup> *Foedera*, II, iii, 84-5; *Les Grandes Chroniques de France*, v, 353. As Nicholson points out, Balliol does not appear to have returned to England between July and December, thus the homage mentioned in November must have taken place before the invasion (Nicholson, *Edward III and the Scots*, 76).

<sup>61</sup> *CDS*, iii, nos. 1108-12. This grant was confirmed in June 1334 (NA E39/11; *CDS*, iii, no. 1127).

<sup>62</sup> Nicholson, *Edward III and the Scots*, 98.



parliaments as well as military obligations. Many historians assume that Edward's homage was to be expected because of his father's behaviour towards Edward I. Yet, Edward's homage cannot be compared or related to his father's actions in 1292. Admittedly, both had become kings of Scotland with the support of the English king, but unlike John (II), who had wealth and status prior to his kingship, Edward had risen from nothing and remained more of an English client. Moreover, while Edward III was keen to support Balliol financially, this was only after his initial victory; it was the military experience of the Disinherited which was perhaps the only reason for his successful campaign in 1332. The fact remains that his more capable support base was this group of nobles, who had slightly greater influence, rather than the seemingly larger following of lesser nobles and servants. Nonetheless, because the Disinherited had also failed to regain their own lands, Balliol's chance to increase his power and influence in Scotland would be damaged.

At least Balliol understood his limitations and knew that long-term peace was only possible if a truce was proposed. According to the chroniclers of Melsa and Walsingham, shortly after the Scots lost Roxburgh the new guardian, Douglas, and Patrick, earl of Dunbar, approached Balliol to suggest a truce until February 1333. By its terms, both sides would agree to come together at a parliament where they would establish peace terms and choose one king to reign over them. Balliol appears to have agreed and subsequently released his English troops from his service, although as Chris Brown argues, the troops had likely reached the end of their contracts and Balliol could no longer pay them to continue their services.<sup>63</sup> The importance of the truce, however,

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<sup>63</sup> Brown, *The Second Scottish Wars of Independence*, 33-5. This was likely true as Balliol himself does not appear to have received any payments from Edward III until 21 July 1334 (500 marks). On 7 June 1335, he received a payment of £200 for the wages of his men-at-arms (NA E404/3/18; E403/282 m.10; CDS, v, pt. ii, no. 738).

was that ‘the true king, Edward, ignorant of the treachery,’ was lured into a trap by the Scottish leaders.<sup>64</sup>

The royal entourage, now without a sufficient army, made their way back to Galloway from Roxburgh, where Balliol may have been planning to spend Christmas. There, Balliol’s false sense of security was increased by additional support given to him by local men, including Alexander Bruce, earl of Carrick, a bastard of Edward Bruce (d. 1318).<sup>65</sup> Certainly, to have a leading member of the Bruce family come into his peace was significant and Balliol, being unaware of the Scots’ intentions, no doubt relaxed his guard even more. The surprise night attack on the Balliol forces at Annan in mid-December by the Scots under Douglas, John Randolph and Robert Stewart succeeded in raising the Bruce party’s morale while dealing a heavy blow to Balliol’s efforts. John de Mowbray, Walter Comyn and, allegedly, Henry de Balliol, Edward’s brother and heir, were killed.<sup>66</sup> As stated in Appendix A, however, this Henry may not have existed or perhaps was Henry de Balliol of Cavers, sheriff of Roxburgh. Indeed, the chroniclers speak of a certain Henry de Balliol who ‘witht a staf faucht sa sturdely, [and] dyntis gaf richt manlely, that men hym loffit eftyr his day,’ although this might have been propaganda, manufactured to portray Edward Balliol as a less knightly warrior.<sup>67</sup>

Luckily, Edward Balliol himself escaped through a ‘hole in his chambre’ and quickly fled to Carlisle ‘on a barme hors with leggis bare’ and took refuge at Morholm with his cousin, Christian de Lindsay, lady of Lamberton, who was the daughter of Ada

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<sup>64</sup> *Chronica Monasterii de Melsa*, ii, 366-7; *Thomae Walsingham, Historia Anglicana*, i, 195.

<sup>65</sup> *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 26, lines 3682-4; *The Brut*, 281. This may have been propaganda on the part of Wyntoun, as well as Bower, to blacken Alexander Bruce’s name in order to gloss over Robert Stewart’s own actions at this time (Penman, *David II*, 40-1).

<sup>66</sup> *Chron. Fordun*, i, 356; *Liber Pluscardensis*, ii, 267; *Chronicon de Lanercost*, 270-1.

<sup>67</sup> *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 26, lines 3720-3; *Chron. Bower*, vii, 81-5; Appendix A.

de Balliol, sister of John (II).<sup>68</sup> According to the Lanercost chronicler, who illustrates Balliol's regional support in northern England, he had spent Christmas in the house of the Friars Minor, 'receiving money and gifts and presents...from the country and the town; for the community greatly loved him and his people because of the mighty confusion he caused among the Scots when he entered their land.' The crestfallen king then went to Westmorland and remained there with Robert de Clifford, 'at his expense,' to whom Balliol granted Douglasdale in Scotland 'provided that God should vouchsafe him prosperity and restoration to his kingdom,' a perhaps desperate aspiration at this point.<sup>69</sup>

Balliol's uncertain situation was mirrored by that of the English government as the magnates present, including Beaumont and Strathbogie, at the winter 1332-33 parliaments at York were unable to reach a conclusion concerning Scotland, being either indifferent to the matter 'concerning the pursuit of new right and the keeping of the old' or even hostile to King Edward's plans to invade Scotland.<sup>70</sup> Edward III, though, appeared keen to support Balliol's conquests and soon began authorising payments, supplies and other necessities to be shipped north towards the Border.<sup>71</sup> Edward Balliol could now claim the military support of such English nobles as William Montague, Ralph de Neville, Henry, earl of Lancaster and Richard, earl of Arundel, with whom he set out for Scotland in early 1333, besieging Berwick from March.<sup>72</sup> Edward III 'made his ceremonial entry' into the town in May 1333 at which time he

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<sup>68</sup> *The Original Chronicle of Andrew of Wyntoun*, Book 8, Chapter 26, line 3727; *The Brut*, i, 281; Sinclair, *Heirs of the Royal House of Baliol*, 5.

<sup>69</sup> *Chronicon de Lanercost*, 271. There does not appear to be any surviving charter of these lands.

<sup>70</sup> NA C47/30/2 (14-16); CDS, v, pt. ii, nos. 727-8; *Chronicon de Lanercost*, 270; *Scalachronica*, 161; Ormrod, *The Reign of Edward III*, 64, 100; Nicholson, *Edward III and the Scots*, 100. At one point, the argument supported Edward III's claim to direct lordship of Scotland, 'to the exclusion of both Edward Balliol and David Bruce' (CDS, v, pt. ii, no. 728).

<sup>71</sup> *Rot. Scot.*, i, 239-45; CCR, 1333-37, 7-8, 26-7.

<sup>72</sup> These forces made their way through Roxburghshire and Teviotdale before heading toward Berwick to face the Scottish forces of Patrick de Dunbar, earl of March and Alexander de Seton (*Chronicon de Lanercost*, 272; *Chronica Monasterii de Melsa*, ii, 367; *Chron. Knighton*, i, 466; *Scalachronica*, 162).

appointed Balliol as governor, leaving men with him ‘to help preserve the conquests’ he had made from the Scots, and to defend the frontier.<sup>73</sup>

In the following weeks, more reinforcements arrived with men, ships, supplies and siege engines with finances from the English king reaching nearly £6,000.<sup>74</sup> While negotiations were being made concerning the surrender of the castle and town of Berwick with Patrick, earl of March (who had recently defected back to the Bruce Scots), William de Keith and others,<sup>75</sup> the Scottish guardian, Douglas—perhaps too eager for victory—decided to lead the Scots into battle in hopes of retaking the town. On 19 July at nearby Halidon Hill, Douglas and his men met the combined forces of Balliol and Edward III with defeat. Douglas, Alexander Bruce, earl of Carrick (who had rejoined the Bruce camp after Annan), John Campbell, earl of Atholl, and the earls of Lennox, Ross and Sutherland were among the dead; Patrick, earl of March quickly switched allegiance and was granted by Edward III £100 of land in England.<sup>76</sup>

The second heavy defeat faced by the Scots in such a short time was indeed a terrible blow for the Bruce cause and negated their victory at Annan. The Bruce Scots had not only lost a great number of earls and noblemen, but also leading men in the powerful families of Bruce, Douglas and Randolph. This was beneficial to Balliol’s cause, however, and combined with his financial and military support from Edward III and the Disinherited, the royal authority of the regime—whether it was that of Balliol or Edward III—was much more easily enforced. Even the monks of Durham recognised Balliol as king of Scots and asked him to take the priory of Coldingham into his

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<sup>73</sup> *Jean Froissart, Chroniques*, i, 90; *Froissart’s Chronicles*, 64.

<sup>74</sup> NA E403/266 m.22; Nicholson, *Edward III and the Scots*, 115; Brown, *The Wars of Scotland*, 235-6. A.E. Prince, however, claims that King Edward had not fully financed Halidon, providing only £629 (“The Payment of Army Wages in Edward III’s Reign,” 138).

<sup>75</sup> *Rot. Scot.*, i, 253-4.

<sup>76</sup> *Chronica Monasterii de Melsa*, ii, 370-1; *Chronicon de Lanercost*, 275; *CDS*, iii, no. 1081, dated 28 July 1333); *Foedera*, II, iii, 98.

protection.<sup>77</sup> Indeed, any opposition which the Balliol forces faced after Halidon Hill was minimal, with the Bruce Scots only holding four castles in their possession (Dumbarton, Lochleven, Kildrummy<sup>78</sup> and Urquhart) by the end of 1334. Yet, as Brown rightly argues, because Edward III failed to send out campaigns in Scotland in 1333 and 1334, the victories at Berwick and Halidon Hill were not fully exploited.<sup>79</sup> However, the king did appoint Englishmen as officers in Berwick, including Henry de Percy as *custos* of the castle and town and Thomas de Bamburgh as chancellor. Also, Percy, Robert de Clifford, Anthony de Lucy and Ralph de Dacre were assigned to guard the Marches, Northumbria and Cumbria against Scottish invasions.<sup>80</sup> Despite this, the Bruce Scots were able to recover quickly from their losses at Berwick and Halidon. Again, it seems that Balliol and his adherents relied heavily on Edward III's support and the more attention the English king gave to Balliol's cause the stronger it would appear to the Scots.

Before October, Edward Balliol seemingly took his own initiative in exerting military force and had apparently commissioned 'certain men of Hartlepool' to capture a ship 'as contraband of war' which had been carrying wool and hides.<sup>81</sup> In the same month, Balliol held another parliament in Edinburgh, to which Edward III had again sent English representatives—Henry de Percy (who also held Scottish lands) and Ralph de Neville included—while asking David de Strathbogie and Henry de Beaumont 'to aid in giving effect to the treaty between the king of Scotland and himself.'<sup>82</sup> The fact

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<sup>77</sup> DCM Misc.Ch.1202; Nicholson, *Edward III and the Scots*, 141-2, appendix no. 8 (page 240).

<sup>78</sup> As Kildrummy had been granted to Richard Talbot in February 1334, it seems plausible to suggest that this castle was in Balliol hands, at least until Talbot was captured by Bruce forces in August (Ross, "The Strathbogie Earls of Atholl, Part II," 11).

<sup>79</sup> Brown, *The Wars of Scotland*, 236-7; Penman, *David II*, 51.

<sup>80</sup> *Rot. Scot.*, i, 256-7.

<sup>81</sup> *CDS*, iii, no. 1097, reply (dated 25 October 1333) to a writ of Edward III issued in regard to the complaints of burgesses of Bruges.

<sup>82</sup> *CDS*, iii, no. 1094; *Rot. Scot.*, i, 259, 261; *Foedera*, II, iii, 100; *Chronicon de Lanercost*, 276; *Scalachronica*, 163-4 (which gives Scone as the parliament's venue); Brown, *The Wars of Scotland*, 236 (which states the parliament took place on 17 September at Scone).

that Edward III was negotiating with Balliol after their victories over the Scots, combined with Froissart's claim that King Edward wanted to 'preserve the conquests'<sup>83</sup> he made, confirms that the English king was the benefactor behind the war, with Balliol being the means to success. Edward was certainly attempting to maintain his own interests in the Scottish war and the kingdom and perhaps did not have full trust in Balliol. English representation in Balliol's parliaments appeared to have become regular as illustrated by Northumbrian David de Wooler's attendance at parliaments in Edinburgh in October 1334, July 1335 and July 1336, being paid for eight days wages each time.<sup>84</sup> The frequency of parliaments held in Edinburgh is suggestive that perhaps this was the only area which Balliol controlled. Admittedly, after granting southern Scotland to Edward III as well as a close equivalent of 3,000 marks south of the Forth (presumably in Annandale) to Henry de Percy, there would not have been much of a kingdom south of the Forth left for Balliol to claim as his own. Again, this may have been the English king's intention throughout the early years of the war. His favour towards David de Strathbogie, whom the king made lieutenant in the north in early 1334, combined with the military and commanding experience of Henry de Beaumont, may have been a strategic arrangement of a triumvirate of power, with Balliol serving only as a figurehead of King Edward's authority.

Although he made provisions for the cession of six southern Scottish sheriffdoms (Lothian, Berwick, Roxburgh, Selkirk, Pebbles and Dumfries) to England in previous parliaments, this was not confirmed until mid-June 1334 because of delays caused by the survey of the lands in question.<sup>85</sup> Not only did this include the promise of

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<sup>83</sup> *Froissart's Chronicles*, 64.

<sup>84</sup> *CCR*, 1333-37, 267 (dated 24 October 1334 from York); *Foedera*, II, iii, 120; *CDS*, iii, no. 1169 (dated 29 July 1335); *Issues of the Exchequer*, 145 (dated 26 July 1336). He was paid 3s per day (24s) as well as 30s for ten days previously spent at another parliament, perhaps the one held in October 1333.

<sup>85</sup> *Rot. Scot.*, i, 260; *Foedera*, II, iii, 115-6. The lands taken from Dumfries included the Balliol lands of Buittle, Kenmure and Kirkandrews. At its confirmation, Balliol also gave homage to Edward III in the

land but, moreover, Balliol agreed to maintain a certain number of men-at-arms in English service and offered to marry Edward's sister, Joan—currently married to David Bruce although Balliol did not view it as binding—and augment her dower in addition to providing for David.<sup>86</sup> It appears that perhaps Edward Balliol, keeping his hopes alive with the prospect of marrying the king's sister, was behind these negotiations, which were brought forth again during negotiations of a truce in 1336. Edward Balliol was now fifty-two years old, unmarried (though perhaps divorced) and as yet had no children. Marrying the thirteen-year-old Joan would at least give him a chance to produce an heir and continue the Balliol line, which would be a necessity should his kingship become secured and accepted by the Scots. Yet, when it was clear that a divorce between Joan and David was not forthcoming, Balliol still remained unmarried despite the availability of a suitable English or Scottish noblewoman, for example, Eleanor Douglas, widow of Alexander Bruce (who died at Halidon) and countess of Carrick, who would later be married into other political families, or Henry de Beaumont's daughter, Katherine (who was married around 1330 to David de Strathbogie).<sup>87</sup> Surely, if Edward III had intended to secure Balliol's position on the Scottish throne permanently, he too would have been attempting to arrange a marriage, and the possibility of Joan of the Tower as Balliol's bride would be equally beneficial to Edward III. However, because King Edward had not sought a royal marriage for Balliol, it may indicate his indifference to Balliol's status.<sup>88</sup>

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presence of the earls of Cornwall, Warenne, Atholl, Dunbar, Mar (a minor) and Buchan, the archbishop of York and the bishops of Carlisle and Durham (*Chronicon de Lanercost*, 277).

<sup>86</sup> NA E39/11; CDS, iii, no. 1108; *Foedera*, II, iii, 85, 115; Sumption, *Trial by Battle*, 154.

<sup>87</sup> After Bruce, Eleanor Douglas married James Sandilands of Calder (d. 1357), William Towers of Dalry, Sir William Cunningham of Kilmaurs (Ayrshire) (married by 1363) and Patrick Hepburn (Penman, *David II*, 291; Brown, *The Black Douglases*, 68). For Katherine de Beaumont's marriage, see *Fine Rolls, 1327-37*, 488; Ross, "The Strathbogie Earls of Atholl, Part II, 2. Isabella of Fife, heiress of Earl Duncan, was born around 1329-32 and at this time was a ward of her grandfather, Ralph de Monthermer; due to Balliol's own age, she may have been too young to be considered.

<sup>88</sup> Also, if the English king hoped that the young earl of Atholl, David de Strathbogie, would become a great Scottish leader (or king), it would seem more plausible that he should marry Joan rather than Balliol.

The two Edwards strengthened the provisions from this parliament on 1 March 1334 when they both came to an agreement by which they would bound themselves, with the consent of parliament (in Balliol's case, of his magnates and people), to aid each other in all their wars. If Balliol failed to provide certain services, including the right of homage and fealty and the service of men-at-arms of Scotland and the Isles, a fine of £200,000 and the English king's right to enter the kingdom would be imposed. Also included in these agreements was a quitclaim to Balliol and his heirs of all right to the *lordship* of Scotland, saving the £2,000 of land ceded to the English crown, suggesting that English overlordship did exist during Balliol's reign, similar to the relationship England had with Gascony, Wales and Ireland.<sup>89</sup> A separate document also made clear that Balliol would not be bound to attend the parliaments of the English king, suggesting that perhaps he had learned from his father's dilemma under Edward I, although, in fact, he would be summoned to two English parliaments, one at Easter 1348 and another in January 1349, concerning the affairs of England, Scotland and France and the recent treaty at Calais.<sup>90</sup>

At first, Balliol's cause appeared to have gained strength and in May 1334, David Bruce and some of his followers were driven out of Scotland and fled to France, to take refuge with Philip VI. Edward III continued to grant financial support to Balliol and the Disinherited during the summer with payments made on 21 July to Balliol for £333 6s 8d, to Beaumont, £266 13s 4d, to Strathbogie, earl of Atholl, £100 and to Sir Richard Talbot, £66 13s 4d.<sup>91</sup> Yet, as immediately after their victories the year before,

<sup>89</sup> Appendix E, no. 27; NA SP58/1/6; *Rot. Scot.*, i, 261-3; *CDS*, iii, no. 1116, from York; M. Prestwich, "Colonial Scotland: The English in Scotland under Edward I," in *Scotland and England 1286-1815*, ed. R. Mason (Edinburgh, 1987), 6-17.

<sup>90</sup> *Rot. Scot.*, i, 262; *CDS*, iii, nos. 1526, 1538; *CCR*, 1346-49, 607, 614. His attendance at the St Hilary parliament in January was prorogued until the quinzaine of Easter because of the outbreak of the plague.

<sup>91</sup> NA E404/3/18, dated 16 June 1334, but paid on 21 July. Just over a week before this, Balliol had been in attendance with the king and queen of England, and others, for the consecration of Bishop Richard de Bury of Durham on 5 June (*Chronicon de Lanercost*, 276-7).



the two kings failed to cement their authority by not following up their successes by exploiting the Scottish crisis.

During the summer, Balliol also began having allegiance problems and encountered disputes with some of his strongest supporters. In August, perhaps related also to Balliol's homage to Edward III, a dispute arose concerning the inheritance of Alexander de Mowbray, brother of John de Mowbray who died at Annan. Balliol, who was acting on Mowbray's behalf, disagreed with Beaumont, Strathbogie and Talbot, who wanted to exclude Mowbray from his inheritance, instead letting it fall to his nieces. As Bower claimed, 'once they had become adversaries over this matter,' they all withdrew separately.<sup>92</sup> Balliol left for Berwick, and reportedly 'visited many pilgrimages'<sup>93</sup>; Beaumont went to his lands in Buchan, and Strathbogie to Lochindorb, while Talbot made his way toward England, being captured in Lothian by the Scots. At this, Balliol made peace with Beaumont and Strathbogie and abandoned his support of Mowbray, who, 'fearing the power and cruelty of the opposite party, gave total support to Andrew of Moray' (recently ransomed from English custody) and within months was besieging Beaumont's castle in Buchan.<sup>94</sup> Yet, the dispute had probably caused irreversible damage by creating dissension between Balliol and his most important and experienced partisans; indeed, Beaumont was a strong military leader and most probably responsible for Balliol's 1332 invasion. Although Strathbogie remained in Balliol's allegiance, this was only temporary. Indeed, the absence of the minor earl of Mar may have caused some friction between Strathbogie and Balliol over control in the

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<sup>92</sup> *Chron. Bower*, vii, 95; *Chron. Fordun*, i, 357.

<sup>93</sup> Capgrave, *Liber de Illustribus Henricis*, ii, 202; Nicholson, *Edward III and the Scots*, 158. Although the nature of Balliol's pilgrimages or the dates are not specified, at this time (late summer to winter), he may have been marking the anniversary of his invasion, the feast of St Ninian (26 August), his coronation (24 September), or his father's death (late November).

<sup>94</sup> *Chron. Bower*, vii, 95; *Chron. Fordun*, i, 357-8; *Liber Pluscardensis*, ii, 203-5; *Chronica Monasterii de Melsa*, ii, 372-4. While serving under Murray, Mowbray allegedly robbed Balliol of his money and royal furniture (Balfour-Melville, "Edward III and David II," 8, which does not give a reference for the original source).

north.<sup>95</sup> Earl David was captured in late September and submitted himself to John Randolph, earl of Moray, possibly joint guardian of the realm with Robert Stewart, and was later forfeited by Edward III.<sup>96</sup> Following King David's departure, the opposition under Robert Stewart and William Douglas gained strength and in the subsequent months, Balliol and his forces were pushed back into England, surely a result of Balliol's difficulty in controlling dissent among his nobles.

Indeed, the squabbles and defections dealt a strong blow to Balliol's cause, intensified by Edward III's reluctance to provide full and continuous military support. By late 1334, Edward III finally sent meagre reinforcements to Balliol, who then proceeded north and remained at Renfrew during the winter before returning to Newcastle in February.<sup>97</sup> Balliol himself rarely made progress north of the English Marches before being forced to flee south by the Scots. His fight against them now appeared very weak, due mostly to internal disputes and Edward III's ostensible lack of interest. The initial strengths of the invasion of 1332, which had been supported by King Edward and the Disinherited and which had brought Balliol to the Scottish kingship, and the victories seen at Berwick and Halidon Hill were by late 1334 replaced with problems while Balliol's cause seemed to be unravelling. Edward III's indifference might have been more expected in the late 1330s and early 1340s, when the Bruce army appeared to be gaining strength and the English king's attentions were on his war with France. By this time, Balliol was approaching sixty years old and was no longer essential to Edward III's success in Scotland. The English king's lack of interest at this time, however, only proved to be detrimental to the long-term success of the Anglo-Balliol invasions.

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<sup>95</sup> *Chron. Fordun*, i, 357; Penman, *David II*, 60.

<sup>96</sup> *Chron. Fordun*, i, 358; *CPR, 1334-8*, 61-2, 81, 84, 89; Ross, "The Strathbogie Earls of Atholl, Part II," 10-1; Penman, *David II*, 55-7.

<sup>97</sup> Reid, "Edward de Balliol," 41.

In January 1335, Balliol made certain requests to Edward III, including arrangements to provide for his maintenance, indicating that perhaps Balliol already knew he would never be a fully independent king of Scotland and had accepted King Edward's role as overlord. Balliol also petitioned King Edward that he should have a constable and a marshal in his army, without which he 'could not maintain discipline while in our kingdom.'<sup>98</sup> This certainly reveals signs of ineptitude and lack of organisation in the Balliol regime. However, further points made in this petition portray Balliol as a man who perhaps hoped to take charge of the situation by suggesting further military tactics. He encouraged a winter campaign, which he felt would 'greatly hurt their enemies' while he was against the release of Scottish prisoners, except by royal command.<sup>99</sup> Balliol further suggested opening trade between the Islesmen and Ireland, moves which possibly led to the agreement reached in September 1335 with John of the Isles. While Edward III agreed to these proposals, he did not answer one request which claimed that Balliol should not be hindered by the sheriff of Dumfries from appointing Galwegians as 'chevetyns des linages' as his ancestors had rightly done.<sup>100</sup> Balliol's efforts and even his local lordship were being politically blocked, with Edward III's apparent approval, and only serves to undermine his role as king. This may be indicative of Edward III's attempts to lessen Balliol's influence and authority in the southwest, after he proved to be successful there, in order to negotiate with Strathbogie, who controlled the north of Scotland or, as will be

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<sup>98</sup> NA C49/6/29; *Rot. Scot.*, i, 326, 415; *Foedera*, II, iii, 123; Reid, "Edward de Balliol," 41. Edward III granted his request for a constable and marshal in March 1335 from Coventry. It is interesting to note that Balliol refers to Scotland as 'our' kingdom.

<sup>99</sup> This was possibly a direct retort to the release of Andrew Murray, whom Alexander de Mowbray joined the previous summer.

<sup>100</sup> NA C49/6/29. This last claim is similar to a letter written from Edward III to the sheriff of Dumfries in August 1349, perhaps on Edward Balliol's behalf, which appears to be requesting Balliol's regal liberty and jurisdiction for his lands in Buittle, Kenmure and Kirkandrews (*Rotulorum Originalium in Curia Scaccarii Abbreviatio* (Record Commission, 1805), ii, 195). The sheriff of Dumfries in 1334 was Peter de Tilliol, who may have continued in office for some years. By 1347, the sheriff was William de Dacre (*Rot. Scot.*, i, 271, 686).

discussed below, in preparation of securing those areas for his second son, Lionel, who may have been groomed to take over in the late 1340s.

In March, Balliol was at Carlisle, or nearby, where his servants, Robert de Coventry, William Shelle and William Fisherman, were murdered.<sup>101</sup> He appears to have remained there until May, when he wrote letters urging the loyalty of the abbot and convent of Dundrennan (Cistercian) in Galloway to both himself and Edward III ‘and their losses in consequence.’<sup>102</sup> It was through this that he acquired the abbey’s property of Hestan Island, where he spent much time in the 1340s.<sup>103</sup> Dundrennan, the mother house of Sweetheart Abbey, appears to have had previous Balliol connections, when in 1266 the abbot was given a protection at John (I)’s instance to travel into England.<sup>104</sup>

In June 1335, Balliol finally received a payment from the English crown of £200 for the wages of men-at-arms ‘in the Scottish war’ by the keeper of the wardrobe.<sup>105</sup> This must have helped fund the campaign during the summer of 1335, when the two Edwards made their way back into Scotland. Balliol had left Carlisle with his men and met Edward III at Newcastle. From there, Edward III led his army towards Carlisle through Galloway and Clydesdale, while Balliol proceeded, together with the earls of Surrey, Arundel, Oxford, Angus, Henry de Percy and Ralph de Neville, from Newcastle to Berwick and joined King Edward at Glasgow, where they joined forces, reaching

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<sup>101</sup> *CDS*, iii, no. 1152; *CPR 1334-8*, 139. This does suggest that there may have been underlying animosity towards Balliol in Carlisle, although it also could have been a feud not related in any way to Balliol. The servants were allegedly murdered by Richard fitz Richard and Thomas del Celer, who were released at Balliol’s generous request.

<sup>102</sup> *CDS*, iii, no. 1157. The letter was written to the justices of Ireland and the ‘losses’ of the abbey included lands in Ireland.

<sup>103</sup> *Rot. Scot.*, i, 392; Oram, “Dervorgilla, the Balliols and Buittle,” 179.

<sup>104</sup> *CPR*, 1266-72, 8; *CPR*, 1272-81, 397; *CDS*, i, no. 2414; see also Chapter One. John (I) was the husband of the last surviving daughter of Alan of Galloway, the patron of the abbey.

<sup>105</sup> NA E403/282 m.10; *CDS*, v, pt. ii, no. 738.

Perth by August.<sup>106</sup> However, as a result of the allegiance problems and the defection of Strathbogie, in particular, the Anglo-Balliol war was suffering.

Between February and August 1335, Strathbogie was involved in the Bruce regime and appointed lieutenant of the north by Randolph. Yet, his appearance at the Dairsie 'parliament' in April 1335 caused him to be viewed as 'troublesome to all who were there,' possibly because of his previous loyalties and the Bruce party's own divisions or suspicions with his relationship with the English crown.<sup>107</sup> Indeed, his inner knowledge of the political and factious problems facing the Bruce government might have been useful to either Edward III or Balliol, who could have learned of any dissension from the earl. Yet, Strathbogie's own pretensions are questionable as he was also making pacts with Stewart, heir to the Scottish throne after David Bruce. Strathbogie's claims as the leading representative of the Comyn family, and possible rights to the throne as well as the earldom of Fife,<sup>108</sup> does lead to the suggestion that these two men were hoping to 'unite the resources of a deeply factionalised country against the English,' when they possibly struck a deal that saw Stewart going over to the Balliol side in return for his lost lands.<sup>109</sup> His involvement with Stewart may have been related to promises to the earldom or its lands, or to the unwed heiress of Earl Duncan, Isabella, who was a ward of the English crown.<sup>110</sup> Earl David may have been aware of Edward III's ambitions in Scotland, perhaps indicating why he made no reference to Balliol while collaborating simultaneously with Edward III and Robert Stewart.

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<sup>106</sup> *Chron. Fordun*, i, 358-9; Brown, *The Wars of Scotland*, 238. This military strategy was also used in Prince Edward's campaigns against the Scots in 1301-2 when he met his father's army in Glasgow before advancing the English army towards the northeast (Prestwich, *Edward I*, 493-4).

<sup>107</sup> *Chron. Fordun*, i, 358-9; Penman, *David II*, 57.

<sup>108</sup> Strathbogie could claim descent from Duncan, earl of Fife (d. 1204).

<sup>109</sup> Ross, "The Strathbogie Earls of Atholl, Part II," 9-10; Penman, *David II*, 58-61.

<sup>110</sup> Penman, *David II*, 58.

However, the return of Strathbogie to the Anglo-Balliol side (as well as that of the earl of Fife) and the probable surrender of Stewart surely increased morale in the Balliol regime. With Strathbogie's return to Balliol's peace in August 1335 and his restoration as warden of the north, the two kings returned to England leaving the earl in charge. In early November, the remaining Bruce leaders, such as Douglas, Earl Patrick de Dunbar (who again had defected to the Scots) and Andrew Murray, allegedly accepted a truce with Edward III and Balliol and received permission from the earl of Salisbury, then chief counsellor to Edward III, to aid the besieged castle of Kildrummy in Mar.<sup>111</sup> As argued by Alasdair Ross, the two King Edwards agreed to an attack on Strathbogie at Culblean, knowing that it risked the life of their leader in the north, possibly because the earl had alienated them by his wavering allegiances and pretensions. In turn, the Bruce Scots, in particular Robert Stewart, could have equally viewed the earl as a threat after his capitulation to the Anglo-Balliol regime because of Earl David's royal claims, as well as those to Fife.<sup>112</sup> On St Andrew's Day at Culblean, Strathbogie and his 3,000 men—including Sirs William and Thomas Comyn, Sir Robert Brade (Barde?) and Sir Robert de Menzies—met Murray and his small forces and the fighting which ensued claimed Earl David's life.<sup>113</sup> After the defeat by Murray, Balliol could not claim to have possession of anything north of the Forth, and when combined with his gifting of most of south and southwest Scotland to Henry de Percy and Edward III, his small kingdom, according to *Lanercost*, consisted of only the counties of Ayr, Dumbarton, Lanark, Stirling and Wigtown.<sup>114</sup> Compared to his initial conquest of Scotland in 1332, within three years Balliol virtually had no kingdom left.

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<sup>111</sup> *Chron. Bower*, vii, 117.

<sup>112</sup> *Rot. Scot.*, i, 385, 387-8, 391; Ross, "The Strathbogie Earls of Atholl, Part II," 12.

<sup>113</sup> *Chron. Fordun*, i, 360; *Chron. Bower*, vii, 117; Brown, *The Wars of Scotland*, 239; Ross, "The Strathbogie Earls of Atholl, Part II," 11-2; *Chronicon de Lanercost*, 283-4.

<sup>114</sup> *Chronicon de Lanercost*, 277. Moreover, Edward III still retained custody of Thomas, earl of Mar, while Isabella of Fife was a ward of her grandfather in England. This underlined a lack of royal control over these important regions in Scotland.

On 26 January 1336, an eleven-month Anglo-Scottish truce was concluded with the intervention of both Philip VI of France and two Cardinal envoys from Pope Benedict XII (1334-42). Included in this was a settlement by which Balliol would be recognised as king of Scotland and married to Joan of the Tower, following a divorce from David Bruce, who would then become Balliol's heir. Although approval from the Scottish leaders, including Stewart and Murray, appeared forthcoming, it may only have been a means to buy time while the negotiations were conveyed to the Bruce Scots at Château Gaillard; the truce required consent from King David, who promptly rejected it at the advice of his council.<sup>115</sup> In addition, Balliol was seeking to extend his influence and support into the Isles and reached an agreement with John MacDonald, lord of the Isles, while at Perth in September 1336. By the indenture, Balliol would grant John, 'for his good service,' Islay, Kintyre (which belonged to the Stewarts), Knapdale, the islands of Mull, Skye (held by the earls of Ross, who after 1308 supported Bruce) and Lewis, among others; he was also granted the wardship of Lochaber (then part of the earldom of Moray and thus belonging to John Randolph) until the heir of David de Strathbogie came of age. In return John and his heirs would be liegemen of Balliol and 'harass his enemies continually when able.'<sup>116</sup> If security were required he would deliver his cousins as hostages, 'having as yet no lawful son and heir of his body. When he has such an heir, the king of Scots will be his godfather.'<sup>117</sup> MacDonald's allegiance was crucial at this stage and certainly could prove to be useful against

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<sup>115</sup> NA E39/11; *Rot. Scot.*, i, 397-8; *Foedera*, II, iii, 141-2; J. Campbell, "England, Scotland and the Hundred Years War in the Fourteenth Century," in *Europe in the Late Middle Ages*, eds. J.R. Hale, J.R.L. Highfield and B. Smalley (London, 1965), 184-216, at 188; Sumption, *Trial by Battle*, 154; Brown, *The Wars of Scotland*, 239; Penman, *David II*, 63.

<sup>116</sup> *CDS*, iii, no. 1182; *Rot. Scot.*, i, 463; *Acts of the Lords of the Isles, 1336-1493*, eds. J. Munro and R.W. Munro, Scottish History Society, 4<sup>th</sup> ser., xxii (Edinburgh, 1986), 1-3; Appendix E, no. 49. David II confirmed Balliol's charter to John MacDonald in November 1341 in an attempt to entice the lord to his allegiance; a later grant in 1343 excluded the Stewart lands of Kintyre and Skye, perhaps due to Robert Stewart's objection (*RRS*, vi, no. 71-2; *Acts of the Lords of the Isles*, app. no. 1, A2, B24; Penman, *David II*, 84, 99).

<sup>117</sup> *CDS*, iii, no. 1182; *Rot. Scot.*, i, 463; *Acts of the Lords of the Isles*, 1-3.

Randolph and Andrew Murray, who had also attempted to secure an agreement with MacDonald, which if realised would have given the Bruce Scots a majority, especially after their victory over David de Strathbogie. While this document—in terms of MacDonald’s actions—can be interpreted in different ways,<sup>118</sup> the fact that the MacDonalds had strongly supported the Bruce family after 1306 highlights the importance of this tactical move by Balliol. Moreover, the gradual loss of support from the MacDougalls after the death of John MacDougall, lord of Argyll in 1317, accentuates Balliol’s need for support from this region of Scotland.

During 1336-7, Philip VI became more involved in Anglo-Scottish relations while the Bruce-Balliol civil war became a tertiary conflict between Philip and Edward III. While David Bruce remained in France under the French king’s protection at Château Gaillard, Edward prepared for war against Philip VI. By the end of 1336, the count of Guelders, Edward III’s brother-in-law, the king of Norway and the count of Hainault would become somewhat involved in the dispute when King Edward requested that they forbid their subjects to ‘hire or grant ships to those who, under colour of aiding the Scots, have presumed to wage war on the king and his vassal, Edward, king of Scotland.’<sup>119</sup> Moreover, Balliol also found himself at odds with the French king in late 1336, when he was summoned to a French parliament in order to answer a claim by the executors of the late Guillaume de Picquigny, former canon of Amiens. Picquigny held 30 marks sterling in perpetual rent on Balliol’s lands situated ‘on this side of the sea,’ which John (II) Balliol had given in 1314 to Renauld de Picquigny, vidame of Amiens, his cousin.<sup>120</sup> Edward failed to appear and was then told to pay the expenses of the executors, which, echoing his grandfather’s disputes with the bishops of Durham, he failed to do. Three years later the bailiff of Amiens was

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<sup>118</sup> McDonald, *The Kingdom of the Isles*, 189.

<sup>119</sup> *CCR, 1333-37*, 717.

<sup>120</sup> Belleval, *Jean de Bailleul*, 84.



assigned to compel Balliol to reimburse their expenses; yet in 1342, the case was stopped as the executive letters were burned 'at the time of the English invasion, in the house of Jean Canesson, royal sergeant of the baillie of Amiens.'<sup>121</sup> While Edward Balliol never appears to have benefited financially from his French inheritance after 1314, the loss of these lands in the 1330s paralleled his loss of French support and meant that Balliol had probably reached a precipice in his conquest of Scotland. At that time, he may have been compelled to continue with his Scottish campaign in the hope that a successful outcome would provide him with landed wealth and influence. If he failed, he would surely be reduced to a desolate and forfeited pretender king.

In May 1337, Balliol appeared at Stamford, where Edward III was holding a council, received a payment of £66 13s 4d for his expenses and remained there for almost two months making several requests.<sup>122</sup> In July, Balliol received more financial support from the English king including another payment of £66 13s 4d, 'for the 50s daily which the lord the king granted him for the support of himself and his household,' and another payment of £300 made just over a week later.<sup>123</sup> While an amount of 50s per day might not appear to be enough for someone holding the rank of a king, this was still nearly three times what his father received while a prisoner in the Tower from 1296 to 1299 (17s). By May 1341, this was reduced to 30s, although a second amendment the following year gave Balliol 40s in times of peace and 60s in times of war.<sup>124</sup>

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<sup>121</sup> *Actes du Parlement de Paris*, II, i, nos. 1405, 1800, 1811, 2344, 4571. In 1344, Jean, lord of Poix, had filed suit against Jean de Picquigny, nephew of Guillaume and Renauld, claiming *suzeraine feudal* for one part of Hornoy castle; the court rejected this request (*Ibid.*, II, ii, no. 5504).

<sup>122</sup> NA E404/3/19; *Issues of the Exchequer*, 146, dated 14 May, but paid on 17 May. He requested protections (on 31 May) for a merchant, John Turgis, who was going with part of his 'vitailles' to Scotland and (on 1 July) for Robert de Doncaster 'his valet, who had been with him in his war in Scotland and is now going there with him' (*CDS*, iii, no. 1232; Reid, "Edward de Balliol," 62; NA SC1/39/53; *CDS*, v, pt. ii, no. 768). Balliol also requested a pardon for Thomas de Chadebourn, who served in Balliol's household, although the reason for this is not given (NA SC1/45/230; *CDS*, v, pt. ii, no. 769).

<sup>123</sup> *Issues of the Exchequer*, 146; NA E404/3/20, dated 15 and 29 July 1337, respectively.

<sup>124</sup> NA E403/318 m.8, dated 26 May 1341 (£100 total payment); E403/326 m.27, dated 22 July 1342 (£303 6s 8d total).

English military support was also given as evident from the receipt of £200 to one of Balliol's men, Richard Talbot, for the wages of his men, which included six knights, thirty-seven men-at-arms and forty archers; a few months later, Talbot would replace Anthony Lucy as warden of Berwick castle and shortly afterward appears to have been promoted to 'marshal of the army.'<sup>125</sup> Lucy was later compensated, in December 1336, with the forfeited baronies of Drumsargard and Carmunnock in Lanarkshire, which belonged to Maurice de Murray and Patrick de Dunbar, respectively.<sup>126</sup> Similarly, Balliol appears to have shifted control of Perth, displacing Thomas de Ughtred as the garrison's commander in favour of Thomas, earl of Norfolk, in December 1337, only to grant it to John de Lilleburn (May 1338) before resettling it on Ughtred by August.<sup>127</sup>

By the end of 1337, Anglo-Balliol campaigns into Scotland were being planned and in the summer of 1338, Edward III was authorising payments to be made to Balliol as well as one for £410 to the Italian Bardi merchants, who had lent the English king over £12,000 'for his affairs.'<sup>128</sup> Payments totalling over £1,000 were made at this time to Balliol, both for himself and wages of his men, in addition to £405 given to Henry de Hadington for twenty-eight men-at-arms in Balliol's service in Perth.<sup>129</sup> In October 1338, Balliol received six *tuns* of wine, four *tuns* of flour and 200 marks for his

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<sup>125</sup> Prince, "The Payment of Army Wages," 142, 145-6; *Rot. Scot.*, i, 497, payment dated 28 July 1337, with Talbot's appointment in February 1338. Lucy's army was comprised of nine knights, forty men-at-arms and sixty archers while Talbot brought with him four knights, forty-six esquires and fifty archers.

<sup>126</sup> Appendix E, no. 51; Reid, "Edward de Balliol," 63. Lucy was to answer for the value of lands in excess of 600 marks. There were no witnesses given. Maurice de Murray had killed Godfrey de Ros, sheriff of Ayr and Lanark in 1335 (see above).

<sup>127</sup> *Rot. Scot.*, i, 516, 533, 539, 541, 543; Reid, "Edward de Balliol," 43. Thomas de Brotherton died around September 1338 (*ODNB*, liv, 276).

<sup>128</sup> *CCR, 1337-39*, 421. Balliol received £100 in November 1337 and another £100 in June 1338 (Prince, "The Payment of Army Wages," 142; *CCR, 1337-39*, 421). Balliol also received a supply of wine (*CCR, 1337-39*, 458).

<sup>129</sup> NA E361/3 m.14, m.37; E404/4/24; *CDS*, iii, no. 1279-80; *CCR, 1337-39*, 441. A payment of £155, in part of £200, was paid by Robert Darreys, sheriff of Northumberland, perhaps an alternate spelling of the d'Areyns family name, who had been close to the Balliols in Northumberland.

household, by a writ from Edward, duke of Cornwall and guardian of England, from Berwick.<sup>130</sup>

By this stage, however, Balliol's hopes of truly succeeding as king of Scots must surely have been remote. With five years of heavy campaigning, the Bruce Scots were not showing any long-term signs of waning. However, by 1339, the situation improved somewhat and the Anglo-Balliol army, under command of Balliol, who had been declared captain,<sup>131</sup> was able to lay siege to Perth in October 1339. At Perth, Balliol was known to have had Percy, Neville, Umfraville, Lucy and Richard Talbot with him, along with an army of 64 men-at-arms and 1,200 *hobelars* from Cumberland and Westmorland.<sup>132</sup> He may also have had a stronger support base in Galloway, where in autumn 1339, Duncan MacDowell, Eustace de Maxwell and Michael M'Ghie had come into his peace. Soon afterwards, MacDowell would be appointed as leader of the garrison of Hestan Island, where Balliol kept a small base.<sup>133</sup>

William Douglas of Lothian, a cousin of James and Archibald Douglas and one of the leading Scottish knights during the struggles in 1334-5, had been previously at odds with Strathbogie during the Dairsie parliament and was backed by John Randolph. After Culblean, he visited young King David in France, and returned to Scotland in time for the Perth siege. He led a force made of both French and Scottish troops and succeeded in retaking Cupar castle from William Bullock, Balliol's chamberlain, who afterwards became Douglas's ally, as well as taking back Perth from Thomas de Ughtred and gaining control of Edinburgh Castle in April 1341.<sup>134</sup> It was this move

<sup>130</sup> NA E404/4/25; *CDS*, iii, no. 1287.

<sup>131</sup> *Rot. Scot.*, i, 575, 583.

<sup>132</sup> NA SC1/42/94a; *CDS*, iii, no. 1316; v, pt. ii, no. 781.

<sup>133</sup> *Rot. Scot.*, i, 571, 625-6, 629; Reid, "Edward de Balliol," 43-4.

<sup>134</sup> *Chron. Bower*, vii, 141; Brown, *The Black Douglasses*, 37, 39; Reid, "Edward de Balliol," 49; Penman, *David II*, 82.

which likely strengthened the Bruce Scots' position enough for David Bruce to return from France in June.

After the outbreak of the Hundred Years War in 1337, Edward III's support for Balliol's cause slowly dwindled. Following the 1339 siege of Perth, there were fewer payments made for military services and supplies. Although in May 1339, Edward III issued a writ whereby Balliol was guaranteed a fixed allowance of 30s daily in peacetime and 50s in times of war, these appear to provide only for Balliol's sustenance and not for an army or supplies.<sup>135</sup> On 13 May 1340, Edward III committed to 'his cousin, the king of Scotland,' the custody of the temporalities of the archbishopric of York in Hexhamshire following the death of the archbishop, William de Melton.<sup>136</sup> In July 1341, the abbot of St Mary's York was ordered to pay Balliol £300 for the defence of the Marches, although this was later restricted to £200, the abbot being unable to pay the full amount.<sup>137</sup> Balliol received a personal gift of £300 in October 1341, presumably because he had been displaced in his brief office, held since August, as leader of the English army by Henry de Grosmont, earl of Derby; Balliol would regain the post in July 1342.<sup>138</sup> Admittedly, a payment of £200 was made in June 1342 for the wages of men, and another in 1344 for £300.<sup>139</sup> However, regardless of the military support, Balliol was still receiving numerous payments for his maintenance and sustenance. In truth, he was living as a pensioner of the English king—he had neither English lands nor a secure hold on his kingdom in Scotland which meant that any crown revenue would not be forthcoming, or fell directly to David Bruce. His fiscal

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<sup>135</sup> NA E403/318 m.8, m.9; *CDS*, iii, no. 1309.

<sup>136</sup> *CDS*, iii, no. 1335; *CPR*, 1338-40, 516-7; *Rotulorum Originalium*, ii, 141. Indeed, at this point, Balliol could have attempted to put forth his own candidate for the empty see. His favoured candidates for Dunkeld (in 1337) and Argyll (1342) had also been backed by Edward III, who wrote on behalf of Balliol to Pope Clement VI (see below).

<sup>137</sup> *CDS*, iii, no. 1365.

<sup>138</sup> *Rot. Scot.*, i, 610, 617-8, 630; Reid, "Edward de Balliol," 44. Balliol had held the position from October 1339 to at least February 1340.

<sup>139</sup> NA E403/325b m.9; /326 m.14; /331 m.4.

support from Edward III was a sure sign that his reign as king was not successful; also, the decade from 1340 to 1350 would see the Balliol cause significantly dwindle, while Edward III concentrated more on the war with France and, after 1346, with negotiating peace with the Scots. Despite this however, Balliol still held hope that he could recover his position as king and drive the Bruce Scots into submission.

In 1340, King Edward had sent an English fleet of eighty ships to France, near Tréport. Although they were pushed back by the garrison, they made their way to the village of Mers, where a small battle took place, and attempted to seize certain castles in the area, including Héricourt, which had been confiscated earlier from Edward Balliol. This English expedition produced no results and a treaty was later concluded.<sup>140</sup> Whether the failed efforts to regain Héricourt was a coincidence or an attempt to make a statement to Philip VI regarding the fading kingship of Edward Balliol remains unclear; however, the decrease in financial support and David II's imminent return from France would underline the eventual collapse of the Balliol cause.

#### *The Return of the Bruce King, 1341-46*

King David's arrival in Scotland created an upsurge in the morale of the Bruce Scots and changed the tides of the civil war. David, now seventeen years old, sought to exert his royal authority and take control of the Scottish government, which had been left to the guardians after 1332. In April 1342, Stirling castle surrendered to the king and in September a parliament was held at Scone; in the months that followed, David hoped to extend his following and granted patronage and lands to his supporters. However, Bruce still lacked a firm allegiance from his most important partisans: Douglas of Liddesdale and Robert Stewart. As Brown underlines, the conflicts which

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<sup>140</sup> Louandre, *Histoire d'Abbeville*, i, 220.

resulted between Douglas, Stewart and Bruce undermined a situation still threatened by Edward III and Balliol. As Brown and Penman both assert, in the spring of 1343, Douglas possibly felt alienated by David II enough to consider switching allegiance to the Anglo-Balliol camp, with the help of Balliol, Anthony de Lucy and Henry de Percy.<sup>141</sup> Douglas and John Randolph soon served during the Anglo-Scottish negotiations with Edward III at Lochmaben in August 1343, which coincided with Anglo-French peace talks and resulted in a three-year truce from June.

While Balliol might have been encouraged by dissension amongst his enemies, he still relied on the English king's support for finance, men and overall support which he would need if he were to take advantage of the Bruce camp's discord. In 1342, the sheriff of Cumberland was ordered to give Balliol the ninth of 'sheaves, lands and fleeces granted by the community for the Scottish war,' while in October 1343, he received just over £16 for an exchequer tally levied in the name of the priory of Durham, who delivered the payment at London.<sup>142</sup> In 1342, however, Balliol appears to have had some influence at the papal curia, although this was likely due to Edward III's influence. In March, King Edward wrote to a cardinal on Balliol's behalf recommending Martin de Ergaill to the bishopric of Argyll and asking for support for Balliol at the curia. Pope Clement VI (1342-52) supported Ergaill's election as well as that of Malcolm of Innerpeffry, bishop of Dunkeld (1337-42) as the pro-Balliol candidate.<sup>143</sup> Despite this and the payments mentioned above, the truth remained that Balliol, who was now sixty years old, still unmarried and childless, was in decline, and

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<sup>141</sup> *Rot. Scot.*, i, 637, 640; *CDS*, iii, no. 1383; Brown, *The Wars of Scotland*, 244-6; Penman, *David II*, 78-91.

<sup>142</sup> Appendix E, no. 62; *CDS*, iii, no. 1398; *Nat. MSS Scot.*, ii, no. 29; DCM Misc.Ch.3716; *Hist. Northumberland*, appendix, page 18.

<sup>143</sup> *Rot. Scot.*, i, 623; Penman, *David II*, 119; Barrell, *The Papacy, Scotland and Northern England, 1342-78* (Cambridge, 1995), 197; *Foedera*, II, iv, 120; D.E.R. Watt, *A Biographical Dictionary of Scottish Graduates to AD 1410* (Oxford, 1977), 181-2, 278. Ergaill's appointment in Argyll might be related to the recent defection to the Bruce camp of John MacDonald, lord of the Isles, who had been won over to Balliol's cause in 1336.

the return of the young Bruce king unquestionably caused Balliol to realise his limitations in securing the throne of Scotland. Yet, within a few years, David Bruce would again be out of Scotland, this time as captive of the English king following the disastrous defeat of his forces at Neville's Cross.

By mid-August 1344, Balliol, styled king of Scotland, was once again named as leader of the English army and in early September, he was paid a large sum of £680 'as an advance upon that which was in arrears of a certain allowance' which Balliol had been granted for his expenses, being 40s per day for peace time and 60s per day in war time, a rate which had been agreed upon in 1340.<sup>144</sup> Notwithstanding the decrease in military payments after 1339, from 1346 English support was again on the rise. In January, Balliol received wages for his men, 'in gold nobles,' while defending the north.<sup>145</sup> Following the victory at Neville's Cross in October 1346, the Anglo-Balliol war against the Scots appeared to be making progress and Edward authorised three large payments totalling £340 for wages and men-at-arms.<sup>146</sup> The English forces, including Percy, Neville, Umfraville and John de Mowbray, had moved north to Durham from Barnard Castle, where Edward Balliol joined them with a following of a fifty men-at-arms, fifty mounted archers and several knights and squires.<sup>147</sup> Despite having superior numbers at Neville's Cross, the Bruce Scots faced defeat after their forces under Robert Stewart and Patrick, earl of March fled the field.<sup>148</sup> The capture of David II in the battle would perhaps symbolise Balliol's return to Scotland as king; however, Edward took up residence first at Caerlaverock Castle, then on Hestan Island

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<sup>144</sup> NA E403/332 m.24; *Issues of the Exchequer*, 151; *Rot. Scot.*, i, 652, 654; *CPR, 1338-40*, 524.

<sup>145</sup> *CDS*, iii, no. 1450; *CCR, 1346-49*, 250. The amount is not specified.

<sup>146</sup> NA E403/336 m.17, m.22; /337 m.16.

<sup>147</sup> *Rot Scot.*, i, 691-2; M. Prestwich, "The English at the Battle of Neville's Cross," *The Battle of Neville's Cross*, ed. D. Rollason and M. Prestwich (Stamford, 1998), 1-14, at 4; Penman, *David II*, 132; Reid, "Edward de Balliol," 45.

<sup>148</sup> *Chron. Fordun*, i, 367; M. Penman, "The Scots at the Battle of Neville's Cross, 17 October 1346," *SHR*, lxxx, 2 (2001), 157-80, at 158.

in Galloway, seemingly the only place in Scotland where he could retreat, and throughout the next year would issue charters from here.<sup>149</sup> Of course, the earlier victory in August 1346 over Philip VI and the French at Crécy as well as the fall of Calais the next year surely augmented Edward III's confidence in his army, and as a consequence his financial support of Balliol's army. Certainly Balliol, now about sixty-four and still struggling for his throne, was grateful for Edward's patronage.

However, the capture of David Bruce in 1346 presented Edward III with an opportune situation and the chance to exploit both his Scottish and French victories. Although there are no records of any Scottish embassy seeking permission to visit David in the Tower of London during the first year of his captivity, in late 1347, certain Scottish nobles were granted protections to Scotland to conduct business for Bruce.<sup>150</sup> This raised Bruce's hopes of Edward III's attitude—after all, Bruce was still married to Edward's sister, Joan, and the English king may have been also anticipating peace with Scotland and France, which may have induced Bruce's release. Also, Edward Balliol's age and childlessness, and his clear failure to secure an Anglo-Balliol kingship in Scotland was perhaps weighing on King Edward's mind. Thus, 1347 may have signalled the beginning of the end of Balliol's royal Scottish pretensions.

Despite this, Balliol still harboured (perhaps desperately) hopes of continuing as the pseudo-king of Scotland. In January 1347, Lionel, second son of Edward III, earl of Ulster and Guardian of England (b. 1338), made a pact with Henry de Percy and Ralph de Neville, with the latter two agreeing to serve for a year in Scotland under Edward Balliol—Percy bringing 100 men-at-arms and 100 mounted archers and Neville, eighty

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<sup>149</sup> One such charter was a grant to 'our beloved servant John of Denton for his good and praiseworthy service' of the forest of Garnery, formerly held by William, bishop of Glasgow, 'an enemy and rebel against us' (W.T. McIntire, "Historical Relations between Dumfriesshire and Cumberland," *TDGNHAS*, 3<sup>rd</sup> ser., xxi (1936-38), 70-89, at 80). For Balliol's residence at Caerlaverock see *Chron. Knighton*, ii, 47; Reid, "Edward de Balliol," 45.

<sup>150</sup> Penman, *David II*, 145-6.



of each.<sup>151</sup> On 18 March another agreement was made between Edward III and his clerk, William de Emeldon, whereby Emeldon would accompany Balliol back to Scotland, 'in charge of his great seal,' and was provided with a heavily armed escort of ten men-at-arms and ten archers. It was further agreed that if Percy and Neville returned from Scotland, Emeldon was not bound to remain with Balliol and could return. He does not appear to have stayed with Balliol as documents issued later from Hestan Island bore the privy seal, not the great seal.<sup>152</sup>

An interesting point to make here concerns the original agreement with Lionel, the king's son. As he was only nine years old at the time of this pact, the terms were seemingly drawn up by Edward III. It has already been suggested that Edward III was hoping to build firm landed interests in Ireland, to which Lionel would eventually succeed as king's lieutenant through right of his wife, Elizabeth de Burgh, daughter and heiress of the earl of Ulster, to whom he was married in 1342.<sup>153</sup> Because the agreement of 1347 also involved Percy, Neville, and especially Edward Balliol, it might also be inferred that King Edward was using Balliol as a means to get Lionel into Ireland through possible Balliol or Galloway connections. Both John (I) and John (II) had some contact with Ireland through their Galloway links, as apparent from the purchase of corn, wine and other necessities as required during their stays in Scotland.<sup>154</sup> This move by Edward III, therefore, might also be seen as an opportunity to give Lionel power and influence in Scotland; as soon as Edward Balliol and his claims were eliminated (surely a prospect at this point), Galloway and the southwest

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<sup>151</sup> Appendix E, no. 67; *CDS*, iii, no. 1479; Reid, "Edward de Balliol," 63. Percy was also to receive 2,000 marks worth of land 'on this side of the Scottish sea,' although this might have been related to the same sum granted to him earlier.

<sup>152</sup> *CDS*, iii, no. 1492. Reid claims that by this charter, Emeldon became Balliol's chancellor. William Emeldon, a relation of the mayor of Newcastle who died at Halidon Hill, was a prebend of the Collegiate Church of Chester and held other English livings (Reid, "Edward de Balliol," 49; *CDS*, iii, no. 1532).

<sup>153</sup> W.M. Ormrod, "Edward III and His Family," *Journal of British Studies*, xxvi (1987), 398-424, at 405, 410; Prestwich, *The Three Edwards*, 280-1.

<sup>154</sup> *CPR*, 1247-58, 14; *CPR*, 1281-92, 431-2; *CDS*, ii, no. 535; Stevenson, *Documents*, i, 236.

might prove to be useful for support in Irish campaigns.<sup>155</sup> In this sense, once Balliol served his purpose in creating an opening for Lionel in Scottish politics, Edward III would no longer have any use for him. Indeed, Edward's seeming change in attitude regarding David Bruce (although the Scottish king would remain in captivity for ten more years), Balliol's lack of support from the English king after 1347 and his intentions to return to the French king's peace in 1351, might all support this theory. It is also reflected in later negotiations with England in early 1365. According to one clause, a younger son of Edward III (at this point either Lionel or John of Gaunt) was to receive £1,000 worth of former Balliol lands in Galloway, while David II would assist Edward III with his Irish problems, which Lionel was struggling to control, by sending fresh military aid.<sup>156</sup>

This theory that Balliol was to be replaced by Lionel, or another leader, can be supported by grants made to Edward by King Edward in January 1348. Edward of England, 'not wishing to injure Edward Balliol, his *pseudo-king* of Scotland,' sent word to the sheriff of Dumfries to restore Balliol's hereditary lands in Scotland (presumably just in the southwest), implying that Edward III had full possession of southern Scotland. In April, Balliol was granted the right to exercise his jurisdiction of regality in his lands of Buittle, Kenmure and Kirkandrews (which he had previously granted to Edward III), 'which lands are in our lordship of Dumfries lately granted by us [Edward III] to the said king [Balliol].'<sup>157</sup> According to a petition dated c. 1350x60 by John de St Philbert, Balliol was granted Buittle and its lands while Edmund, 'cousin' and heir of

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<sup>155</sup> This may have been Edward III's intention for many years, because as early as 1344, the earl of Desmond, Maurice fitz Thomas, had written to the kings of France and Scotland urging them to resist the king of England and take up arms against him; he also requested military aid in Ireland (G.O. Sayles, "The Rebellious First Earl of Desmond," in *Medieval Studies Presented to Aubrey Gwynn*, eds. J.A. Watt, J.B. Marshall and F.X. Martin (Dublin, 1961), 203-29, at 219).

<sup>156</sup> *APS*, i, 495; Penman, *David II*, 332-3. Moreover, according to Bower, David II had wanted Lionel to be his heir presumptive in the peace negotiations in 1363 (*Chron. Bower*, vii, 323). In 1369, David would confer the lordship of Galloway upon Archibald 'the Grim' Douglas because he had quelled the rebellion there (*Chron. Bower*, viii, 35; Brown, *The Black Douglasses*, 60, 62-4).

<sup>157</sup> *Rot. Scot.*, i, 710, 715, 720; Reid, "Edward de Balliol," 45. My italics.

St Philbert, was under age in Edward III's ward.<sup>158</sup> That Balliol's former kingdom had been reduced to certain of his former hereditary lands within Galloway implies compensation for losing Scotland. Whatever control and influence he would be allowed in the southwest, however, would be secondary to the English king and potentially his son, Lionel.

Many times during the Anglo-Balliol campaigns of 1334-35, during the 1340s, and certainly after Neville's Cross, several summons were made for military service. In late 1334, word spread that all men who would serve in the army against the Scots could keep any booty they could find. Moreover, many criminals were pardoned if they would serve and given the usual rate for their wages.<sup>159</sup> In July 1342, pardons were given for the 'Grithmen' who would fight against the Scots. These men were from areas in Yorkshire and northern England, including Beverley, Ripon, Hexham, Wederhale and Tynemouth, which might be significant when considering territorial support for Edward Balliol.<sup>160</sup> There may have been a larger following in Yorkshire than that which has previously been known as in April 1296, King John had a large group of partisans from Yorkshire, whose lands were seized upon John's abdication.<sup>161</sup> Edward Balliol also gave lands and a pardon, respectively, to two of his followers, William Duresme, a merchant of Darlington (on the border of Durham and North Yorkshire) and Robert Doncaster, as mentioned above.<sup>162</sup> Apart from the Grithmen, in October 1347 and March 1348, pardons were given to Thomas le Gentill and John le

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<sup>158</sup> *CDS*, iv, no. 54.

<sup>159</sup> *Rot. Scot.*, i, 283-4; *CPR*, 1330-34, 552; *CPR*, 1345-48, 119; Nicholson, *Edward III and the Scots*, 174. This had also occurred under Edward I, who used some criminals to serve in Gascony in 1294 (Prestwich, *Edward I*, 284).

<sup>160</sup> *Rot. Scot.*, i, 629.

<sup>161</sup> *CDS*, ii, no. 736. This included: Ralph de Lascelles; Adam Knout; Isabella of South Couton; Geoffrey de Friselay; Peter, the miller of West Erdeslawe; Simon de Cressevyle; Peter de Rotherfeld; Richard, son of Matillidis de Dugl'; Walter, son of Thomas de Barkestone; Gilbert de Iselbek; Hugh de Berkeley; William de Roucestre (see Chapter Four, n.10).

<sup>162</sup> Appendix E, nos. 17, 54.

Wariner, both teenagers, if they would ‘go on [the king’s] service...for one year against the Scots with the army of Edward de Balliol, king of Scotland.’<sup>163</sup>

Indeed, despite the potential disappearance of the Balliol cause, there were still attempts to gain supporters after Neville’s Cross. Sometime after the battle, Balliol granted William de Warenne, bastard son of the earl of Surrey, half the lands belonging to the Soules family in Liddesdale, which had been occupied by William Doulgas.<sup>164</sup> Also, by April 1347, Edward had granted to Walter de Mauny the vill of Nesbit (Northumberland), which had been previously held in chief of the Balliols by John de Normanville (d. 1243).<sup>165</sup> Because of the forfeiture of the Balliol lands in 1296, though, this was perhaps an empty exchange for military service or a gesture of loyalty, an act similar to Balliol’s grant of his French lands to Edward III in 1363.<sup>166</sup> Balliol might have still claimed some support in Galloway. At a gathering in October 1347, Simon, bishop of Whithorn issued letters of provision whereby the tithes of the church of Whithorn were to be vested in Sweetheart Abbey, at Edward’s request. Many religious and local men were present at this gathering, perhaps even Balliol himself, who, as Reid claims, likely built the chancel and presented the completed project to Sweetheart. Yet, Reid further claims that because of Balliol’s status as an unrecognised king of Scotland, especially in the eyes of the Douglasses, who would become lords of Galloway in the

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<sup>163</sup> Thomas was to be in service at the king’s cost, while John would serve at his own charges. Both boys, however, were discharged from going to Scotland after paying Edward III 20s and 1 mark, respectively (*CPR, 1345-48*, 418; *CPR, 1348-50*, 33).

<sup>164</sup> *Rot. Scot.*, i, 730; Reid, “Edward de Balliol,” 63. In April 1346, John de Warenne’s two bastard sons, William and Edward (possibly godson of Edward Balliol?) were mentioned as serving Edward III in France (*CDS*, iii, no. 1456). John had no legitimate heir and with his death in 1347, his lands and earldom passed to Richard fitz Alan, earl of Arundel, his nephew (being the son of his sister, Alice, and Edmund fitz Alan).

<sup>165</sup> *Rot. Scot.*, i, 694. The manor of Nesbit, in Stamfordham, was granted to the prior of Hexham by John de Normanville (d. 1243), Robert de Lisle and Walter fitz Walter of Nesbit, tenants of John (I), who had approved the grant (*Hist. Northumberland*, xii, 320, 327-8).

<sup>166</sup> Balliol had granted in 1353 the manor of Lessudden (Roxburghshire) to Ralph de Neville. Balliol, styled here as ‘Monseigneur’ and not ‘King of Scotland,’ might have made this grant for similar reasons as the above charters. Neville’s charter was confirmed (undated) and witnessed by Thomas de Gray, William de Heroune, John de Heroune, Gerard de Wedrington, John de Coupland and Robert de Hagarston (*Liber de Sancte Marie de Melros*, ed. C. Innes (Edinburgh, 1837), 437-8).

early 1360s and who had also just been displaced of lands in Liddesdale, the donation must have been cancelled.<sup>167</sup>

Anglo-Scottish peace talks resumed after 1349, proceedings of which would ultimately end Balliol's claims on the throne of Scotland. The terms of these negotiations were brought before the Scottish lords in January 1351. Edward III had proposed that David II could be released in exchange for a £40,000 ransom and David's promise that a younger son of Edward would succeed to the throne of Scotland should David die childless.<sup>168</sup> Balliol, again, would not benefit from the terms of the truce, although, his former Disinherited allies would. Anglo-Scottish nobles, or their heirs, such as Strathbogie, Beaumont, Ferrers and Talbot were all to be re-inherited by the terms of the treaty.<sup>169</sup> This confirms the Disinherited as English (and not necessarily Balliol) partisans and Edward III's firm support of the Disinherited over Balliol's claims surely marks the end of his struggle for the throne.

Balliol had apparently approached the English king some time during the negotiating process, expressing an interest and sending his loyal representative and friend, William de Aldeburgh, to protest his exclusion from the previous peace. In March 1351, at the formal gathering in Hexham (Northumberland), Aldeburgh, Patrick McCulloch and John de Wygngton were informed of the proposed peace terms with the Scots, with Balliol being summoned to appear the following day.<sup>170</sup>

Yet, before the March 1351 conference at Hexham, the negotiations had apparently already been settled, with a firm exclusion of Edward Balliol. According to a coded memorandum, presumably to Sir Ralph de Neville, lord of Raby, David II had

<sup>167</sup> Reid, "Buittle Church, etc.," 191, 193; *Papal Letters*, iii, 396.

<sup>168</sup> *CDS*, v, pt. ii, no. 811. Balliol had recently been given (July 1349) a payment of £184, perhaps as a condolence for the Anglo-Scottish negotiations, which would certainly exclude him (*CDS*, iii, no. 1544).

<sup>169</sup> A.A.M. Duncan, "*Honi soit qui mal y pense: David II and Edward III, 1346-52*," *SHR*, lxxvii (1988), 113-41, at 129-32.

<sup>170</sup> *Rot. Scot.*, i, 739-41, 757, 763, 766-7; Sumption, *Trial by Fire*, 149; Penman, *David II*, 162-4. Aldeburgh received a safe-conduct on 22 January 1351 to go to King Edward (*Rot. Scot.*, i, 738).

proposed ‘new offers’ of peace, likely the promise that a younger son of Edward III would succeed to the Scottish throne. King Edward made note of the ‘obstruction of the king’s business by EB who will not agree to ways to peace reasonable to one party or another’; expressing his anger, Edward then suggested that ‘if he will agree, [Edward III] will account his previous war half won.’ Although Neville had been advised on ‘making promises’ to Balliol’s counsellors to persuade him to agree, Balliol most likely did not agree. For two decades Balliol’s success in Scotland had been ultimately determined by King Edward’s military and financial support, but despite this dependence, it is understandable that Balliol would be unwilling to surrender his cause so easily. Another clause mentioning ‘the truce for EB’s lifetime if he will not agree, and the affirmation of other things secretly’ likely represented the £2,000 per annum annuity which Balliol would begin receiving when he finally resigned the kingdom in 1356.<sup>171</sup> Balliol, in fact, probably benefited more for having rejected the truce, which would have only offered partial recognition of his ‘half won’ struggle for the throne. These agreements confirm Edward III’s attitude towards Balliol and the possibility that, after 1347 especially, Edward expected his ‘in house king of Scotland’<sup>172</sup> to be sidelined for either a Plantagenet son or David Bruce. No doubt it was this rejection which caused Balliol to question his English support and perhaps come to an agreement with the French king.

In September 1351, Jean II of France wrote a letter to the Scots in which he encouraged them to fight against their English enemies and offered them hospitality ‘in case they will be defeated and [be] forced to abandon their country.’<sup>173</sup> By a separate letter the same day, Jean made known that he understood Edward Balliol was proposing

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<sup>171</sup> “Negotiations for the Ransom of David Bruce in 1349,” ed. C. Johnson, *EHR*, xxxvi (1921), 57-8; Duncan, “*Honi soit qui mal y pense*,” 121-2; Penman, *David II*, 163-4.

<sup>172</sup> Duncan, “*Honi soit qui mal y pense*,” 114.

<sup>173</sup> AN JJ80 f.391d (no. 621), dated 28 September 1351.

to return to his peace and offered to pardon Balliol, 'if he returns to our faith and friendship with the Scots,' to restore his French lands, or a full compensation, and to remit 'all offences and guilt.'<sup>174</sup> Despite the apparent forgiveness of the French king for Balliol's misgivings, Jean II does not appear to be offering to restore Balliol to the Scottish throne nor to help him reacquire his ancestral lands in Galloway. Interestingly enough, Robert Stewart may have been involved in these negotiations concerning Balliol. It is speculated that he might have been in contact with Jean II, informing him of the Scottish situation and implying that the plight of the Scots was due to David II's selfish dealings with Edward III. Stewart may have possibly interceded on Balliol's behalf at the French court, and in turn, Balliol's own disappointment from his exclusion by King Edward may have fuelled his defection to the Scots.<sup>175</sup>

These were likely just empty promises, as Balliol never appears to have accepted the offer to return to the Bruce regime's peace. Yet, by this point, it must have been clear to Balliol that Edward III was no longer interested in him or his ever-continuing struggle to regain the Scottish throne. Especially by the end of 1350 and beginning of 1351, when Anglo-Scottish negotiations looked promising, Balliol, now approaching seventy years old, must have known that Edward preferred to negotiate with the young Bruce king. Certainly when David was temporarily released in November 1351 and allowed to return to Scotland, presiding over a parliament at Scone in late February 1352,<sup>176</sup> Balliol knew his cause was lost. In view of this, Balliol's return to the French king might have been a more positive alternative—at least he would recover his forfeited French lands.

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<sup>174</sup> AN JJ80 f.391d (no. 620); W. Robertson, *The Parliamentary Records of Scotland in the General Register House, Edinburgh* (Edinburgh, 1804), 98-9 (misdated as 1361).

<sup>175</sup> Duncan, "Honi soit qui mal y pense," 126-7; Boardman, *The Early Stewart Kings*, 9.

<sup>176</sup> Penman, *David II*, 169-70.

Yet communication between the two kings continued. In June 1351 following the Hexham conference, Balliol appeared in England, and again in February 1352, perhaps ominously because of the pending Scottish parliament; his valet and friend, William de Aldeburgh also received a safe-conduct in September 1352 no doubt on business for Balliol while Edward himself left Galloway for England in November.<sup>177</sup> Despite his potential return to the French king's peace, however, Balliol chose to remain in the patronage of the English king who continued to provide him with allowances and sustenance payments. Incidentally, on 9 and 24 September 1351, just before the letter of Jean II was issued, Balliol had received payments from the English crown of £66 13s 4d and 100s, respectively, while in June 1352, John de Wygngton, Balliol's valet, was paid £60 for Balliol's 'use.'<sup>178</sup> On 1 August 1352, Edward paid David Bruce, 'king of Scotland,' £20 at a rate of 13s 4d daily 'for his support...as an advance.' A fortnight later, Balliol, also titled 'king of Scotland,' was paid (at a much higher rate of 40s daily) £60 of £140, while the following year he was paid £100 by the abbot of St Mary's York.<sup>179</sup> In November 1353, Balliol received a payment of £86 from Edward III for the expenses of himself and his household 'until otherwise he should provide for his estate.'<sup>180</sup>

By mid-1354, after a one-year Anglo-French truce was made at Guines, the English and Scottish envoys had reached a truce, outlining David II's ransom (set at 90,000 marks) as well as including Edward Balliol and others.<sup>181</sup> Balliol had been aware of the negotiations as apparent from several safe-conducts issued during this

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<sup>177</sup> *Rot. Scot.*, i, 741, 748, 754, 757.

<sup>178</sup> NA E403/356 m.3, m.4; E403/357 m.27, m.29; E43/473. However, in July 1351, when Balliol was being excluded from peace talks, a payment of £66 13s 4d was scored out (NA E403/356 m.9; /357 m.23; /358 m.23).

<sup>179</sup> NA E403/362 m.25; /364 m.17; *Issues of the Exchequer*, 157; *CDS*, iii, no. 1571. Bruce's payment was for thirty days (7 July – 5 August); Balliol's was made for seventy days (12 May – 21 July 1352).

<sup>180</sup> NA E403/365 m.10; /366 m.10; /367 m.7; *Issues of the Exchequer*, 160; also made at 40s per day for forty-three days (22 July – 3 September 1353).

<sup>181</sup> *CDS*, iii, no. 1576; *Foedera*, III, i, 97-9; *Rot. Scot.*, i, 768-9.



period for himself, Aldeburgh and William de la Vale; Aldeburgh served as Balliol's 'nuncio' in the negotiations.<sup>182</sup> By 1355, Balliol had returned north with more English troops, residing on Hestan Island in Galloway. Because of the nominal support which the Balliol party could claim in this area as well as the availability of supplies from across the border in Cumberland, Edward was able to maintain his royal pretensions to the Scottish throne despite threats of Scottish raids.<sup>183</sup> King Jean II also sent a small supply of French troops to Scotland in early 1355,<sup>184</sup> although he was perhaps not as committed to the Bruce cause as much as he was to fighting the English king, with whom he had been at war since 1337.

While David's release had been outlined in the 1354 negotiations, it was not forthcoming and he would remain in English captivity until the Treaty of Berwick in October 1357, a truce which again was to include Balliol, John of the Isles and 'all other adherents of England,' but did not mention issues such as overlordship, homage and disinherited nobles, which since the concession of Balliol the previous year were probably not as pressing.<sup>185</sup> Indeed, it was Jean II's capture at Poitiers in September 1356 which ultimately secured David's release from English captivity and put negotiations for an Anglo-Scottish treaty on the table. Admittedly, with the Scots' rejection of the plan in the early 1350s regarding the succession of an English prince, Balliol—despite an obvious snub by Edward III—may have naively harboured hopes of the Scottish kingdom. However, by September 1356 Balliol had already renounced the Scottish kingdom and the English victory at Poitiers only proved to confirm his ever-dwindling status.

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<sup>182</sup> *Rot. Scot.*, i, 760-1, 763, 767, dated 6 August 1353, 28 January 1354 and 5 July 1354.

<sup>183</sup> Sumption, *Trial by Fire*, 143.

<sup>184</sup> *Ibid.*, 152-3, 162.

<sup>185</sup> *Rot. Scot.*, i, 811-4; *CDS*, iii, no. 1657.

*The Cession of the Kingdom and the Final Years*

By the end of 1355, Balliol's grip on the Scottish crown was slackening and with Edward III's last campaign into Scotland in January 1356, Balliol lost all his control and royal authority sixty years after the same fate befell his father. Only three days before Balliol relinquished his rights to Scotland 'by reason of the impotence of his ageing body,' Robert Stewart entered into a truce with Edward III, in the name of King David, at Perth on 17 January.<sup>186</sup> As Fordun's pro-Bruce source describes, in January 1356, Balliol went to meet Edward III at Roxburgh, 'like a roaring lion,' and in a speech 'more bitter than death itself' he surrendered the throne of Scotland to Edward III giving the English king his crown and a handful of Scottish earth. Allegedly, Balliol yielded his cause to Edward 'so that thou avenge me of mine enemies, the Scottish nation, a race most false, who have always cast me aside, that I should not reign over them.'<sup>187</sup> This statement is certainly reminiscent of John Balliol's own claims in 1298 that the Scots were malicious, deceitful and wicked.<sup>188</sup> At Roxburgh from 20-27 January, Balliol issued various charters, ceding the kingdom of Scotland to Edward III, his declared heir, as well as his lands of Galloway, the Isles and 'all his territory not annexed to the crown of Scotland' 'on account of his great age [he was nearly seventy-four] and feebleness and inability to continue the great labours he had to sustain.'<sup>189</sup> In return for the surrender of his kingdom, Balliol received an annuity, 'for life, assistance in payment of his debts and other matters,' from Edward III, which came from the customs of the ports of Kingston-upon-Hull and Boston.<sup>190</sup> Following the surrender, Edward III 'thanked [Balliol] for so noble and stately a gift,' and proceeded to lead a

<sup>186</sup> *Foedera*, III, i, 114; *Rot. Scot.*, i, 787 (for quote); Balfour-Melville, "Edward III and David II," 17.

<sup>187</sup> *Chron. Fordun*, i, 373-4; *Chron. Bower*, vii, 287-9.

<sup>188</sup> *Anglo-Scottish Relations*, no. 27.

<sup>189</sup> NA C47/22/10/60; E39/23; E39/87A; SP58/1/10; *Foedera*, III, i, 114-9; *CDS*, v, pt. ii, no. 818; *Rot. Scot.*, i, 787-9, 800; *CDS*, iii, nos. 1591-3, 1596-7, 1603.

<sup>190</sup> *CDS*, iii, nos. 1598-9, 1601; *CPR, 1354-58*, 328-9, dated 20 January 1356. The first payment was made in April.

campaign into Scotland, the so-called 'Burnt Candlemas' in which the English troops burned Edinburgh and much of Lothian.<sup>191</sup>

For the remainder of his life, Balliol's activities are minimal. Shortly before and after Balliol's capitulation to Edward III in 1356, he requested many pardons, such as one granted to Nicholas Scot of Okham, clerk, for the death of a monk of Westminster, William de Grantham, and another granted 'at the request of [the king's] cousin and liege' to William Paumes for the death of William del Grove of Nabourne.<sup>192</sup> Three pardons were granted to certain nobles who hunted and fished with Balliol in Inglewood forest and also while at Hatfield (Yorks).<sup>193</sup> He continued to issue various charters and was paid for his sustenance by Edward III until his death in 1364. Payments made after Balliol's abdication in 1356, however, were fewer and farther between than previous ones, but they were substantially larger. In April 1356, Edward had given him the first payment of £250 for his annuity, agreed in January, while in June he had promised Balliol 4,000 marks 'due from the king out of 5,000 marks lately granted to the said Edward as a gift'; the following February, the king promised to pay the debts of the aging ex-king 'in the event of his death before an [account] is taken.'<sup>194</sup> Payments made after 1356 suggest that Edward III had been heavily financing Balliol's kingship. The necessity to pay soldiers' wages and fund supplies for Balliol's cause had vanished, but Balliol still received a handful of payments before his death in 1364. These included three very large payments of £2,666 13s 4d in August 1356, £626 13s 4d in March 1357 and 1,000 marks in May 1363.<sup>195</sup> The first payment, equivalent to

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<sup>191</sup> *Chron. Fordun*, i, 373-5.

<sup>192</sup> *CDS*, iii, nos. 1602, 1604 (dated 26 and 27 January 1356 respectively); iv, no. 168 (dated 20 May 1370); *CPR*, 1354-58, 343, 347, 355; *CPR*, 1358-61, 104.

<sup>193</sup> *CDS*, iii, nos. 1574 (24 March 1354), 1589 (3 December 1355), 1622 (19 October 1356); *CPR*, 1354-8, 23, 138, 321, 483.

<sup>194</sup> *CDS*, iii, nos. 1608 (23 April 1356), 1626 (4 February 1357), 1628; *CCR*, 1354-60, 258, 264; *CPR*, 1354-58, 506-7; *Rot. Scot.*, i, 799-800. The annuity was to be paid yearly for life in four payments of £500 (i.e. £250 from the customs taken at both Kingston and Boston ports).

<sup>195</sup> NA E403/380 m.20; E403/378 m.35; /379 m.30; E403/415 m.16; *Issues of the Exchequer*, 178; Appendix F.

4,000 marks, is certainly the same as the king's promised gift from June as is the second payment from March 1357. The final payment of 1,000 was in part of 5,000 marks promised to Balliol 'because the same Edward by his charter had given and granted to the lord the king and his heirs the castle and town of Héricourt, in Vimeu, under the dominion of Ponthieu.'<sup>196</sup> However, it must be remembered that Balliol no longer held Héricourt, which had been confiscated in 1338 by Philip VI and granted in 1355 by Jean II to the count of La Marche.<sup>197</sup> Thus, perhaps this grant by Balliol was merely a gesture of loyalty to the king, or an empty exchange for a gift of 1,000 marks.<sup>198</sup> It is odd that Edward III would pay Balliol such large sums, no doubt expensive for a king currently engaged in war with France, instead of restoring Balliol's English lands but surely this was attributed to the English king's desires to retain complete control over Balliol by not allowing him any independence as a land-holding lord.

Edward III was more generous with his patronage to Balliol after 1356. From payments made for the military expeditions in the 1330s and 1340s and including sustenance and maintenance allowances until his death, Balliol was given over £21,000 from the English crown.<sup>199</sup> Although during the Anglo-Scottish wars many of the leading magnates were paid large sums for their men-at-arms and for defending their conquests, there does not appear to be any evidence which suggests that other nobles were given a sum comparable to Balliol. Had Balliol been given even part of his English inheritance at this point, he may have been able to live off the revenues of the lands for his remaining years. Sadly, even this does not appear to have been considered by Edward III when he confirmed Balliol with an annual annuity paid by the English crown. Whether King Edward believed that the determined Balliol might muster

<sup>196</sup> Appendix E, no. 90; NA E39/95/9; *Issues of the Exchequer*, 178; *CPR, 1354-58*, 379.

<sup>197</sup> Belleval, *Jean de Bailleul*, 11-2; *Idem, Les Fiefs et Les Seigneuries*, 176; Huyshe, *The Royal Manor of Hitchin*, 239.

<sup>198</sup> *CDS*, iii, nos. 1599, 1601.

<sup>199</sup> See Appendix F for a payment log.

enough strength to continue with his desperate attempts at Scottish kingship or if the king just had too many other pressing issues which accounted for his indifference is unknown. However, the amount of these payments gives reason to suspect that Edward III was providing Balliol with a sizeable income (or payoff) in return for his relinquishment of the Scottish kingdom.

Interestingly, in November 1362, Edward was discharged of £3,160 which was 'due by his late father under his bond' to Baroncin Walter of Lucca, 'a citizen of London,' and his son, Brunettus, undoubtedly members of the Italian lending firm, Ballardini of Lucca, who regularly lent money and provided luxury goods to Edward I from 1298-1307.<sup>200</sup> There are no other details which indicate why this loan was made; yet it could have been related to John's excessive debts in France after 1302.

Throughout his kingship, especially after the 1340s, Balliol's list of supporters dwindled. He could no longer claim loyalties of those Disinherited who had been with him since 1332. Henry de Beaumont, the chief Disinherited noble probably responsible for Balliol's return from France in 1331 and seemingly his strongest adherent for the first few years, left for the Low Countries in 1338 and died there two years later; Strathbogie's defection, although short-lived, likely caused Balliol to be suspicious until the former's death soon afterward in 1335. The MacDougalls, and even the Galwegian families of MacDowell and Maclellan, who had supported Edward Balliol after 1332, could be seen defecting to the Bruce party after Neville's Cross and through the 1350s, resulting in Balliol's loss of power within Galloway.<sup>201</sup>

Other partisans could probably claim more English than Balliol loyalties. Gilbert de Umfraville, while still supporting Balliol, appeared frequently with other English nobles in the negotiations of the 1350s and after 1355 was in northern England

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<sup>200</sup> *CDS*, iv, no. 72; *CCR*, 1360-64, 431; Prestwich, *Edward I*, 161, 534.

<sup>201</sup> Penman, *David II*, 206; Oram, "Dervorgilla, the Balliols and Buittle," 171; *Idem*, "A Family Business?," 138-40.

maintaining peace on the Borders.<sup>202</sup> Alexander de Mowbray, after his defection back to the English king's peace, and his brother Geoffrey and his kinsmen, John and Roger, continued to serve Edward III after 1356.<sup>203</sup> Similarly, John MacDonald of the Isles adhered to Balliol after 1336, but continued to serve Edward III until his submission to David II in 1370.<sup>204</sup> Duncan, earl of Fife, also joined the Bruce regime after David II returned from France in 1341 and adhered to that king—fighting against Edward III at Neville's Cross—until his death in 1353.<sup>205</sup> Had the young earl of Mar, Thomas, half-brother of Thomas Balliol, been older during the early stages of the Bruce-Balliol war, he may have adhered to the Anglo-Balliol forces. There were suspicions that his father, Donald, earl of Mar, had encouraged Edward Balliol's return in 1331 and he remained more loyal to the English crown than to his uncle, King Robert Bruce, until 1332.<sup>206</sup> Thomas (b. c. 1330) had been raised at the Plantagenet court after 1334, and had often shiftily loyalties. By 1349 he was serving as joint lieutenant of the Scottish government for his captive cousin, David II. He was later made chamberlain of Scotland (in 1358) but served Edward III during his French wars from 1359-60, and by 1370 his 'maverick' behaviour toward King David had resulted in his imprisonment in 1370.<sup>207</sup>

However, one particular supporter and loyal friend who stayed with Balliol throughout his entire reign was William de Aldeburgh. Aldeburgh frequently appeared as a witness as well as benefactor in many grants made by Edward during his kingship. In September 1348 while at Hestan Island, Balliol granted to Aldeburgh, 'his valet,' the lands of Kirkandrews and Balmaghie in Galloway with letters patent to erect the lands into a free barony 'in order to maintain peace and keep down robbers.' In addition,

<sup>202</sup> *Rot. Scot.*, i, 771, 775, 777-81; Penman, *David II*, 206.

<sup>203</sup> *CDS*, iv, nos. 60-1; *CPR*, 1334-38, 189; *Rot. Scot.*, i, 777, 779-80, 838.

<sup>204</sup> *Acts of the Lords of the Isles*, no. 6; Penman, *David II*, 158, 353, 391.

<sup>205</sup> Penman, "The Scots at the Battle of Neville's Cross," 177; *Idem*, *David II*, 78, 81-2, 134.

<sup>206</sup> *The Brut*, i, 274; *CDS*, iii, no. 1040.

<sup>207</sup> *RRS*, vi, nos. 177, 188; Penman, *David II*, 159-60, 209, 225, 275-7, 431.

while Balliol was spending the winter of 1352-3 in Galloway, he issued two charters from Buittle to Aldeburgh, now a knight, of Kells in Glenken, Balliol's castle on Burned Island in Loch Ken (Galloway) and the reversions of his barony of Crossmichael and Kisdale in Galloway 'for the yearly *reddendo* of a rose in the season of roses, if asked for' again with licence to erect these lands into a free barony.<sup>208</sup>

In September 1352, Aldeburgh was given a protection and safe-conduct when he came to England with Balliol so 'that he not be disturbed on account of the recess of the king of Scotland from England or of his own stay in Scotland.'<sup>209</sup> In June 1354, Aldeburgh, was serving as Balliol's representative in the Anglo-Scottish negotiations which secured the ransom of David Bruce.<sup>210</sup> Edward III also granted him 100 marks yearly in March 1356, with similar terms to Balliol's annuity, which may have been requested by Balliol himself.<sup>211</sup> He also collected many of the king's payments made by Edward III. In May 1363, Edward 'king of Scotland' and his knight, William de Aldeburgh, were granted, 'for the great affection which the king has for his kinsman [Balliol],' a £10 rent from Willey Haye in Sherwood forest, which had been transferred from the prior and convent of Beauvale (Notts) to John atte Wode.<sup>212</sup> However, this was not a straightforward land grant and the land remained in possession of John, although Balliol and Aldeburgh could enter into the lands if John permitted it. They were also given licence to grant the lands in mortmain to the priory. This may have been granted as a reciprocal gesture of peace between Balliol and Edward III, as it was

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<sup>208</sup> Appendix E, nos. 68-9, 71-2; *CDS*, iii, no. 1578 (3) (dated 9 November 1354); *CPR, 1354-58*, 142-3; Reid, "Edward de Balliol," 63, dated 20-1 September 1348, 29 November and 1 December 1352. The November charter had the following seals appended: Matthew Maclellan; Patrick McCulloch; Roger de Montbray, knights; Gilbert McCulloch; Dougal MacDowell; John, son of Sir Matthew Maclellan; John de Rereyk.

<sup>209</sup> *CPR, 1350-54*, 322.

<sup>210</sup> *Foedera*, III, i, 97-8.

<sup>211</sup> *CPR, 1354-58*, 354

<sup>212</sup> BL MS Add.Ch.76793; *CPR, 1361-64*, 342-3; *CCR, 1360-64*, 467, dated 30 May 1363.

granted three days after Balliol's own grant of Héricourt to the king of England and his heirs.

Although Aldeburgh appears to have been very faithful to Balliol for many years, he still had some faults. In March 1358, John de Strathearn, Balliol's valet, and four other servants were involved in a suit where, 'at the instigation of Sir William de Aldeburgh,' broke into Queen Philippa's park near Knaresburgh the previous spring and took sixteen deer with hounds, 'carrying off nine of them on a horse, and leaving the others for want of carriage'; a few days later, the same group took more deer and left them at William's house at Kelkefeld. Balliol, though, attested their innocence and requested a pardon for them despite the claim that they had taken more than fifty deer 'without [Balliol's] knowledge' in the years 1355-7 while he was living at Knaresburgh.<sup>213</sup>

A Sir John de Aldeburgh received a payment for Balliol from the English crown of £40 in June 1354, while a Sir Richard de Aldeburgh was an attendant of Balliol.<sup>214</sup> Although clearly part of this family, it is uncertain how he was related to William. Indeed connections between the Aldeburghs and Edward Balliol went further than loyal service. In 1364, William had apparently given lands at Willey Haye to the monastery of Beauvale (Notts) for the soul of his lord, Balliol.<sup>215</sup> According to the October 1391 Will of Lady Margery Aldeburgh, widow of William's son, also William, a few personal items belonging to Edward Balliol remained in the possession of the Aldeburgh family after his death. This included one book with a red border and with

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<sup>213</sup> *CDS*, iv, nos. 8, 11; *CCR, 1354-60*, 505; *CPR, 1358-61*, 45, 49. Strathearn had been pardoned by June 1364, when he received an annuity of £10 as Edward III's liege (*CDS*, iv, no. 99). Aldeburgh is last mentioned around 1360, when he was captured by the French, as captain of Honfleur in Normandy (*Scalachronica*, 190; Reid, "Edward de Balliol," 50).

<sup>214</sup> NA E403/374 m.12.

<sup>215</sup> *Testamenta Eboracensia or Wills Registered at York*, Surtees Society (London, 1834-6), i, no. 122. The footnote by the editor mentions that this was in 1362, although it was likely made after Aldeburgh and Balliol were granted use of the lands in 1363 by Edward III (perhaps in early 1364, after Balliol's death?). The editor also mentions that the Balliol arms were thrice repeated in the chapel at Harewood, where the Aldeburghs were lords.



the arms of Balliol and Aldeburgh and one habergeon, or mailshirt, belonging to Edward.<sup>216</sup> Also mentioned was a bed, embroidered with a tree and a recumbent lion (possibly symbolic of his surrendered kingship), as well as the arms of Aldeburgh and ‘Tillzolf,’ which may have been a mistake for Balliol.<sup>217</sup>

In September 1393, Elizabeth and Isabella, daughters and heirs of the elder William de Aldeburgh, were given licence to grant an endowment of six marks to the prior of Beauvale ‘for two monks celebrating mass daily for the souls of Sir William de Aldeburghe knight, and Elizabeth his wife, their father and mother, Sir William of Aldeburghe, knight, their brother, and for the soul of Sir Edward de Balliol, knight, and for keeping the anniversaries of the same persons.’<sup>218</sup>

As Balfour-Melville has proven, Edward Balliol died within the first twenty-four days of January 1364, aged nearly eighty-two.<sup>219</sup> He had still been unmarried and childless, and would be written into history as an inept king. It is interesting to speculate as to why Balliol never married, especially before his father had died in 1314 and even later in life, in the 1340s. Surely there must have been an ample supply of potential brides, English, Scottish or European, including Eleanor Douglas, Katherine de Beaumont, Isabella of Fife, a Stewart or Plantagenet daughter or a Percy cousin.

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<sup>216</sup> Habergeons were often passed on in English wills. My thanks go to Mr Ralph Moffat for this information.

<sup>217</sup> *Testamenta Eboracensia*, i, nos. 108, 122; J.G. Mann, “Two 14<sup>th</sup> Century Gauntlets from Ripon Cathedral,” *Antiquities Journal*, xxii (1942), 113-22, at 120. Balliol is called ‘Ballyoclyff,’ which may suggest that ‘Tillzolf’ is also a mistake for his surname. Number 108 is the Will of William Aldeburgh, Lord of Harewood, who died 20 August 1391 and was buried in the church of the Friars Preachers of York; his will makes no reference to Balliol. He had no issue by Margery, daughter and co-heir of Sir Thomas de Sutton of Sutton in Holderness, and her possessions went to her children by her first marriage to Peter de Mauley, 7<sup>th</sup> lord of Mulgrave: two sons (Peter and John) and two daughters (Constance and Elizabeth).

<sup>218</sup> *CDS*, iv, no. 454; *CPR*, 1391-96, 308, 338. The endowment was to come from the manors of Kirkeby-Orblawers and Kereby. Elizabeth was the widow of Sir Brian de Stapilton, possibly a relation of William de Stapilton who was listed as a valet for Balliol in September 1334 (*The Percy Chartulary*, 436; Reid, “Edward de Balliol,” 61).

<sup>219</sup> NA E199/49/47; Balfour-Melville, “The Death of Edward Balliol,” *SHR*, xxxv (1956), 82-3. The jurors at the inquisition following Balliol’s death (held Tuesday in the week of Pentecost 1366) were Robert de Dossall, John de Sutton, Thomas Dugthy, John de Surflet, William de Surflet, William de..., Robert de Thorp, John Cardoille, Walter del Cotes, John Herlarden, William de Pokelington and John de....

Does this suggest that his supposed annulment to Margherita de Taranto had failed and he was unable to remarry? Or was he keen to commit himself to Joan of the Tower, as soon as a divorce from David Bruce was realised?<sup>220</sup> Moreover, had Edward III truly hoped that Balliol would be a vassal king, he may have encouraged a marriage so that the dynasty would continue. However, when the English king and David Bruce made agreements anent the Scottish succession and one of Edward III's sons, Balliol's urgency to marry and produce an heir was no longer a necessity (and perhaps not a possibility with his age).

Admittedly, it was this act which signified the end of Edward Balliol's cause and his long struggle for the throne. Because King Edward had not only denied Balliol a place in the negotiations (apart from a lifetime truce should he not agree to the terms), but he had also chosen to include the Disinherited, who had been ostensibly supporting Balliol since the late 1320s. It would appear from this that Balliol's few loyal partisans did not include the greater Anglo-Scottish nobles but rather some lesser nobles whom he had favoured. His constant struggle after his successful invasion in 1332 was nothing more than his own personal fight for his throne; English adherents and the king himself were likely focused on the Scottish conquest and the question of overlordship, not the right for Balliol to be king. When Edward III almost achieved rights to the Scottish succession in 1349-51 through his business with David II, Balliol was no longer a necessity to achieve English overlordship and thus he was discarded. Because of these factors, Edward Balliol cannot be viewed as an English puppet as it was unlikely that, had he succeeded, Edward III would have allowed him to rule under his lordship. More probably, the English king would have waited for Balliol to subdue the

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<sup>220</sup> It has been argued that perhaps Joan hoped for a divorce, perhaps in the 1340s, only to later contemplate taking the veil in the late 1350s (W.M. Ormrod, "Katharine Mortimer's Death at Soutra," in *SHARP, The Fourth Report on Researches into the Medieval Hospital at Soutra, Lothian Region, Scotland*, ed. B. Moffat (Edinburgh, 1990), 110-18, at 116; Penman, *David II*, 253).

Scots before taking control of the realm and, as events from 1349-51 clearly show, making promises to pay off Balliol with a truce.

It is in this context that historians must view the ensuing surrender Balliol angrily offered in 1356. Having been under the patronage of the English kings virtually all his life, Balliol had been supported both financially and militarily in his Scottish conquests. His family's previous connections had no doubt influenced his treatment at the courts of Edward I and Edward II. With his increasing determination to secure his father's lost throne of Scotland, Edward Balliol assumed that this influence would earn him more support and eventual success. However, apart from the strong resistance from the Bruce Scots, Balliol also had to contend with Edward III's distracted and perhaps remote attitude because of his wars with France and his own Scottish pretensions. Within these circumstances, Balliol surely recognised the poignant failures of his campaigns but nevertheless toiled to achieve his political ambitions.

## Conclusion

### *The Legacy of the Balliol Dynasty and Its Impact on Medieval Scotland*

The coincidences between the kingships and abdications of John and Edward Balliol seem to imply that the Balliol family was constantly at the mercy of the English kings. However, the relationships between the family and the kings underline continuity in the behaviour of each Balliol lord as English baronial figures from 1229 to the 1350s. Not only were the Balliols ambitious, but they were an obedient family, loyal to the English kings. Yet, it must be said that King John and King Edward, although at first they possessed some strength and determination, faltered under pressure from the English kings *because* of their English loyalties. Each king served to the best of their abilities but because of the circumstances, they both proved to be unable to handle the difficult positions into which they were placed.

Throughout the political careers of John (I), John (II) and Edward, their endeavours remained predominately English. In particular, this can be seen under John (I), who inherited a modest legacy of kingly service under the English kings which he enhanced greatly throughout his lifetime, establishing the Balliols as a powerful and influential family by the late 1260s. In spite of these English baronial ambitions, the family has been continually judged within a Scottish context, which has contributed to their reputations as English vassals and puppet kings.

John (II) and Edward, despite their misfortunes as kings, should not be overlooked. King John may have been politically controlled for most of his kingship, but one can see that his reign was important to both the early developments of parliament as well as the accepted foundations of the long alliance with France.<sup>1</sup> The

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<sup>1</sup> E. Bonner, "Scotland's 'Auld Alliance' with France, 1295-1560," *History*, lxxxiv, 276 (1999), 5-30, at 5-6, 11-12; MacDougall, *An Antidote to the English*, 15-25. While the beginnings of this alliance may be credited to earlier reigns, from 1295 the two countries no doubt shared a bond which could only strengthen over the centuries.

second half of John's short kingship, however, exposed his ambitions which in many ways contributed to his downfall in 1296. Edward Balliol's use of the military, the rise of the Disinherited and even, to some extent, his reliance on the English king also marked a substantial shift in crown-Balliol relations. During his reign, the participation and intervention of Edward III of England proved to be paramount and crucial to the success of the Balliol regime.

Certainly, the height of the family's power can be seen during John (I)'s lifetime. John's landed wealth and influence gave him great status and respect among his contemporaries, something which both King John and King Edward lacked, despite their royal titles. In addition, after John's demise in 1268, the family gradually lost their status due to successive deaths and debts while John (II)'s political inexperience meant that the family suffered further because of his disastrous reign on the Scottish throne. As a result of King John's downfall in 1296, Edward Balliol had only a slight chance to recover a substantial, independent position and his own kingship ended in failure.

As stated earlier, King John was reluctant to claim his rights to the throne of Scotland and perhaps only did so in 1290 because of the guidance he expected from Edward I and the Comyn faction. After 1294, though, he attempted to take a more independent role in politics, but he remained controlled by the Scottish elite which garnered him little respect from his subjects in addition to a blackened reputation by chroniclers. The awkward position in which he was placed in 1295-96 reveals the anomalies of Balliol's reign and the difficulties he faced because of his English allegiance and long-term loyalties as a baronial lord. Yet, following his abdication, the ex-king became increasingly more ambitious as a politician and was surely seeking his restoration of his baronial standing. This can be seen especially in alleged negotiations

between Edward I and Balliol to restore his forfeited inheritance in England, which might have materialised because of the existing loyalties the family had towards the English crown. The rebellion in 1297 thwarted King John's plans to return to English favour, but he soon realised the potential of his restoration to the kingship of the Scots. It is then that he switched his loyalties to the Scots in attempts to recover his lost kingdom.

Similarly, from 1299, he began taking a more involved role in the Scottish (and papal) campaigns for his restoration. By 1302, when these efforts failed, Balliol turned to the king of France, who had not forfeited his ancestral estates in Picardy. In this sense, King John was very similar to many 'Scots,' including Robert Bruce, who frequently changed allegiances and loyalties when it benefited him the most. What this illustrates is that John Balliol, despite making a slow start in the 1280s, became an ambitious politician with baronial goals as his first consideration. He was capable of making independent decisions, but only when he was due to gain from it, such as the 1295 treaty with France—which gave him a monetary reward of £2,300—or the attempted restoration from 1299-1302.

Because of the re-examination of the political career of John (I) and, thus, the re-evaluation of King John, Edward Balliol's career and kingship is also brought into a new light. Just as Edward's father and grandfather had sought to recover, from about 1306 to 1315, Edward was hoping to recoup the family's English estates. Edward's situation was decidedly different, though he was still consistent in his behaviour. In particular, his position remained within an English framework and his attempts to recover lands and not the Scottish throne again highlights the family's interests as English barons. However, as outlined in Chapter Six, Edward II's constant denials to Balliol concerning his inheritance perhaps caused him to turn towards the lost throne in

Scotland with the help of other disinherited lords. Any personal authority and leadership he hoped to possess as king of Scots, though, was severely restricted because of his status as a landless noble. The weak support base he possessed underscores the most important element which the family had during the life of John (I): landed wealth and influence. Since Edward Balliol had not been in possession of his English inheritance, his contemporaries were probably less likely to offer strong loyalties and support, unless they belonged to a small group of close servants or friends. This is seen especially in the allegiance problems of 1334-35 as well as the small regional following Edward had in Yorkshire and perhaps in Cumberland, which was comprised of only lesser nobles. Edward, though, remained determined to retain the Scottish throne until 1356. Whether he intended to succumb to Edward III's overlordship or eventually attempt to assert his own authority and independence is difficult to ascertain, but, regardless, he remained very ambitious and should be remembered as such. Benjamin Scott's claim that 'no Balliol ever seems to have been a coward' is certainly true of Edward, who, despite being virtually landless and reliant on Edward III for financial support, was determined to make the strongest effort to retain his throne.<sup>2</sup>

The demise of Edward Balliol without issue in 1364 ended the direct male line of the Balliol family as well as the dynasty in Scotland. However, it did not end the controversy of their claims to the Scottish throne. Shortly after the death of David II in February 1371, William, earl of Douglas allegedly led an uprising against Robert Stewart's claims to the throne. While Bower and the Pluscarden chronicler argue that Douglas was claiming the throne for himself through the rights of the Balliol and Comyn lines, Dr Stephen Boardman has rightly suggested that Douglas's claims were merely 'opportunistic and almost frivolous' and were used only as a means to extract

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<sup>2</sup> Scott, *Norman Balliols*, 362. This quote was likely meant to illustrate the military accomplishments of Bernard (II) de Balliol, who fought at the Battle of Alnwick in 1174 (Scott, *Norman Balliols*, 206-14).

political concessions from Robert II by threatening to involve the English crown.<sup>3</sup> Not only had David II made indentures with Edward III from 1351, but a diverted succession had also been discussed by which the crown would fall to John of Gaunt, a Comyn descendant and younger son of King Edward, to whom Edward Balliol had resigned his rights to the Scottish throne in 1356.<sup>4</sup>

The accession of Robert III (1390-1406) also underlined the dismal reputation of King John. Born John, earl of Carrick, upon succeeding his father he chose to be crowned Robert III. As Boardman argues, in the sixteenth century, this was seen as an attempt by the earl to avoid comparison with the reigns of John Balliol and Jean II of France, whose kingships were distinguished by failure, both military and political. Furthermore, had the earl decided to call himself John, difficulties would certainly have arisen as to whether he would be John I—thus eliminating Balliol's existence as king—or John II, which might have caused controversy because of the recognition given to Balliol's kingship; the issue of English overlordship would have arisen either way since Edward Balliol had ceded his rights to the Scottish throne to Edward III and the English crown.<sup>5</sup>

The deaths of John (I) and John (II) have also received attention in later centuries. After John (I)'s death in 1268, his heart was taken out, to be buried with his widow twenty-two years later in her tomb at Sweetheart Abbey; Balliol's body was then taken to Barnard Castle to be interred.<sup>6</sup> During the reign of Henry VIII, John

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<sup>3</sup> *Chron. Bower*, vii, 365-7; *Liber Pluscardensis*, ii, 235; Boardman, *The Early Stewart Kings*, 40-2. Douglas's relationship to either the Balliol or the Comyn families is unknown, although he was the brother-in-law to Thomas, earl of Mar, a cousin of David II and half-brother of Thomas Balliol (Boardman, *The Early Stewart Kings*, 42, 63; see also the Introduction for Thomas Balliol).

<sup>4</sup> Penman, *David II*, 413.

<sup>5</sup> Boardman, *The Early Stewart Kings*, 176-7.

<sup>6</sup> Huyshe, *Dervorguilla*, 44-5; Maxwell, *History of Dumfries and Galloway*, 66. Maxwell states that he died at Barnard Castle. It has been suggested that Balliol's heart was removed in the early fourteenth century, when Sweetheart Abbey was almost destroyed from war and poverty, and placed in Brabourne Church in Kent. As John Jones believes, this could be possible because Brabourne had close connections with the Balliol family, and a heart shrine from this period survives in the church. There is no surviving evidence, however, and B.J. Scott claims (without evidence) that the shrine was made for the heart of



Leland (c. 1506-52), one of the most important antiquaries and travellers of sixteenth century England, visited the castle and wrote that

The Castelle of Barnard stondith stately upon Tese. The first Area hath no very notable thing yn it but the faire Chapelle wher be 2 Cantuaries. In the midle of the body of this Chapel is a fair marble tumber with an image and an inscription about it in French. There is another in the south waul of the body of the Chapelle of fre stone with an image of the same. Sum say that they were of the Bailliolles.<sup>7</sup>

Whether or not this was the final resting place of John (I) cannot be proven as all that remains today are ruins of this once magnificent castle and fortress.

Similarly, the death and burial of John (II) remains somewhat of a mystery. Although it is now almost certain that Balliol died at his ancestral castle of Héricourt, eighteenth and nineteenth century French historians debated his burial site as being in Bailleul-Neuville, Normandy.<sup>8</sup> As given in a recent article, and summarised here in Appendix A, the Jean de Bailleul buried at the church of Saint-Waast was certainly not King John Balliol.<sup>9</sup> Yet, despite the controversy, John Balliol and his kingship remained the centre of historical debate in France at this time. This surely speaks to the historiography of the family among French antiquarians, as the contemporary English and Scottish historians had largely ignored this debate.

The Balliol family, during John (I)'s life especially, was truly 'one of the most influential of all the baronial houses,' with John being a man of 'both realms.'<sup>10</sup>

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Aymer de Valence (d. 1324), brother-in-law of Hugh de Balliol (d. 1271) (J.H. Jones, *Balliol College: a History* (2<sup>nd</sup> edn., Oxford, 1997), 10n; J.R. Scott, *Memorials of the Family of Scott, of Scot's Hall* (London, 1876), 52-7; Scott, *Norman Balliols*, 275).

<sup>7</sup> Huyshe, *Dervorguilla*, 44-5.

<sup>8</sup> Belleval, *Jean de Bailleul*, 12-3, 15, 23; M. Coffin, *Promenade Géographique, Historique, et Touristique en Pays de Bray* (1977-93), 229-34; Francisque-Michel, *Les Ecosais en France, Les Français en Ecosse* (London, 1862), i, 45; Mallet, *Deux Seigneurs Picards*, 14; le Vicomte d'Estaintot, *La Tombe de Jean de Bailleul à Bailleul-sur-Eaulne* (Rouen, 1878), 6, 9, *et al.*

<sup>9</sup> Beam, "One Funeral and a Wedding," 16-22.

<sup>10</sup> Stringer, *Earl David*, 187.

Admittedly, John was probably the wealthiest baron in Northern England, and near the Scottish border, indicating that King Henry's choice of Balliol as a key knight in these areas during years of crisis was no coincidence. His tremendous loyalties to the English king spanned over three decades, and although there were a few quarrels, they did not outweigh Balliol's support for Henry. His services in politics—foreign and domestic—certainly provide a sense of true allegiance and devotion to the king. During the thirteenth century, Henry III commissioned carvings of the shields of the great kings and barons of his reign to be placed in the choir aisles of Westminster Abbey. They were ordered by rank, starting with St Edward and England at the east end of the south choir aisle and the Holy Roman Empire (Frederick III) and France (Louis IX) at the corresponding end of the north choir aisle. In surviving records of the heraldry, in the seventeenth place of the north aisle, notably on the French side, counting from the east, was the shield of *Johannes de Balliol—gules au orle argent*.<sup>11</sup>

Overall, John (I) was indeed a virtuous lord and possessed great ambition, despite his antagonistic attitude towards the bishops of Durham—when he seemed, rather, to have been acting on matters of principle than pure animosity. He served England well as apparent from the frequent gifts and positions of authority he received from Henry III, who also seems to have had much confidence in his loyal subject.

When Balliol is compared with his political contemporaries, one notices both resemblances and differences. The Balliols had been making an impact, however slight, in Northern England since the early twelfth century, but it was not until after 1229 that the senior line began consolidating power and reached an influential position. Politically, John (I) had as much influence as Robert Bruce, whose family had been moving in royal circles from at least 1124. The Comyns were seemingly minor knights

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<sup>11</sup> J. Crull, *Antiquities of St Peter's, or the Abbey-church of Westminster* (3<sup>rd</sup> edn., London, 1722), i, 25-6; P. Binski, *Westminster Abbey and the Plantagenets* (London, 1995), 76-8; Huyshe, *Dervorguilla*, 45.

until the mid-thirteenth century when they became heavily involved in Scottish politics. They can be linked with the Balliols, between the 1240s and 1260s especially, and many coincidences can be noticed between the Comyn and Balliol positions in the Scottish and English governments and their close relationship. John (I) was also associated with key political figures of the thirteenth century, namely Henry III, Alexander III, Prince Edward and Simon de Montfort, while his involvement in the English king's government connects him to Henry III's powerful advisers, such as Robert Walerand, Richard de Clare, earl of Gloucester and John Mansel. Given these connections, there can be no doubt as to why the Balliol family became intertwined by marriage to other powerful families such as the Comyns, Valences, Warennes, Percys and kinswomen of the royal family. Moreover, John's position in the mid-thirteenth century reveals a powerful noble who was a key English baronial figure, while his Anglo-Scottish landholdings illustrate his role within a British context.

At the time of John (I)'s death, he had given his sons a strong political base, landed wealth and royal marriages. Despite Dervorguilla's Scottish blood, the family would remain wholly English. John (II), at the time of his elder brother's death in 1278, would rise to a wealthy landed position. Yet, he was not in a position to revive Balliol influences in the Scottish government sufficiently. Therefore, was it beneficial for John (II) to become king of Scots or would he have been more comfortable being a wealthy English lord, with power and money? Indeed, it is likely that had the Balliol finances fully recovered from the quick succession of deaths in the 1260s and 1270s, the family could have risen to its previous status. In the late 1280s and after the death of Alexander III, the opportunity had arisen which would catapult the Balliols into a prime position. King John's abdication in 1296, though, created a problem for his son, especially in terms of territorial holdings because of the subsequent forfeiture.

The level to which John (I) was a 'king's man' can be compared to John (II)'s puppet image under Edward I. It should be noted that the situation between John (I) and Henry III differed a great deal from that of John (II) and Edward I. When John (II) became king, he did not possess the strong character which his father and brothers had. It was his behaviour toward Edward I—a close friend of John (II)'s brothers—which later gave him the reputation of an English puppet. Yet, this reputation appears more and more unfair given the evidence presented here. Balliol was likely submissive before 1290 *because* of his family's relationship with the English crown; yet, after he was enthroned and King Edward became more demanding, King John appeared more willing to assert independence. Yet, the anomaly in this situation is what happened to Balliol after 1296. Because he was not formally accused of treason and was treated leniently in English custody demonstrates that Balliol and Edward still retained a lord-subject relationship despite the wars in Scotland. The developments after 1299, including Balliol's release into papal custody, his attempts at restoration and the Scots' situation in the years 1304-6, severed that relationship. Regardless, the family retained their links to the English royal family through the upbringing of Edward Balliol at the English court.

This thesis has not been intended as a comparative study of the two Balliol kings, but still, many similarities and differences have arisen. The circumstances under which each man came to the throne were equally complicated by the situation facing Scotland at the time. In 1292, Scotland had been without a ruling monarch for six years and factions were rife; in 1332, the kingdom was ruled by a minor and again factionalism proved problematic for the new regime. These situations were further entangled by the role of the English kings. Edward I had helped secure Balliol's lawful claims to the kingdom in the Great Cause while Edward III had financially assisted

Edward Balliol and the Disinherited in the 1330s. Apart from these problems, John and Edward also had to contend with strained Anglo-French relations which resulted in the outbreak of war—Edward I had continuous conflicts with France and Wales, while Edward III was engaged in the beginning of the Hundred Years War with France. This undoubtedly caused some distraction on Edward III's part and by 1349-51 the English king appeared willing to discard Balliol in favour of David Bruce and control of Scotland (should the Bruce king die without heirs). Edward Balliol, however, continued to persevere until surrendering his kingdom aged seventy-four in 1356. Most importantly, though, the position of both John and Edward signified a continuity of English loyalties.

The major difference in the kingships of father and son lies not in the support or connections each Balliol king had with their English or French counterparts, but rather the support they had from their adherents. John (II) could claim a strong support base from his kinsmen and political leaders of the government, the Comyns, who had been effectively ruling with other nobles since 1286. Even if the Comyns were only seeking complete control of the government with King John as a figurehead, their support remained. Edward, on the other hand, lacked this influence in either England or Scotland because of his father's forced abdication and forfeiture. This support, as mentioned in Chapter Six, was a key element in any successes Edward would witness in his campaigns to conquer Scotland. His adherents were men who were hoping to recover their own lost inheritances and, because of their own interests, might not remain loyal to Balliol's cause, as Strathbogie's defection in 1334 illustrates.

Both men also seem to have had different political agendas. As apparent from their respective parliaments, the government under King John genuinely appeared to promote kingship, authority and peace despite the difficulties faced by John's

submission of homage and fealty to Edward I, from which he later tried to break in a bid to rule independently. Again, while this break may have been influenced by the Comyn party, Balliol's defiance of Edward in 1296 combined with his restoration attempts in 1299-1301 illustrate that he no longer wished to be politically controlled.

Edward Balliol's aims were restricted in a sense because he was never recognised by the Bruce Scots as king unlike his father, who had received the reluctant Bruces into his peace. Edward, thus, spent his entire kingship trying to maintain his possession of the throne, rather than striving for peace and stability. His grants and charters reflect a king who needed support and acquire it by giving his adherents the lands of his enemies. His reign was based on military conquests and invasions and it was the success or failure of these campaigns which would determine his political position. While King John's 1296 abdication was forced upon him by Edward I (and to some extent by his nobles), Edward Balliol surrendered in 1356 because of his failed campaigns, the lack of support for his dying cause and his extreme old age.

Arguably, Edward Balliol's status as king of Scotland began its decline in the late 1330s, with the birth of Edward III's younger sons, Lionel (b. 1338) and John (b. 1340). Indeed, the birth of Edward II's heir, Edward, in 1312, affected Piers Gaveston's position among the nobles. At this time, though, Balliol remained unaffected perhaps because of his position as Edward I's godson and because he had no strong value or affinity to Edward II. This would change during the second wars of independence as Balliol's failure to secure his realm from the Bruce Scots by the late 1330s perhaps created the opportunity for Edward III to make a bid to install one of his sons, Lionel or John, in Galloway or possibly to the Scottish kingship. What is also apparent is that both Edward II and Edward III failed to capitalise on the Balliol-crown relationship—no doubt utilised by Edward I because of his friendship with John (II)'s

brothers—and after 1307 the English kings seemingly lost sight of that advantageous connection.

Edward Balliol relied on the English king for heavy financial support for his campaigns, as well as patronage for his own maintenance, but he remained virtually landless. Fordun's source also argues that in 1356, 'he gave away nothing from himself, inasmuch as he had no right, from the first; and, if haply he had had any, he then resigned it into another's hands.'<sup>12</sup> However, the fact that Balliol ruled Scotland through Edward III's overlordship does imply his status as a shadow king. This, as illustrated in Chapter Seven, was merely to facilitate King Edward's own gains and his pretensions either to put his son, Lionel, in an influential position or to restore David II in full control with promises of an English succession. Certainly Balliol's relationship with Edward after the secret negotiations with King David in 1351-52, which excluded Balliol, reveals anything but a puppet kingship.

Like many of the contemporary families (especially the Comyns), the Balliols had risen to a very powerful and influential position amongst the Anglo-Scottish nobility but had eventually suffered a failure in the male line and the near disappearance of their name. The political achievements under John (I) and the foundation of Balliol College, Sweetheart Abbey and other religious houses have led to the recognition of this family as generous and ambitious in both realms. The events from 1296, though, reveal the many misfortunes, exaggerated by later chroniclers, faced by John (II) and Edward because of their English loyalties. Until the decline of Edward's kingship, around 1351, the family remained valuable in Anglo-Franco-Scottish political relations despite previously accepted views that they were ineffective.

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<sup>12</sup> *Chron. Fordun*, i, 373-4.

## Appendix A

### *Selected Extensions of the Balliol/Bailleul Family*

Other members from cadet branches of the Balliol family have appeared throughout this research which have caused confusion in names and in determining kinship. In France where the family originated, many contemporary Bailleul families survived, although most were either distant relations or no relation at all. There were no less than thirteen villages named Bailleul and at least nineteen different families carried the name in France.<sup>1</sup> The seals of Simon de Bailleul (1229) and Enguerrand (1270) have similar coat-of-arms as the Balliol family in England which proves, although not exactly, some relation.<sup>2</sup> A William de Balliol of Flanders also appears in 1340 fighting for the English against the French while another Balliol, called 'Seigneur de Bailloeuil,' was fighting against the English.<sup>3</sup>

A certainly different Jean de Bailleul appears in November 1281, having been fined 600 *livres* for striking and maiming a squire of 'Clari.'<sup>4</sup> Given John Balliol's personality, his clerical training as well as his marriage in early 1281 to the daughter of the earl of Surrey, it is highly unlikely that these men were one in the same. In November 1288, a mention is made of the arrest of 'Jean de Bailleul, knight,' who had pursued a certain Jacques Bauberel for his crimes.<sup>5</sup> Again, he was not likely the same as John Balliol. Rather, this may have been the Jean de Bailleul with whom Balliol is often confused regarding his death and burial. The ex-king of Scots had died at his castle of Hélicourt in the last months of 1314, although it has been argued that he was

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<sup>1</sup> Belleval, *Jean de Bailleul*, 4-5, 26-8.

<sup>2</sup> R. de Belleval, *Les Sceaux du Ponthieu* (Paris, 1896), no. 127; Douët-d'Arcq, *Collection de Sceaux*, i, nos. 1269, 1271; Belleval, *Jean de Bailleul*, 20. The charter from 1270 with Enguerrand's seal was a receipt for 300 *livres petits tournois* for taking part in the Crusades (AN J4185/47).

<sup>3</sup> E. Sveyro, *Anales de Flandres* (Anvers, 1624), 420, 458; Scott, *Norman Balliols*, 353, 372. In 1320, a Jean and Pierre de Bailleul were mentioned as being in Flanders (Sveyro, *Anales de Flandres*, 404). This Jean was likely the canon of St Martin d'Ypres (Douët-d'Arcq, *Collection de Sceaux*, iii, no. 10781).

<sup>4</sup> *Actes du Parlement de Paris*, I, ii, no. 2373. The fine was later reduced to 400 *livres*.

<sup>5</sup> *Actes du Parlement de Paris*, I, ii, appendix no. 710 (page 422). He was pursued of the crime of *trèves enfreinctes*; Bailleul was said to have been vested and furnished with his men (Bauberel's?).



buried in the church of Saint-Waast in Bailleul-Neuville, Normandy. The confusion of the tomb comes from the existence of at least two men named 'Jean de Bailleul' for this period, of which the Jean of Bailleul-Neuville was a certain chamberlain of King Philip IV of France, who 'built the church dedicated to him where his tomb...is in the choir.' He was likely the brother of Pierre de Bailleul, whose effigy bearing the same coat-of-arms lies in the rear of the church.<sup>6</sup>

Most of the Balliols who appear in England and Scotland were likely from cadet or female branches of the Balliol family. This included Robert de Balliol, sheriff of Northumberland, who was the son of Ada (d. 1251), sister of John (I), as well as the Balliols of Cavers and the Balliols of Tours-en-Vimeu, which were later represented by the Percy and Umfraville lines.<sup>7</sup> Ada, sister of King John, had married William de Lindsay (d. 1283) with whom she had a daughter, Christian (d. 1335). After her father's death, Christian went to the court of Alexander III and married Enguerrand de Guines, cousin of the Scottish king and from them were descended the French royal house of Bourbon. In 1364, Christian's grandson, Raoul de Coucy, would successfully claim the lordship of Bailleul as nearest heir of Edward Balliol.<sup>8</sup>

Other Balliols have been difficult to place. There were at least three William de Balliols: two Scottish and one English, perhaps. The Scottish William appears in 1288 as lieutenant, clerk and deputy of Alexander de Balliol of Cavers (d. c. 1311), and may have been his brother.<sup>9</sup> He was likely the same mentioned in 1296 as 'rector of Kirkpatrick' who attached his seal to the Ragman Roll in July of that year at Montrose

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<sup>6</sup> d'Estaintot, *La Tombe de Jean de Bailleul*; Belleval, *Jean de Bailleul*, 20; Douët-d'Arcq, *Collection de Sceaux*, i, no. 1270. This Jean had married the daughter of Jean d'Harcourt (AN JJ41 f.98d.; JJ42b f.81d.).

<sup>7</sup> Lomas, *The Percys*, 31, 45.

<sup>8</sup> NAS GD99/230/12: Sinclair, *Heirs of the Royal House of Baliol*, 9; Sinclair, *Remarks on the Tables of the Heirs of the Royal House of Baliol*, 6. Christian's and Enguerrand's son, William, was married in 1311 to Isabel de Châtillon, daughter of Guy, count of Saint-Pol, who took part in the 1299 peace between England and France, resulting in the release of John (II) (See Chapters Two and Five).

<sup>9</sup> NAS RH5/226 nos. 1, 2; *Liber de Sancte Marie de Melros*, 343, 348-9.

and went into Edward I's peace with other Scottish nobles.<sup>10</sup> Another William, who held lands within the barony of Bothwell (Lanarkshire) attached his seal on 28 August 1296 at Berwick and the following year, he had apparently angered Edward I so much that he was fined four years' rent for his estates.<sup>11</sup> In 1303, this William was one of the Scottish 'ambassadors' in France who appended his seal to a letter urging the Scots to resist Edward I should he refuse to accept the truce offered by the French. However, in February 1304, he had re-entered Edward's peace and was granted his forfeited lands along with other Scots, including others mentioned in the 1303 letter, such as the earl of Buchan, James the Steward and Enguerrand de Umfraville.<sup>12</sup> Alexander de Balliol of Cavers had at least two sons, Alexander and Thomas; yet, there may have been a third son, William, (or perhaps this was the second Scottish William?) as evident from a charter of December 1316, witnessed by 'lord Alexander de Balliol [and] lord William, his brother.'<sup>13</sup>

The English William appears from 1297 to at least 1315 as a yeoman of Edward I and Prince Edward (later Edward II), along with Walter de Frene who would become Edward Balliol's valet; William was later mentioned as being the king's hunter.<sup>14</sup> A William de Balliol of Harewell also appears in 1303, receiving a pardon for the death of John le Skymer of Henrethe 'in consideration of his having found security to go to the Scotch war on the king's service.'<sup>15</sup> He received another pardon in 1318 for acquiring—without licence—a fee of land held in the honour of St Valery from Thomas de Balliol, heir of Walter de Balliol and Emma his wife, who subsequently granted

<sup>10</sup> NA SC13/S150; *CDS*, ii, no. 1978, pg. 195; *CCR*, 1302-07, 290; *CPR* 1301-07, 213.

<sup>11</sup> *CDS*, ii, no. 1978 (page 195); Scott, *Norman Balliols*, 409; Anderson, *Early Sources of Scottish History*, 173. The lands included Penston and Carnbrae.

<sup>12</sup> NA C47/22/7/8; *CDS*, ii, nos. 1363, 1455, 1481, 1574, 1696.

<sup>13</sup> *RRS*, v, no. 110; *CCR*, 1302-07, 20; 1307-13, 254. However, the seal of one William clearly belongs to the Balliol family, although not that of the senior line (NA SC13/A9).

<sup>14</sup> *CCR*, 1296-1302, 60, 138, 141 (December 1297); 1307-13, 280, 284, 514; 1313-18, 240; *CPR*, 1301-07, 117; 1307-13, 576, 580; NA E101/619/45 m.2, dated 4 Edward II (July 1310-11); *Foedera*, II, i, 37.

<sup>15</sup> *CPR*, 1301-07, 117, 182.

William the remaining lands.<sup>16</sup> This may have been the Scottish William who later came into Edward's peace although the relationship is unclear.

There were also two Thomas de Balliols: a son of Alexander of Cavers, mentioned above, and a bastard son of Donald, earl of Mar, by a Balliol woman, who may have been a cousin or sister of Edward Balliol.<sup>17</sup> In the 1360s, this Thomas, who had a daughter, Isabella, was receiving an annuity of £20 and other payments from the English king.<sup>18</sup> Of course, the Balliol women in the family have been harder to trace. A certain Alicia de Balliol was mentioned as being 'in the king's gift' and 'not yet married' in January 1279.<sup>19</sup> In 1318, an Isabelle de Bailleul, *demoiselle* of the queen of France (Joan of Burgundy, wife of Philip V) was given six *cendaus* and a robe of three *garnemens*, along with three other *demoiselles* of the queen and the *demoiselle* of the countess of Artois.<sup>20</sup>

Finally, there is Henry de Balliol (d. 1332), who has always been assumed to have been the second son of John (II), and thus the younger brother of Edward; however, contemporary evidence to confirm his existence and his connection to the Balliol family is dubious and, for the most part, severely lacking. The major chronicles for this period, English, Scottish and French (*The Anonimale Chronicle*, *The Brut*, Froissart, Guisborough, Hemingburgh, Jean le Bel, Lanercost, *Scalachronica* and Walsingham<sup>21</sup>) make no mention of a Henry de Balliol, while others such as Fordun,

<sup>16</sup> *CPR, 1317-21*, 165. Emma held the lands in dower of Thomas's inheritance.

<sup>17</sup> *Rot. Scot.*, i, 850, 857; *CCR, 1307-13*, 396.

<sup>18</sup> NA E403/418 m.11 (40s); /422 m.11 (£10); /438 m.9 (as 'valet' £10); *CPR, 1358-61*, 555; *RRS*, vi, no. 323; *RMS*, i, app. ii, 732.

<sup>19</sup> *CDS*, ii, no. 148 (page 42).

<sup>20</sup> *Nouveau Recueil de Comptes de l'Argenterie des Rois de France*, ed. L. Douët-d'Arcq (Paris, 1874), 12, dated 20 June.

<sup>21</sup> *The Anonimale Chronicle, 1333 to 1381*, ed. V.H. Galbraith (Manchester, 1970); *The Brut*; Jean Froissart, *Chroniques*; *The Chronicle of Walter of Guisborough*; *Chronicon Domini Walteri de Hemingburgh*; *Chronique de Jean le Bel*; *Chronicon de Lanercost*; *Scalachronica*; *Thomae Walsingham, Historia Anglicana*.

Melsa, Pluscarden, Wyntoun and Bower<sup>22</sup> give reference to Henry's death at Annan on 16 December 1332 but not as brother of Edward. Moreover, different printed versions of the manuscripts of Fordun and the Pluscarden book give 'de Bellomonte' and 'Beumont' in place of 'de Balliol.'<sup>23</sup> Joseph Bain, editor for the *Calendar of Documents Relating to Scotland*, also mentions that 'among the dead at Annan was Henry de Balliol, called [Edward's] brother on what authority [I am] not aware.'<sup>24</sup>

Indeed, this poses some questions on the existence of Edward's brother. However, there was certainly at least one Henry de Balliol, possibly a member of the Cavers branch of the family, if certain suggestions from charters of the Percy family are to be believed. However, the editor for the Percy Chartulary, published in 1911, appears to believe, surely in error, that at least one of the Henrys mentioned in the charters was a younger son of Edward Balliol.<sup>25</sup> A second Henry—who may have been the same—is mentioned in 1315-16 as a leader of the Scots along with William de Soules of Liddesdale (later involved in the Soules Conspiracy) and Sir James Douglas (d. 1330).<sup>26</sup> This was the same Henry de Balliol, who was given the land of Branxholme 'for his homage and service' by Robert I between 1315 and 1321 and who later became sheriff of Roxburgh.<sup>27</sup> It is possible that this Henry was killed at Annan, fighting against Edward Balliol and his men.

While one can be sure that there was a Henry, it is difficult to place him in relation to John (II) and Edward. There were no provisions made for him in the 1295

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<sup>22</sup> *Chron. Fordun; Chronica Monasterii de Melsa; Liber Pluscardensis; The Original Chronicle of Andrew of Wyntoun; Chron. Bower*. Bower (vii, 81) also mentions that Henry was among those who came with Edward from France 'to search out their lands.'

<sup>23</sup> *Chron. Fordun*, i, 356. Beaumont, a member of the Disinherited, did not die until 1340.

<sup>24</sup> *CDS*, iii, *xli*.

<sup>25</sup> *The Percy Chartulary*, 374, 453.

<sup>26</sup> *CDS*, iii, no. 470.

<sup>27</sup> *RMS*, i, no. 24; *Registrum Episcopatus Glasguensis*, i, no. 280 (dated *c.* 1327-9). A later grant to Maurice de Murray claims that Branxholme, in the barony of Hawick (Roxburghshire), was forfeited by John Balliol (*RMS*, i, app. ii, no. 1097). Nicholson's claim that Henry left a widow, Joanna, was probably a mistake for the Scottish Henry (NA E101/19/3 m.1, m.4; Nicholson, *Edward III and the Scots*, 104).

treaty with France when Edward was betrothed to Jeanne de Valois; nor did he appear in the records as being present at Edward's coronation in 1332. Moreover, every document relating to King John, especially his surrender and imprisonment in England, refers to his 'son' Edward, not 'sons' or 'children.' What this implies is that John Balliol had only one son and heir at the time of his kingship and if Henry was a second son, he must have been born after 1301, when Balliol was released to his estates in Picardy. From this, it can also be suggested that Henry was born in April 1308, when Philip IV gave Balliol, as 'king of Scots,' a 'one time gift' £333 6s 8d.<sup>28</sup> John Balliol would have been fifty-nine years old at this time and possibly at the French court for the wedding of Philip's daughter, Isabella, to Edward II of England. Again because of the circumstances, it might be possible that the alleged marriage of Edward Balliol to an Italian noblewoman, Margherita de Taranto, daughter of Philip de Taranto (d. 1332), son of Charles II of Naples and, thus, a cousin of Queen Isabella, may have in fact been contracted between John and Margherita.<sup>29</sup>

Interestingly, there was a Henry de Bailleul in France who was married with a son, Jean. In September 1335, Jean and another Jean, son of Lorens de Bailleul, were pardoned by the French king, Philip VI, for the death of Jean de Longueyaue and were received back into the king's peace and their goods returned to them.<sup>30</sup> There is no reason given for their pardon, although it may have been the innocence of their youth. Had Henry de Balliol been born in 1308 or earlier, he may have had a young son at this point. Nonetheless, it is doubtful that this Henry de Bailleul was the son of John Balliol. It can be concluded, therefore, that it was unlikely John (II) had a second son

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<sup>28</sup> *Les Journaux du Trésor de Philippe IV le Bel*, no. 5917; Barrow, *Robert Bruce*, 183. Of course, this could have been made in respect to Balliol's debts at this time.

<sup>29</sup> For the alleged marriage of Edward Balliol, see Chapters Five, Six and Seven.

<sup>30</sup> *Archives Communales d'Amiens Inventaire Sommaire*, i (Amiens, 1891), AA5 f.56. Henry and his wife later appeared in a suit against Jean Senequin concerning an unknown recompense which they were required to pay to Jean (*Actes du Parlement de Paris*, II, i, no. 3929; II, ii, nos. 4619, 4863)

named Henry. The Henry de Balliol who died at Annan was either a Scottish nobleman from the Cavers branch of the family, or had never existed. In fact, it can be speculated that this Henry was merely manufactured by the chroniclers as a brave alternative to Edward Balliol's own cowardice at Annan, having fled to Carlisle.

Although the Balliol family virtually disappeared after 1364, from time to time some generations of the family would appear in the records. One such example was in the early eighteenth century, when the three surviving daughters and co-heiresses of Peter Balliol—Rachel, Martha and Margaret—petitioned King William III for money due to them from the trustees of their father's estate in Guernsey, and, perhaps in an attempt to win their case, claimed that 'tho we are still the unfortunate orphans of the said Peter Baliol Esq., our ancestors were the founders of Baliol Colledge, in Oxford; and conquer'd the island of Guernsey, and presented the same to the crown of England.'<sup>31</sup> This may underline the prestige which the Balliol family held in later generations for their generosity.

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<sup>31</sup> NAS GD220/6/1760, not dated but before 6 February 1707.

## Appendix B

### *“A Defence of John Balliol”: Balliol College*

*“He was a lover of scholars, and out of his love towards God, he built a house at Oxford....”<sup>1</sup>*

The legend that Balliol’s penance was to maintain forever the scholars at Oxford is a somewhat romantic story passed down since the foundation of the college. Regardless of what has been accepted as fact for the foundation, there has been an argument against the idea of penitence surrounding John (I) and the bishops of Durham. In his work from the early 1970s, J.H. Burn theorises that Balliol’s penance was not to maintain scholars and establish Balliol College, but rather to do the homage that was due from him for several decades.

Burn states that at the time of Balliol College’s foundation, civil war between Henry III and the barons under Simon de Montfort was looming, and ‘although John Balliol was a firm supporter of the king, the students of Oxford University, under the influence of the Franciscan friars among them, stoutly supported Simon de Montfort.’<sup>2</sup> He claims therefore that it would be likely that the students had strong feelings against John Balliol for his continual support of Henry III. Mr Burn further claims that the story in the Lanercost chronicle had merely arisen because of the ill-feeling towards Balliol, and was nothing more ‘than angry surmise among students in the hall.’<sup>3</sup> His main reason for this approach is the fact that there are no existing records of Balliol’s penance to establish a college, apart from the story in the Lanercost chronicle—which does not mention Balliol specifically. The chronicler of Melrose does not mention a penance (although it mentions the weekly stipends) and neither does Matthew Paris, who only commented on the ‘evils’ Balliol had committed against the church. It is

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<sup>1</sup> *Chronicle of Melrose*, 121. Much of this discussion, as well as the relevant sections from Chapter Two, will be presented in A. Beam, “John Balliol, the Bishops of Durham and Balliol College, 1255-60,” *Northern History* (forthcoming).

<sup>2</sup> Burn, *A Defence of John Balliol*, 2-3; G.M. Trevelyan, *History of England* (London, 1929), 175.

<sup>3</sup> Burn, *A Defence of John Balliol*, 3.

reasonable to say that Paris was biased in his opinions of the Balliol lord and thus would be hesitant to include favourable stories which cast them in a positive light. Moreover, had Paris not died in 1259, could one not assume he would have enjoyed Balliol's humiliation at the hands of the bishop of Durham and would have enlightened his readers with it?<sup>4</sup>

Lanercost Priory was a house for Augustinian canons just outside Carlisle in Northern England. The now lost original chronicle existed at the beginning of the sixteenth century, but incidentally it was known as the Chronicles of Friar Richard of Durham. A.G. Little claims that the chronicle was written by two Franciscan friars—the first (who Little believes to be Friar Richard) wrote the chronicle which covers the dates of 1201-1297, and the second wrote for the dates 1298-1346, when the chronicle ends.<sup>5</sup> He also makes a clear point that the author was

singularly well acquainted with the inner history of the foundation of Balliol College. He does not talk, like the chronicle of Melrose (which he sometimes uses as an authority), of John de Balliol's love of scholars; he knows that the maintenance of scholars at Oxford was imposed on John de Balliol as part of a penance inflicted by Walter de Kirkham, bishop of Durham.<sup>6</sup>

Indeed, as Balliol held positions in Cumberland and especially in Carlisle and was based in northern England, it is reasonable to agree that the Lanercost chronicler had inner knowledge of the penance and Balliol's behaviour towards the bishops.

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<sup>4</sup> Vaughan, *Matthew Paris*, 9. Paris's date of death has been debated, although evidence strongly suggests 1259. This is probably correct since Paris's account of the Durham quarrel was never recorded.

<sup>5</sup> Little, *Franciscan Papers, Lists and Documents*, 44, 46. Little also says that Friar Richard was 'an enthusiastic admirer of Simon de Montfort, and a vigorous hater of the Scots' (*ibid.*, 35). On the authorship of the chronicle, he states that it was Franciscan, not Minorite, as Joseph Stevenson suggests in his 1839 edition.

<sup>6</sup> *Ibid.*, 49. In his footnote for this Little says 'it may be noted that the author [of the Lanercost chronicle] suppresses the name of John de Balliol in this passage—perhaps to spare the feelings of surviving relatives.'



Because of this knowledge of Balliol College, Little declares that Friar Richard may have been the same as Brother Richard de Slickburn, one of Dervorguilla's agents in the foundation of the college, who also came from northern England.<sup>7</sup> Brother Richard was a Friar Minor and there is a tradition that he was Dervorguilla's confessor and urged her to found (or complete the foundations of) the college in memory of John Balliol.<sup>8</sup>

Little intimates that the reference of John Balliol's penance in 1260 was probably not written before 1282, when Balliol College was actually founded; he further writes that Friar Richard most likely began his work on the chronicle no earlier than 1280.<sup>9</sup> Yet, because the college was not officially established until 1282, no solid record of its existence or the process of its foundation would be readily available.<sup>10</sup> In addition, the survival of any documents before this—especially in 1260-63—might have been uncertain. If the students at Oxford were against the powerful Balliol lord, as Burn suggests, the earliest founding documents and charters might have been destroyed in defiance. Therefore, the fact that the Lanercost chronicle is the only surviving source of Balliol's penance to support his scholars could be seen as a coincidence.

Matthew Paris's account mentioned that peace was restored between the prior of Tynemouth and John Balliol in 1255. This may have been in terms of homage and payment as there were large sums of money passed between Balliol and the church of Durham, but these were not directly from Balliol himself. In fact, two records of these

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<sup>7</sup> *Ibid.*, 49; *Oxford Balliol Deeds*, no. 565. Antonia Gransden, though, states that Friar Richard's identity is still uncertain because while he speaks respectfully of Dervorguilla, he mentions no personal knowledge of her, unlike Euphemia, countess of Dunbar, who also used Richard as her confessor (A. Gransden, *Historical Writing in England, c. 550-c. 1307* (London, 1974), 495-6).

<sup>8</sup> Paravicini, *Early Hist. Balliol*, 69.

<sup>9</sup> Little, *Franciscan Papers*, 47.

<sup>10</sup> Although Burn gives a strong argument on this apparently controversial subject, he fails (perhaps forgets) to take into consideration the fact that many medieval documents have been lost and the Lanercost account may be the only surviving example of Balliol's penance. In addition, the traditional date for the foundation of Balliol College is 1263, not 1260 as the Lanercost chronicler states (Savage, *Balliofergus*, 6). Savage does not mention a penance either, but there are other mistakes in his work which could decrease its credibility.

were merely loans that John Balliol had given to the church, though they were not repaid in his lifetime. As Burn mentions, the first was a receipt from Hugh de Eure and Stephen, rector of the church at Whiteworth, who were both executors of the Will of John Balliol, and Peter de Brandon, attorney for Dervorguilla. An amount of only ten marks was received on 10 December 1273, five years after Balliol's death. The second was another receipt from Dervorguilla and the executors of John's Will for 1,000 marks (£667) in part of a payment of £1,000, which the convent was to give Balliol. Hugh de Eure, Henry Le Spring and the abbot of Dundrennan were among the witnesses for this and their seals are still attached.<sup>11</sup> As Burn argues, this suggests that Balliol was inclined to lend the convent and cathedral of Durham money as part of his homage and penance. However, before his death, Balliol had proved to be quite a moneylender and especially after the Barons' War could be seen loaning money to former crown enemies.<sup>12</sup> He may, in fact, have been lending money to the church and convent in order to put them in a weaker position, perhaps threatening to seize their property or temporalities, and exert his authority over them because of the bishops' harassing attitude towards him since the 1230s.

Burn also describes how Balliol's scolding by the bishop in front of Durham Cathedral was for the homage of the knights' fees. He supports this by giving evidence from 1327, when the bishop of Durham, Lewis Beaumont (1318-33) sent repeated petitions to parliament asking for certain charters, because they rightly belonged to the bishops since homage was given in 1255 (they had been in the kings' hands since Edward I confiscated them from Anthony Bek in 1307).<sup>13</sup> Furthermore, when Balliol

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<sup>11</sup> DCM Misc.Ch.3585, 4463; Burn, *A Defence of John Balliol*, 60.

<sup>12</sup> Earning money through his service to King Henry and various rents of his many lands, Balliol seems to have given many loans. The sum of these debts and others come to a little less than £1,700 (See below, n.22; Chapter Two; Stell, "The Balliol Family," 157).

<sup>13</sup> Bishop Richard Kellawe (1311-16) and Beaumont had petitioned the English parliaments for the return of Barnard Castle in 1315, 1316 and 1325 (*Rotuli Parliamentorum Anglie Hactenus Inediti 1279-1373*, eds. H.G. Richardson and G. Sayles (Camden Society, 3<sup>rd</sup> ser., li, London, 1935), 111, 114-5; Austin,

was urged to give ‘competent satisfaction’ to the bishop for his brothers’ attack on Bishop Walter’s retinue in 1255, it is claimed that this satisfaction was in fact the homage and not the foundation of a college.

While these points carry some weight, it must be noted, of course, that the penance perhaps asked for both homage *and* the maintenance of scholars. In addition, a third condition might have called for the education at Durham of Balliol’s fourth son, John (II), the future king of Scots. Indeed, John (II) was allegedly educated at their schools and given the wealth of the Balliols at this time, it seems unusual that their youngest son would leave home for school, when a private schoolmaster or chaplain could have been easily hired.<sup>14</sup> Although the use of pilgrimage as penance could have been enacted at times, it was not wholly approved as a sufficient means of penance. In any case, Balliol does not appear to have travelled anywhere at this time and surely his punishment would involve more than a pilgrimage.<sup>15</sup>

At the time of the ambush of the bishop by Balliol’s brothers, John was punished further when he was ordered to hand over Carlisle Castle and the county of Cumberland to Robert Bruce of Annandale. If he had made amends to the bishop by performing homage, then this may not have been needed and the matter would have been closed. If King Henry still demanded Carlisle Castle, then it might suggest that Balliol did not do homage, but rather stuck to his previous refusals. Yet, this move by Henry III was likely meant to reprimand Balliol for his behaviour and overweening ego at the time and the loss of these positions finally opened Balliol’s eyes to his unyielding

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“Barnard Castle, First Interim Report,” 54). Lewis was brother of Henry de Beaumont, one of the Disinherited who helped Edward Balliol invade Scotland in 1332. Bishop Beaumont’s petition was made the same year in which Edward was given a safe conduct to return to England from France. After Lewis’s death, Richard de Bury (or Aungerville) was consecrated bishop, and the ceremony was attended by Edward, as king of Scotland, among many others, in June 1334 (*Chronicon de Lanercost*, 276-7).

<sup>14</sup> Orme, *From Childhood to Chivalry*, 48, 73. Although, clerical training was best done in a religious community (*Ibid.*, 48).

<sup>15</sup> Webb, *Pilgrimage in Medieval England*, xiv-xv, 234-5. He did travel to Pontigny in February 1249, though this is not known to have been related.

behaviour and abuse of power. Moreover, as discussed in Chapter Two, the political circumstances surrounding this must also be taken into consideration as they reveal a much more intricately woven series of events.

Burn further supports the idea that Balliol College was not founded as a penance by mentioning the foundation of another college in Oxford, Merton College. Walter de Merton, who was also in the loyal service of Henry III, founded the college in 1264. Merton had previously presided in the bishop's council as temporal chancellor (under Bishop Nicholas Farnham), and later as justice itinerant. He entered Henry's service in 1247 and by 1259 he had worked his way up to the position of the king's chancellor. This foundation was also upset by the situation in England with the Barons' War—in fact Merton College was not even founded in Oxford, but rather in Surrey. It was not until 1274 that Merton transferred the community of the college to Oxford.<sup>16</sup> Just as Burn suggests that Balliol may not have been popular with the scholars of Oxford, he also suggests the same for Walter Merton. The fact that both colleges have a decade or more between their initial formation and their permanent foundation at Oxford does support Burn's theory of the hostilities towards these two loyal barons of the king. However, while Burn justifies his argument, it is not wholly convincing.

### *The Foundation*<sup>17</sup>

Balliol College, nonetheless, was established around 1263 and has since accepted the Lanercost chronicler's story of John's penance. Also, Balliol kept to his promise of maintaining the scholars at Oxford for the rest of his life, for in 1266 King Henry ordered the mayor and bailiffs of Oxford to pay 'to John de Bailliol £20 that the

<sup>16</sup> Burn, *A Defence of John Balliol*, 111-2.

<sup>17</sup> The foundation of Balliol College is presented in a mural painting by Mr Gilbert Spencer, created in 1934-36, in which he depicts John (I) as 'a mean character' (G. Spencer, *Memoirs of a Painter* (London, 1974), 107-15). There is also a portrait of Dervorguilla by C.E. Fremantle from about 1929, on Staircase II (Jones, *Balliol College*, plate c.29).

king has granted him in loan for the use of the scholars whom he maintains in the said town.’<sup>18</sup>

The complete foundation of Balliol College, however, would not be processed in Balliol’s lifetime. He died between 21 and 24 October 1268 and in observing John’s Will, his widow, Dervorguilla, endowed the college with its statutes. Henry Savage, a former master of Balliol College (1651-1672), once suggested

the motives, wherewith our Founder served himself to build this College.

The first doubtless, was the honour of God, it being the pole upon which his own Loyalty to the King, and the Charity of Dervorgille, in pursuance of his Design, did more. The second was the good of his own Soul, as thereby purchasing the Prayers of his Beneficiaries for his good success in the service he went upon, and for the better fitting of his Soul for heavenly Mansions, by what accidents soever it should be divorced from his Body.<sup>19</sup>

In addition, the *Chronicle of Melrose* states that Balliol was a ‘lover of scholars, and out of his love towards God, he built a house at Oxford...’<sup>20</sup> The foundation took place later in Balliol’s life, which might give credit to his attitude towards the scholars; yet more specifically, prior to this, his military career and stance on the bishops of Durham indicate that the foundation of the college was not his own idea for penance. The influence and encouragement of his pious wife, Dervorguilla, as well as suggestions from Bishop Kirkham may have indeed led John to begin the foundation. Indeed, the Melrose chronicler finishes by stating that there was another house of scholars, ‘better than this last mentioned,’ where each scholar received twelve pence by the gift of the

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<sup>18</sup> CDS, i, no. 2401, dated 22 June 1266; Paravicini, *Early Hist. Balliol*, 47.

<sup>19</sup> Savage, *Balliofergus*, 8.

<sup>20</sup> *Chronicle of Melrose*, 121; Anderson, *Early Sources of Scottish History*, 663-4.

bishop of Bath.<sup>21</sup> This may be a direct insult to Balliol, whose behaviour towards ecclesiastical men was certainly not to be praised by the chronicler.

During the time between Balliol's death and the full establishment of Balliol College, the scholars were supported by Dervorguilla and the co-executors of Balliol's Will through debts owed to John Balliol from various persons. The debts date as early as 1251, when Maurice Akarsan owed him 180 marks.<sup>22</sup> Balliol's heir, Hugh, also owed 10 marks to his father's executors in 1269 for two horses which he bought. Hugh promised to make the payment before 1289 'on pain of ecclesiastical censure'; however, he died around April 1271 and according to Savage's account in 1668, he 'never paid us for his two horses.'<sup>23</sup>

Dervorguilla's first statute of 1282 gave Balliol College its permanent place in history. 'With a mother's affection,' she decreed that the scholars were to be pious as well as studious. Days of worship and prayer were established and 'on other days they [would] diligently attend the schools...and give heed to their studies.' The scholars were also to remember John Balliol 'our beloved husband' in their daily prayers. There were three Masses each year 'for the soul of our beloved husband, Sir John de Balliol, and for the souls of our predecessors, and for all the faithful departed. And likewise for our salvation, here and hereafter.'<sup>24</sup> The patron saint of the college is St Catherine of

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<sup>21</sup> *Chronicle of Melrose*, 121.

<sup>22</sup> *Oxford Balliol Deeds*, no. 592. Further payments included: 13 February 1257-58, Jocelin de Westwik, 747 marks (no. 593); 15 August 1265, Thomas de Musgrave, among other debts, 100s or 2 tuns of wine (no. 594); 25 August 1265, Thomas de Musgrave, 123 marks (no. 595); c. 1266, Baldwin Wake, 100 marks and more (no. 597); c. 1282, Alan fitz Count, £100 to the executors of Balliol (no. 599); 8 October 1284, Stephen de Balliol, £49 to the principal and scholars of Balliol (no. 600); 11 November 1286, Adam de Lindsey, £45 18s 8d to the House of Balliol (no. 603); 20 February 1286-87, Hugh de Euer, £22 10s 10d to the House of Balliol (no. 604); 20 June 1287, Grants to Balliol College of moneys owed to the late John de Balliol (nos. 567-9).

<sup>23</sup> *Oxford Balliol Deeds*, no. 598; Paravicini, *Early Hist. Balliol*, 83; Savage, *Balliofergus*, 24. Hugh's death is recorded in *CDS*, i, no. 2600.

<sup>24</sup> Paravicini, *Early Hist. Balliol*, 65. These were held in the first week of Advent (Advent begins 11 November), in the week of Septuagesima (ninth Sunday before Easter), and in the first week after the octave of Easter (i.e. the second week after Easter).

Alexandria, a crusading saint—no doubt pointing towards the involvement of her two eldest sons in the Holy Wars in 1270-72.<sup>25</sup>

Next, Dervorguilla provided her scholars with a permanent residence by purchasing three tenements for 80 marks situated on the present-day Broad Street.<sup>26</sup> She also granted more lands to Balliol College between 1280 and 1290. These lands—Stamfordham and Heugh—previously belonged to Robert Walerand, one of Henry III's most trusted advisers, who gave the lands to Hugh Balliol shortly after John Balliol's death. Dervorguilla's grant of the lands refers to John's Will and the '*scolares de Balliolo*.' The actual Will no longer exists but from these various deeds it seems that it was his wish to support the scholars at Oxford and to arrange a permanent place for them (unless Dervorguilla was more influential in this aspect).<sup>27</sup> Indeed, King Edward I, 'wishing to do a special favour to Dervorguilla,' further cemented the foundation in 1285 and permitted her 'to give a messuage in the suburb of Oxford to the Master and Scholars studying in the House of Balliol there.'<sup>28</sup>

Before John (I) Balliol died in October 1268, he seems to have come closer to terms with the bishops of Durham. The only known interaction between John and Bishop Kirkham around the time of their famous quarrel appears to be when Balliol was a witness (incidentally, the first listed) to one of the bishop's charters shortly before Kirkham died in 1260, which granted the prior and convent of Durham land in 'Muggleswick' to use as a park.<sup>29</sup>

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<sup>25</sup> Macquarrie, *Scotland and the Crusades*, 59-60.

<sup>26</sup> *Oxford Balliol Deeds*, no. 8, 10; Paravicini, *Early Hist. Balliol*, 70.

<sup>27</sup> BCA E.4.1, E.4.2, E.4.3; Savage, *Balliofergus*, 23. Stamfordham was in the Bywell lordship. The fact that Walerand had granted these lands to Balliol could point towards the non-payment of his debts to John (I) (See Chapter One).

<sup>28</sup> *Oxford Balliol Deeds*, nos. 11, 14; CPR, 1281-92, 196; Paravicini, *Early Hist. Balliol*, 80-1. Inspected by John (II) Balliol.

<sup>29</sup> DCM Cart.I.92a; 3.13.Pont.2d; Cart.II f.94r.; The grant is printed in *Feodarum Prioratus Dunelmensis*, ed. W. Greenwell, Surtees Society, lviii (Edinburgh, 1872), 182, dated 1 January 1260. Kirkham died before 30 September 1260, the date on which Robert Stichill was elected as his successor (ODNB, xxxi, 799).

The Durham incidents mentioned in this study seem to be the only episodes of Balliol's power struggle with the bishops over rights, lands and property. Yet it is still not known for certain whether he ever did homage for the knights' fees. It should be highlighted, though, that the bishops of Durham were in a position to benefit from the vast property Balliol held within Northumberland and the see of Durham, should he fall out with King Henry. If Balliol did make any serious mistakes with the king, he could have been disinherited and the bishops could claim his lands through forfeiture. Clearly, this would be a motive for the bishops to antagonise John Balliol or his men.<sup>30</sup> It is true, as well, that Balliol would probably have acted in the same manner had it been a secular landowner and not a powerful bishop.

Yet, the relationship between the Balliol patriarch and the bishops of Durham clearly points out this man's strong, persistent character, as well as his power—had another secular lord struggled with bishops for nearly thirty years he would surely have been disinherited and severely fined. Because Balliol was able to hold his own against the successive bishops *and* King Henry III, one can understand the influence which he held in the English government. However, Balliol did not always hold own against both simultaneously; when Henry started to insist, Balliol was seen capitulating to either the king or the bishops. Even so, Balliol College may have been more than the bishops of Durham had intended. Indeed, the foundation gave both John and Dervorguilla pride and respect. It was Bishop Walter's intention that John Balliol endow the poor students with stipends and lodgings, but he could not have anticipated that this endowment would eventually become a complete foundation of a reputable college. However, this was mostly the work of Dervorguilla, who was the true organiser for the foundation and the college's endowments. Whereas Balliol did his

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<sup>30</sup> This seems to be the case with John (II) because with his 'rebellion' in 1296, Bishop Bek gained the Balliol barony of Gainford and Barnard Castle by confiscating them as forfeiture of war (Fraser, "Edward I of England and the Regalian Franchise of Durham," 334).



'penance' in helping the students in need and maintained his promise until the end of his life, Dervorguilla made certain that this would be fulfilled.

On a more negative side, the Durham dispute may have had a direct connection to Balliol's political career, especially in Scotland. It certainly tainted his image as a co-guardian of the young king and queen of Scots—as well as kept him absent from Scotland—at a time when the overall opinion of the guardians was already diminishing. His constant, almost rebellious attitude could have brought more attention to himself, undoubtedly bringing Henry's tolerations of his behaviour to an abrupt end in 1255. At this stage in his political career, he certainly overestimated his influence and power, taking for granted his real role and objective as a loyal baron of Henry III. Regardless, as seen earlier, in 1257 Balliol was able to buy his way back into royal favour by paying an impressive £500.<sup>31</sup>

These disagreements with the bishops of Durham were not the only quarrels concerning John (I) Balliol and religious affairs. William, abbot of St Mary's, York, brought an action to the bishop of Durham's justices in respect to the church of Gainford against John Balliol. The church of Gainford was included in the property which John's predecessors had given St Mary's, York during the twelfth century. This had given the residing abbots of St Mary's the right to appoint the incumbent to Gainford church. The abbot, William, based this claim on a previous agreement made between his predecessors and Balliol's father and uncle. Balliol answered that he was not bound to the plea, because the agreement was made at Westminster in 1200, when the bishop of Durham, Philip Poitou, was still alive—the agreement was therefore void because it should not have been made outside the liberty of Durham. William agreed but made the point that because the Balliols declined to do homage or plea in his court,

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<sup>31</sup> *Chron. Majora*, v, 507; *CPR, 1247-58*, 575 (12 August 1257); *CDS*, i, nos. 2091-2 (12 and 14 August, respectively).

then the previous abbot was forced to go to the royal court at Westminster. Balliol then argued that 'whatever had been the practice, in theory they had always been under the obligation of rendering homage and suit of court to the bishop, and that the document therefore was as one made in one county in respect of land in another.' The outcome of this suit is unknown.<sup>32</sup>

However, from the previous arguments with respect to the franchises of Durham, the churches and pastures which the Balliols had given to St Mary's had never belonged to Durham, because they were still considered outside the jurisdiction at the time of the transfer. Balliol's argument, then, is confusing because Durham should not have been included in the agreement since they held no claims to the lands in question. Yet because this argument involved both Durham and York, who constantly rivalled each other, it is easy to understand why the bishops of Durham were so austere with Balliol.

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<sup>32</sup> From an exemplification of Bishop Farnham's plea rolls made in the late sixteenth century (See *Rotuli Matthew*, m.16d. no. 33 curs 92; Burn, *A Defence of John Balliol*, 41-2). The date is untraceable.

## Appendix C

### *Selected Documents for John (I) Balliol*

#### 1. No date

Charter of John Balliol confirming his ancestors' previous charters granting common pasture in Marwood to the burgesses of Barnard Castle.

*"Omnibus Johannes de Bayilliol salutem. Noverit universitas vestra nos dedisse, concessisse, et hac presenti carta nostra confirmasse, burgensibus nostris de Castro Bernardi et libere tenentibus in eodem burgo manentibus et ad illud spectantibus, quondam communem pasturam in Marewode, per has divisas; scilicet, a cruce Roger, ascendendo per murum usque ad salturam de subtus Stanleye versus occidentem, et a dicta saltura usque ad viam de Egleston propinquiorem vie de Backstongate versus aquilonem, et ita per viam de Egleston usque ad occidentalem pedem pontis del Est Mossemire, et ita usque in Blakedene versus aquilonem in excambium de Standulanbank et de Waterschawe et de Pottes, quas in parco nostro inclusimus, et etiam in excambium terrarium quas Dominus Henricus Spring et Robertus Gretheved tenent de nobis ad dumum de Hus, quas quidem pastures et terras dicti burgenses et liberi tenentes reddiderunt, remiserunt, et quietum clamaverunt nobis et heredibus nostris pro se et heredibus suis, habendum et tenendum dictis burgensibus libere tenentibus et eorum heredibus, de nobis et heredibus nostris, in feodo et hereditate, libere, quiete, et integre in omnibus, sicut tenent aliam communem pasturam suam de nobis, excepto quod non possunt secare in bosco quod est infra divisas predictas, neq. siccum neq. viride, nec in turbario fodere, nec eciam in mora que est infra esdem divisas flachts facere; et nos et heredes nostri dictam communem pasturam dictis burgensibus et libere tenentibus, et eorum heredibus, contra omnes homines warrantizabimus in perpetuum. Et ut hec, &c. Hiis testibus, Domino Henrico Spring, Domino Roberto Traine, Domino Engelramo Mauborne, Domino Henrico de Egleston, Goscelino de Westwyc, Radulfo de Langetona, Johne de Broft, et multis aliis."* BCA no. 95B; Surtees, *History and Antiquities of Durham*, iv, 71. There is a photo of the document in the Balliol College Archives, 'preserved in the town chest of Barnard Castle' in 1691, but its present whereabouts are unknown.

#### 2. 9 December, Tuesday, 1231, Bishop Auckland

Agreement between Richard le Poor, bishop of Durham, and John (I) Balliol.

*"Convenit inter Dominum Ricardum Dunelm. Episcopum et Dominum Johannem de Balliolo de manerio de Lang Neuton, videlicet, quod dictus dominus Episcopus concessit praefato Johanni et heredibus suis pro homagio et servicio suo totam villam de Lang Neuton cum pertinenciis, sicut antecessores sui habuerunt et tenuerunt. Ita tamen quod ipse et heredes sui faciant servicium quartae partis feodi unius militis pro unica medietate villae de Neuton, et pro alia medietate ejusdem villae solvent dicto domino Episcopo et successoribus suis decem libras sterlingorum, scilicet, centum solidos ad Pentecosten et centum solidos ad festum S. Martini in hieme. Dictus autem Johannes et heredes sui solvent dicto domino Episcopo et successoribus suis sine difficultate aliqua wardas et scutagia de quinque feodis militum et unius quarterii, quae dictus Episcopus warrantizabit donec habuerit homagium de eisdem feodis. Faciet autem dictus Johannes et heredes sui et homines illorum dicto domino Episcopo et successoribus suis sectam wapentari [sic] de omnibus terris quas habet infra wapentagium de Sadberg, sicut alii patres (pares?) sui faciunt in eodem wapentagio, et antecessores sui facere consueverunt. Praeterea dictus Johannes juravit personaliter et jurari fecit per dominum Johannem filium Roberti, domini Henrici [sic] de Balliolo, Walterum de Fontanis, Eustachium de Balliolo, et faciet jurari per dominum Ingelramum de Balliolo, quod ista convencio fideliter servabitur, et istud idem fiet ex parte domini Episcopi promissum per Radulphum Dunelm. et Radulphum de Finchall priores, et per Magistrum Willelmum archidiaconum Dunelm. et per Johannem Rumes' senescallum domini Episcopi. Insuper juraverunt dictus Johannes de Balliolo et praedicti ex parte sua quod fideliter laborabunt et sine fraude et dolo per se et amicos suos erga dominum Regem sine grandibus expensis ut dictus Episcopus habeat homagium de Gayneford et de feodis supradictis, quae sunt in wapentagio de Sadberg spectantibus ad baroniam de Gayneford et si dictus Rex praeceperit ut faciat dicto Episcopo de omnibus praedictis homagium sine difficultate faciet. Et dictus Rex quaesiverit quod intelligit de homagio et quid illud habere debeat, respondebit secundum veritatem quantum poterit inquirere et discere ab hominibus patriae fidedignis, et istam veritatem bona fide et sine dilatione diligenter inquiret. Postquam autem*

*dictus Episcopus homagium dicto Johanni de Balliol de praedictis quinque feodis militum et uno quarternio receperit et habuerit, omnes antiquas cartas super villam de Neuton confictas, quas inde habet, dicto Johanni bona fide et sine difficultate restituet. Datam apud Awkland, AD 1231, quinto Idus Decembris [9 December] praesentibus magistris W. archidiacono Dunelm. et Roberto de Ambian, domino Jordano Harun, Hugone de Capella, Jordano de Alden militibus et aliis." Hist. Northumberland, vi, 41-2; Surtees, History and Antiquities of Durham, iii, 212-3; EEA: Durham 1196-1237, no. 291; DUL MS Mickleton, 1A, f.6; DCL MS Hunter, iv, 289.*

3. April 1237

Confirmation by John Balliol of 18 *journaux de près* that Simon de Pierrecourt, knight, his vassal, had sold to the abbey of Lieu-Dieu. Belleval, *Jean de Bailleul*, 57.

4. ante 1246

Confirmation by John Balliol of a previous grant to Guy d'Areyns the whole vill of Whittonstall and Newlands.

*"Sciant omnes eam presentes qin(?) futuri quod ego Johannes de Baillol dedi et concessi et hac presenti carta mea confirmain Guydoni de Areynes pro homagio et servicio suo totam villam de [Whittonstall] et Novam Villam. Item dedi eidem Guydoni ex una parte sexaginta acris terre de incremento ad eas colendas quas habebit inxta exitum dicte Nove Ville versus austrum propinquiores dunsis de Waskyrley similit dedi ei viginti sex acris terre in Crowellestrothyr in occidentelli parte de Tonne Whomme. Et ex alia parte dedi ei sexaginta duodecim acras in occidentali parte de domino Galfridi le verrer supra Holryhyrst in incremento Nove Ville ad eas una cum aliis sexaginta acris terre colendas. Cum omnibus pertinentiis et libertatibus ad dictas terras pertinentibus. Per has divisas. Scilicet sicut Tyllyteburne cadit in Derewente sursum usque in Mereburne. Et Mereburne sursum usque ad Sandyforde et postea Wascellum de Sandyforde sursum usque ad Snellythorn. Et de Snellythorn us(?) aquilonem per medium Drybaruwys(?) et de Scotteley dividunt et sicut terra de Bakwrde obinat(?) more de [Whittonstall] usque aquilonem et vralium nemoris versus orientem usque ad viam de Hoxyty. Et versus aquilonem usque ad Waldefrode. Et sic Waldefrode cent vallem usque Berleyburne et Berleyburne usqus ad sursam. Et postea dūsa inter [Whittonstall] et Hedley versus austrum usqus in Derewente et sic Derewente sursum usqus ad Tyllyteburne. Tenendas et habendas sibi et heredibus suis de me et heredibus meis. In feodo et hereditate libere et quiete. In omnibus libertatibus et aisiamentis ad praedictis terras pertinentibus faciendo pro villa de [Whittonstall] mihi et heredibus meis quartam ptem servicii unius militis. Et reddendo pro Nova Villa mihi et heredibus meis annuatim tresdecim martas legalium esterlingorum nomine firme ad duos tininos(?) scilicet sex martas et dimid ad Pentecosten. Et sex martas et dimid ad festum Sancti Martin in hieme per omni alio sincio(?) consuetudine et demanda. Et sciendum est quod ego Johannes de Baillol retinue mihi et heredibus meis et hominibus meis de Bywellschire commune pasturam infra dūtas dūsas cum dicto Guydone et heredibus suis et hominibus suis et similit boscum qui est infra dictam communem pasturam ad faciendum inde commodum nostrum. Saluis(?) dicto Guydoni et heredibus suis et hominibus suis infra dictam villas manentibus rationabi libertatibus(?) estuveriis(?) suis. Scilicet ut habeant de viridi bosco ad edificandum liberationem forestariorum meorum et de mortuo bosco sine visu et liberatione forestariorum. Et ego Johannes de Baillol et heredes mei dicto Guydoni de Areynes et heredibus suis has praedictas terras cum suis pertinentiis cont.(?) Omnes homines in perpetuum Warantizabim et defendem. Hiis testibus: Domino Henrico de Baillol, Johannes filio Roberti, Gilberto de Umfraville, Rogero Berein(?), Willelmo de Wybyres, Willelmo de Hindeley, Ada Baret (?), Silvestro de Dunelino, Elya de Stobisselo(?), Simone de Hedley, Willelmo de Bromley, Ricardo de Heley et Aliis." DCM Misc.Ch.6909\*.*

5. August 1246

Confirmation by John Balliol of the fief of Broutelette that the abbey of Lieu-Dieu had acquired of Thomas, son of Enguerrand de Friucourt, knight, and of Mahaut, his wife. Belleval, *Jean de Bailleul*, 57.

6. August 1246

Confirmation by John Balliol, at the request of Ermengarde, lady of Valines, of the abbey of Sery's possession of 50 *journaux* of land which Geoffrey de Broustelle, liegeman of William de Valines, had been given by Balliol and later gave to the abbey. Belleval, *Jean de Bailleul*, 57; Darsy, *Notice Historique sur l'Abbaye de Sery au Diocèse d'Amiens*, 53, 62.

7. 23 July, Wednesday, 1253, 'Hutainéglise'  
Confirmation by John Balliol of the abbey of Sery's possession of lands ceded by Henri de Maisnières, *seigneur* of Nellette, which Henri had next to the farm of St Séverin. Belleval, *Jean de Bailleul*, 57; Darsy, *Notice Historique sur l'Abbaye de Sery*, 64.
8. 20 September, Monday, 1255, Roxburgh  
Document releasing the regents from the guardianship of the king and queen of Scotland and appointing new regents.  
"Henry, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, gives greeting to all whom the present letter shall reach. This is to tell you that we have received a letter from our beloved and faithful son Alexander, by the grace of God the illustrious king of Scots, which reads as follows:  
"Alexander, by the grace of God king of Scots, gives greeting to all the faithful in Christ whom the present writing shall reach. This is to inform all of you that when our most dear father and lord, Henry, the illustrious king of England, graciously came in person to the border of the realms of England and Scotland, for the honour and the advantage of ourselves and of our realm, we, at the instance of the king himself, and by the advice of our magnates, namely the venerable fathers in Christ, William, bishop of Glasgow\*, Richard, bishop of Dunkeld, and Peter, bishop of Aberdeen, Gamelin, bishop-elect of St Andrews\*, the abbots of Dunfermline, Kelso, Jedburgh, and Newbattle, Malcolm, earl of Fife, Patrick, earl of Dunbar, Nigel, earl of Carrick, Malise, earl of Strathearn, Alexander, the steward of Scotland, Robert Bruce, Alan Durward, Walter of Moray, David Lindsay, William of Brechin, Hugh Giffard, Roger of Mowbray, Gilbert Hay, Robert de Meyners, William Douglas, John de Vaux, William Ramsay, and many others of our barons, have removed the following from their offices on our council because their faults so demand, as it is reported: William, bishop of Glasgow\* and Clement, bishop of Dunblane, Gamelin, bishop-elect of St Andrews\*, Walter Comyn, earl of Menteith, Alexander Comyn, earl of Buchan, William, earl of Mar, John Balliol, Robert de Ros, Aymer of Maxwell and Mary his wife, John Comyn, Nicholas de Soules, Thomas de Normanville, Alexander Uviet, John de Dundemor, David Graham, John le Blund, Thomas fitz Ranulph, Hugh Gurle and his brother William, William Wishart, archdeacon of St Andrews, Brother Richard, almoner of the order of the Templars, David of Lochore, John Wishart, William of Cadzow, and William our former chaplain. We shall not admit them, or their accomplices and sympathisers, to our counsels, and to the conduct of the business of our realm, or to our grace, or to any sort of intimacy, until they have fully atoned, by concord or by judgment, to King Henry and ourselves, for the offences imputed, and to be imputed to them. We shall compel them, if necessary, to do this, by every sort of just means. This also was settled and granted on both sides, that if it should happen that the realm of Scotland is invaded or attacked by an alien prince, we shall be allowed to admit and invoke the magnates now removed from our council, and any others whatsoever, to come to our help.  
"For this purpose we have ordered, with the advice of the king and of our said magnates, that the venerable fathers, Richard, bishop of Dunkeld, and Peter, bishop of Aberdeen, Malcolm, earl of Fife, Patrick, earl of Dunbar, Malise, earl of Strathearn, Nigel, earl of Carrick, Alexander, the steward of Scotland, Robert Bruce, Alan Durward, Walter of Moray, David Lindsay, William of Brechin, Robert de Meyners, Gilbert Hay, and Hugh Giffard, who have been appointed to our council, the government of our realm, and the guardianship of our body, and of that of our queen, shall in no wise be removed from their offices on our council, before the expiry of seven complete years, beginning at the feat of the translation of St Cuthbert [4 September] in the year 1255, or of a briefer period upon which King Henry, or his heirs, and ourselves shall have agreed together, unless they shall clearly have so acted as to be unworthy to take part in our councils and the business of our realm. But if it should happen that any one or more of them is removed for this reason, or should die, within that time, then another or others may be substituted in his or their place by the advice of the aforesaid bishops, earls, and barons, our councillors, or of those among them who survive. Further, nothing shall be done with our feudal wardships and escheats, except by the council and assent of our said councillors, or of those substituted for them in the above manner, and of ourself.  
"If sheriffs, foresters, and other lesser officials so offend that they ought to be moved from their posts, we shall cause others to be put in their place by our aforesaid council. We shall not take back our castles from those to whom they were committed at the time when this letter was made, except by the common counsel of our advisers, assigned for the wardship and government of our

realm, and of our person, and of that of our queen. We have also promised King Henry, in good faith, that we will treat and guard his daughter, our queen, in matrimonial affection, with every sort of consideration which befits our queen and the daughter of so great a prince, and we shall cause due and proper honour to be shown to her, in our realm, in every possible way. We ratify and accept also the reasonable undertakings and concessions which the same bishops and magnates of ours have made to the king, as representing our own command and desire.

"We have caused Patrick, earl of Dunbar, to swear on our soul that we shall faithfully and inviolably observe all these provisions, and we subject ourselves to the discipline of the pope, so that if we offend against them in any particular (which God forbid) he may force us by ecclesiastical censure, without recourse to legal proceedings, to make full observance of them. When the stated period is complete, as we have said, the present document is to be restored to us, or our heirs, in good faith, and is not thereafter to have any value. As evidence of this we have caused our seal to be affixed to the present letter. Witness myself, at Roxburgh, 20 September, in the seventh year of our reign [1255]."

"We have promised and granted to the king of Scots in good faith, that on the expiry of the stated period, no prejudice shall be caused to him, or his heirs, or his realm, or his royal liberties, by the contents of the document, and that at the end of the period the document shall be of no effect, and that it shall be restored none the less, and regarded as entirely void. As evidence of this, we have caused this letter patent of ours to be written. Witness myself, at Sprouston, 20 September, in the thirty-ninth year of our reign [1255]." *CDS*, i, no. 2013; *Anglo-Scottish Relations*, no. 10; *CPR, 1247-58*, 426. \*The inclusion of the bishop of Glasgow and the elect of St Andrews in the first of these lists—advising their own removal—is obviously an error.

9. June 1266, Paris

Document regarding homage given to Louis IX by John Balliol for the lordship of Bailleul.

*"Hominagium ligium a Johanne de Baillolio Ludovico regi ratione villae domusque suarum de Baillolio praestitum.*

*"Universis presentes litteras inspecturis ego Johannes, dominus de Baillolio, miles, salutem. Notum facio quod cum ego villam et domum meam de Baillolio cum earum pertinenciis, Remensis diocesis, tenerem in allodium, ego domum et villam predictas cum earum pertinenciis recepi ab excellentissimo domino meo Ludovico, Dei gratia illustrissimo Francorum rege, in feodum, et de eis homagium ligium feci ei; et prefatus dominus rex me in hominem suum recepit de predictis, pro quibus michi dedit ducentas et quinquaginta libras parisiensium, et de dicta pecunia michi fecit satisfieri plenius in pecunia numerata, ita quod ego prefatus Johannes, dominus de Baillolio, et heredes seu successores mei, tenebimus in perpetuum predictam villam et domum cum earum pertinenciis in feodum ab eodem domino rege Francorum et successoribus ejus, ad usus et consuetudines ad que tenent feoda sua in diocesi Laudunensi milites et nobiles diocesis Laudunensis. Concessit etiam idem dominus rex michi et successoribus meis quod ratione premissorum non tenebimur venire sue ire ad appellationes Laudunenses, nec etiam homines aut subditi mei de villa predicta et ejus pertinenciis ad predictas appellationes venire sue ire tenebuntur. Quod ut ratum et stabile permaneat in futurum, presentibus litteris meum feci apponi sigillum. Actum Parisius, anno Domini millesimo ducentesimo sexagesimo sexto, mense junio."* AN J622/29; JJ2 f.16d.; *Layettes du Trésor des Chartes*, iv, no. 5168.

10. 19 June, Tuesday (Octave of the Feast of St Barnabas), 1268, Bywell

Resignation of John de Balliol, *juris patronatus* of the church of Lauder, confirmed by Gamelin, bishop of St Andrews, 20 June 1268.

*"Venerabili patri in Christo Domino, G. episcopo Sancti Andree Johannes de Balliolo salutem et amorem. Noverit paternitas vestra quod nos attendentes jus abbatis et conventus de Dryburgh super ecclesiam de Lawdre vestre diocesis resignavimus eisdem pro nobis et Dervergilla sponsa nostra et heredibus nostris totum jus et clamium quod habuimus vel habere poterimus super jure patronatus ejusdem ecclesie quantum ad nos pertinet. Quare vestram rogamus paternitatem quatinus dictos abbatem et conventum quos sub nostra protectione benigne suscepimus super dicta ecclesia nullatenus si placet molestetis vel molestari permittatis sed pacificam seysinam eisdem de dicta ecclesia concedatis. In cujus rei testimonium has literas nostras vobis mittimus patentes. Datum apud Luwelle [Bywell] octavo die post festum Sancti Barnabe apostoli anno gracie millesimo cc lx octavo."* *Liber de Dryburgh*, nos. 9, 10.

## 11. No date, but c. 19 June 1268

Resignation of John de Balliol upon the church of Lauder and upon six chaplains of the church of Lauder.

*"Omnibus Christi fidelibus hoc scriptum visuris vel auditoris Johannes de Balliolo salutem. Noverit universitas vestra nos resignasse et quietum clamasse pro nobis et Derwogilla sponsa nostra et pro heredibus nostris in perpetuum abbati et conventui de Dryburgh Premonstratensis ordinis totum jus et clamium quod habuimus vel habere poterimus super jure patronatus ecclesie de Laweder Sancti Andree diocesis quantum ad nos pertinet. Quare volumus et concedimus pro nobis et dicta sponsa nostra et pro heredibus nostris ut dicti abbas et conventus dictam ecclesiam in perpetuum libere et pacifice habeant et possideant pro sex capellanis specialiter divina celebrantibus pro animabus nostris et pro animabus omnium antecessorum et successorum nostrorum secundum tenorem scriptorum que dicti abbas et conventus inde nobis fecerunt. Et sciendum si aliqua instrumenta inveniuntur penes nos vel dictam sponsam nostram seu aliquem heredum nostrorum que dictis abbati et conventui poterunt nocere super dicta ecclesia volumus et concedimus pro nobis et dicta sponsa nostra et pro heredibus nostris ut ipsa instrumenta nullius sint momenti vel valoris. In cujus rei testimonium et robur perpetuum presenti scripto sigillum nostrum apposuimus." Liber de Dryburgh, no. 12.*

## 12. 12 November, Monday, 1268, Bywell

One of the inquisitions taken after John Balliol's death showing the extent of Balliol's vast estates, mostly in the barony of Bywell. There were other similar inquisitions taken.

"Inquisition [under writ of *diem clausit extremum*, to the king's escheator *ultra* Trent, dated Westminster 27<sup>th</sup> October previous] made at Bywell on Monday next (*sic*), viz., on the morrow of St Martin in the king's 53<sup>rd</sup> year, before Robert de Camera and Robert de Meyneville the king's sub-escheators for Sir J. de Reygate in Northumberland, and others, concerning the lands of Sir John de Balliol, their value, and his next heir; by Adam de Myckele, Walter de Newland, Thomas son of William, John de Stokesfeld, Walter de Bromley, Robert de Duc, Alan de Seton, Laurence de Seton, Gilbert de Stokesfeld, John de Heddon, Robert Walkelyn, and Philip de Ovinton; who say that the said John held the moiety of Bywell *in capite* of the king, and there are in demesne 180 acres of land, value 10*d*; total, 7*l* 10*s*. Also there are of meadow in demesne 16 acres, value of the acre 16*d*; total, 21*s* 4*d*. Also the mills there are worth yearly 16 marks. Also there is a freeholder, Elias son of William, holding 40 acres of land, worth yearly 6*s*. Also William son of Osbert and Thomas son of Hawyse hold 24 acres freely, and pay yearly 2*s* 6*d* and four horse shoes, price 2*d*. Also there are two 'bondi' each of whom holds 24 acres and pays 10*s* yearly for all; total, 20*s*. Also there are there 38 acres which the lord bought from his two free men, paying yearly 24*s*. Also Thomas the reeve holds 1 acre and more, and pays yearly in name of farm, 2*s* 2½*d*. Also there are nineteen cottars, each of whom holds a cottage; and ten of them, each of whom holds 1 acre for his cottage; and they pay in all yearly 49*s* 7*d*. Also from the brewery there yearly, 4*s*. Total of the vill of Bywell, 24*l* 13*s* 1½*d*. Ovinton a pertinent of Bywell. There are here eight freeholders, viz., Adam son of Osbert de Ovingham, Philip de Ovinton, Richard son of Avicia, Walter Boner, William Faber, William son of Jordan, Andrew son of Peter, and Symon capell', and they hold 126 acres in parcels, and pay yearly 15*s* 1*d*. Also there are sixteen 'bondi,' each of whom holds 24 acres of land, and pays yearly 10*s*. And there are 16 acres parcelled among these 'bondi,' and they pay yearly, 8*s*, value of an acre 6*d*; total, 8*l* 8*s*. Also there are three cottars, each holding a cottage and three acres of land, and they pay yearly for all, 3*s* 6*d*. Also from the brewery there yearly, 10*s*. Total of the vill, 9*l* 16*s* 7*d*.

"Akum, a pertinent of Bywell. There are here four and a half 'bondi' each holding 36 acres, and paying yearly, 18*s*; value of the acre 6*d*; total, 4*l* 12*d*. Also there are 30 acres, which the lord bought from a certain freeman of his, and leased to Uttred de Akum, and worth yearly 15*s*; value of the acre, 6*d*. Also Richard Frerreman holds of the same land 7½ acres, and pays 5*s* yearly. Also the same Richard and Walter de Prudhow hold 12 acres freely, and pay yearly 8*d*; total, 20*s* 8*d*. Also Adam Tyew holds one cottage and 6 acres and pays yearly 3*s*. Also from a pasture, leased to the township of Welte dem for ever, worth 1 mark yearly, and so paid. Total, 118*s*.

"Bromley a pertinent of Bywell. There are here ten 'bondi,' each of nine of whom holds 25 acres, and the tenth 'bondus' holds 28 acres. Each of the nine pays 13*s* 9*d* yearly, and the tenth pays 14*s* 6*d*; total, 6*l* 18*s* 3*d*. Also there are four freeholders, viz., Adam forester, Walter de Bromley, William de Galderley, John de Hyndesley, who hold in parcels 148 acres, and pay yearly for all, 25*s* 2*d*. Also there are seven cottars holding 33 acres, and paying yearly 24*s* 6*d*. From the brewery yearly, 6*s*. Total of the vill, 9*l* 14*s* 11*d*.

“Elteringham, a pertinent of Bywell. Adam de Elteringham holds the vill in drengage, and pays yearly, for himself and his men 37s 4d; ‘summa patet.’ Myckeley [a pertinent of] Bywell. There are in demesne 105 acres, value of the acre 6d; total, 52s 6d. Also of meadow in demesne 4 acres, value of an acre 16d; total, 5s 4d. Also nine ‘bondi’ each holding 24 acres, and paying yearly 6s; total 54s. Also five cottars each holding a cottage with a cartilage, and paying yearly for everything 6s 6d. Also from said vill for multurs yearly, 11s. Also there are freeholders; viz., Adam de Mickeley holds one carucate of land freely, and pays yearly a pound of pepper, value 8d. The same holds a toft in increase of his holding, and paying one pound of cumin, value 1½d. He also holds in one culture 6 acres by himself, and pays yearly 12d. Also Henry de Haulton holds a carucate of land, and pays yearly one pound of cumin, value 1½d. Also William son of Adam holds 40 acres, and pays yearly two pounds of pepper, value 16d. Also Henry of the butellary (de buceiller) holds 24 acres, and pays yearly one pound of cumin, value 1½d. Also William son of Michael holds 12 acres and pays yearly one pound of pepper, value 8d. Also Edemond de Byrteley holds 12 acres and pays yearly one pound of pepper, value 8d. Total of the vill, 6l 14s ½d.

“Heley pertains to Bywell. The Preceptor of Thorenton holds it and pays for all 2s.

“Falderley, a pertinent of Bywell. Symon de Haliwell and Alan de Menyll hold the vill and pay yearly for all 5s, and make suit at the ‘curia’ of Bywell. Mynstanesacres, pertinent of Bywell. Robert de Rue holds the same freely, paying yearly 5s. Also Alan Warin of that place holds 24 acres, and pays yearly 2s. Also Matilda Gray of that place holds 16 acres and pays 20d. Also Emma the widow of Crawcrok holds Hesilihurst for 40 acres, and pays yearly 24s. Total, 32s 8d. Fayrhille, pertinent of the same. Elias of that place holds there 1 carucate of land, and pays yearly 9s, and a pound of pepper, value 8d. The moor—Thomas ‘of the moor’ holds 24 acres, and pays yearly for all, 5s. Total of Fayrhill and the moor, 14s 8d.

“Backewurthe, pertinent of the same. There are here four ‘bondi,’ each holding 12 acres and paying yearly 4s; total, 16s. And from the brewery of said vill 4s. Total, 20s. Bromyck. There are here three ‘bondi,’ each holding 12 acres, and paying yearly 4s 3½d; total, 17s 2d. Brothersethe, pertinent of the same. There are here six ‘bondi,’ holding in parcels 89 acres, and paying yearly 43s 9½d.

“Crombeclyve, pertinent of the same. But he held it to profit. There are in demesne 93 acres, value of the acre 6d. Total, 46s 6d; and a mill worth yearly 4 marks. There are also four ‘bondi,’ holding 67 acres in parcels, paying yearly for all, 33s 9d. Also four cottars, holding 12 acres, and paying yearly 6s 9d. Total of the vill, 7l 4d. Esperscheles, pertinent of the same. There is a freeholder Robert Walkelin, holding 48 acres of land freely, paying yearly 10s 3d. Also Alan of Sutton holds 7 acres, paying yearly one pound of cumin, value 1½d. Also Robert Walkelyn holds 5 acres, paying yearly 2s 6d to farm. Also there are five ‘bondi,’ holding in parcels 57½ acres, and paying 33s 9d for all services. Also three cottars, holding 8 acres, and paying yearly, 4s 9d. Total, 51s 4½d. Wythtonstall. There are in demesne 135½ acres, value of the acre 6d; total, 67s 9d. It is to be observed that the said John held this vill to farm from Roger Darrenes, for a term of ten years. There are freeholders there, viz.; Elias son of Gilbert, holding 16 acres of land, and paying yearly 8d. And John de Brus holds 6 acres, and pays yearly 6d. Also Gilbert Fabian holds an acre, paying at Christmas, 1d. Also four farmers, viz., William the reeve, Henry the baker, Elias capell’, and John de Brus; holding 66½ acres by chirograph, and paying yearly 32s 4d. Also from the brewery of said vill, 18s. Also there are seven ‘bondi,’ each holding 24 acres, and paying 10s yearly; total, 70s. Also William Wygot and Tyew the widow holding 70 acres, and paying yearly 22s. There are also eleven cottars holding 41½ acres, and paying yearly, 21s 5d. Total of this vill, 11l 12s 9d. Newland is held to farm from the said Roger from the foresaid term. There is a freeholder there, Walter de Newland, holding 46 acres, and paying yearly 13s. Also fourteen ‘bondi,’ holding 380 acres in parcels, and paying yearly 9l 4s 4d. Also 7 cottars holding 35 acres, and paying yearly, 17s 7d. Also from the brewery of the vill, 1 mark yearly. There is a mill worth yearly 10 marks 6s 8d. But he pays for same of farm to Robert de Wybyry yearly, and his heirs for ever, 100s. Total of this vill, 18l 8s 3d. Gonewerton, pertinent of the same *ut supra*. The said John had it to farm for a fine made through reason of the war, for a term of seven years. There are in demesne 140 acres, value of the acre 10d; total, 116s 8d. Also eleven ‘bondi,’ each holding 18 acres, and paying yearly 9s; total, 4l 19s. Also two cottars, paying yearly 5s. Also certain pastures farmed worth yearly 37s. Also from the brewery of the vill, 10s. Also a mill, worth 100s. yearly. Total of this vill, 18l 7s 8d.

“Wudhorne pertinent of said vill of Bywell. There are in demesne 287 acres, value of the acre 20d; total, 23l 18s 4d. Also a meadow in demesne 12 acres, value of the acre in that year 10s



and not so in common years, total, 6*l*. Also 'Motesmedue' worth yearly 6*s*. There are also certain other pastures leased, worth yearly 76*s* 8*d*. Also a certain freeholder Bernard Tulet, holding 40 acres freely and paying yearly 2*s*. Also 22½ 'bondi,' each holding 26 acres, and paying yearly, 22*s*; total, 24*l* 15*s*. Also from the brewery of the vill yearly, 7*s*. Also twenty-eight cottars, paying yearly 54*s* 7*d*. Total of the vill, 51*l* 19*s* 7*d*. Hyrst, pertinent of the same. He held the ward thereof by the death of Elias de Hyrst, viz., 46 acres worth yearly 13*s* 5*d*; price of the acre 3½*d*. Also two 'bondi,' each holding 30 acres and paying yearly, 10*s*; total 20*s*. Also from a cottar for one cottage yearly 2*s*. Also Robert de Rue holds the moiety of the vill of Lynemuthe for the 12<sup>th</sup> part of a knight's service. Total of the vill, 35*s* 5*d*. Seton, pertinent to the same. Certain freeholders there hold the lands of the late Henry de Seton in name of 'maritagium.' They pay yearly 2*s* for everything in the ward of Newcastle, and all make one suit at the court of Bywell. Also two drengs, Laurence and Alan, sons of Walter, hold 2 parcels in the vill in drengage; and they have there twelve 'bondi,' each paying yearly 3*s*; total, 36*s*. 'Newbigging—The said John held it in burgage, and pays for everything yearly 20*l*. The said John seized Cressewell in time of the war, and held it as of his fee. It is a pertinent of Wudhorne. There are in demesne 400 acres, whereof 240 are arable, and the remainder, viz., 160, lie waste and fallow for almost seven years; value of the arable acre 7*d*; total, 7*l* 10*s*. Also in demesne, 1 meadow, 7 acres 3 roods, value of the acre 5*s*; total, 39*s*. Also two 'bondi,' each holding 24 acres and paying yearly 19*s*. 6½*d*; total, 39*s* 1*d*. Also from the cottars of the same for all services 46*s* 6*d*. Total, 13*l* 14*s* 1*d*. Robert de Juvul (?Neville) holds Est Neuton for the fourth part of a knight's fee, and pays yearly 3*s*, and to the castle ward of Newcastle 40*d*; and makes suit of court at Bywell. Also John de Heddon holds Heddon for the services of half a fee; paying to the castle ward of Newcastle half a mark, and suit of court at Bywell. Also for Peter de Faudon and William de Rihill hold the same vill for service of one fee; paying a mark to said castle ward, and making the said suit. Also William de Dalton holds same vill by service of a knight; paying a mark to said castle ward. Also Sir Roger Bertram holds Bothefeld by service of half a fee; paying half a mark to said ward, and the said suit. Also Philip de Ovinton holds 1 carucate of land for the twelfth part of the service of a knight's fee; paying 13½*d* to said ward, and said suit. Gilbert de Stokesfeld holds a carucate in like manner. Also Robert de Meyneville holds [Ride]ley by service of half a fee; paying half a mark to said ward, and making said suit. Also Walter de Bromle holds 40 acres by service of the twenty-fourth part of a knight; and making said suit. Also there are in Newcastle-on-Tyne, eight burgages; and they pay yearly to said ward 10*s* for everything. Also they say that Hugh de Balliol his son is nearest heir, and is thirty years of age and more. *CDS*, i, nos. 2505, 2511 (24 November), 2512 (26 November), 2514 (*ante* 26 December); *CInqPM*, i, no. 691.

13. 22 August, Saturday (Feast of Timotheus and Symphorianus), 1282, Buittle  
 Dervorguilla de Balliol's statutes concerning the foundation of Balliol College, Oxford.  
 "Dervorguilla of Galloway, lady of Balliol, to her beloved in Christ, Brother Hugh de Hertipoll, and Master William de Menyl, everlasting Salvation in the Lord.  
 "Desiring, with a mother's affection, to provide for the well-being of our sons and Scholars dwelling in Oxford, we will, ordain, and prescribe, that they do keep inviolate all that we hereinafter make known. Therefore, to the Honour of our Lord, Jesus Christ, and of His Glorious Mother, Mary, and of all the Saints. Firstly, we will and ordain that our Scholars, each and all, be bound on Sundays and the chief Feast Days to be present at Divine Office, and likewise at the sermons, or discourses, held on those days and Feasts, unless it chance that any one of them be hindered, by reason of some urgent necessity, or matter of evident utility; but that on other days they do diligently attend the Schools, and give heed to their studies, according to the Statutes of the University of Oxford, and according to the manner hereinafter made known. Also we ordain that our Scholars be bound to obey our Procurators, in all matters that, according to our ordinance, grant, and commission, are known to concern their order and well-being. Also we desire that our Scholars do choose, from among themselves, a Principal, whom all the rest shall humbly obey in those matters which concern the office of Principal, according to the Statutes and customs used and approved among them. And the aforesaid Principal, when he shall have been lawfully chosen, shall be presented to our Procurators, and shall in no way exercise his office until he shall have been invested with the aforesaid office by them, and by our authority. Also we decree that our Scholars have three Masses celebrated solemnly every year, for the soul of our beloved husband, Sir John de Balliol, and for the souls of our predecessors, and for all the faithful departed. And likewise for our salvation, here and hereafter. And, of these, the first Mass shall be celebrated in the first week of the Advent of our

Lord, and the second in the week of Septuagesima, and the third in the first week after the octave of Easter; and the aforesaid Masses shall be of the Holy Ghost, or of the Blessed Virgin, or for the faithful departed, according as the Procurators shall appoint. And on every day, both at breakfast, and at supper, they shall say the benediction before they eat, and after the meal they shall give thanks. And they shall pray in particular for the souls of our beloved husband aforesaid, and for the souls of our predecessors, and likewise for the souls of our children that are dead; and for our security, and the security of our children, and all our friends that are yet alive; and also for our Procurators, according to ancient usage. And that better provision be made for the sustenance of the poor, for whose advantage it is our intent to labour, we desire that the richer members, in the Society of our Scholars, be zealous so temperately to live, that the poorer be in no way oppressed by the burden of expense. And if it chance that the whole Community of our Scholars in any week exceed, in their common expenses, the sum granted to them by us, we desire and prescribe strictly that, for the payment of expenses thus in excess, not more than one penny be received in any week from those who, according to the discretion and judgment of our Procurators, shall be deemed to have no means, or means not sufficient, for the payment in full of such expenses, if an equal portion were exacted from each member. Yet we do not desire that the aforesaid be extended to the Long Vacation, which lasts from the Translation of Blessed Thomas, the Martyr, till the Feast of Saint Luke; nor to those weeks in which occur the Feast of the Nativity or Circumcision of our Lord, or of the Epiphany, or of Easter, or of Pentecost; nor in other cases in which it shall seem good to our Procurators to omit the enforcement of this rule. Also we desire that our Procurators make diligent examination concerning the above-mentioned matters. And the Scholars themselves shall go to our Procurators, with all confidence, to inform them of their necessity. And if it chance that any one, or more, of our Scholars murmur against this ordinance; or, on the occasion of this ordinance being enforced, provoke the poorer Scholars, by word or sign; we desire that our Scholars be bound, under oath sworn to us, to reveal to the Procurators the names of those that are guilty of such murmuring, or provocation. And the Procurators, if they have sufficient proof of the matter, shall, by the authority of these presents, immediately expel such person or persons without hope of return. We also do appoint that our Scholars shall in common speak Latin, and he who shall chance to have acted in contravention hereof, shall be reprov'd by the Principal. And if, when reprov'd twice or thrice, he shall not amend himself, he shall be put away from their company at table, and eat alone, and shall be served last of all. And if she shall remain incorrigible throughout a week, he shall be expelled by our Procurators. We desire also that in every other week one Sophism shall be discussed and determined among our Scholars, in their House, and this shall be done in turn, in such manner that the Sophists shall introduce and reply, and they shall determine who shall have determined in the Schools. But if any Sophist shall have made such progress that he shall shortly have the right to determine in the Schools, then the Principal shall bid him first determine at home among his fellows. And at the end of each Disputation, the Principal shall post up the day of the next Disputation; and he shall order the Disputation, and restrain them that speak overmuch, and appoint the Sophism to be next discussed, and them that shall introduce, reply, and determine, in order that they may be the better able to make provision. In like manner shall they discuss a question every other week. Also we ordain, and strictly enjoin upon our Scholars, that the Portitorium, which, for the soul of our beloved husband, we have granted to our Scholars, they do diligently keep, nor permit it in any wise to be pledged, or by any means alienated. Also our Scholars shall keep one poor Scholar, appointed by our Procurators, for whom they shall be bound every day to save the remnants of their table, unless our Procurators shall decree that this be omitted. And in the above ordinances, each and all, be kept inviolate by our Scholars, obeying the Procurators, whosoever they shall at any time be, we have confirmed this writing with the corroboration of our seal. Given at Botel, in the octave of the Assumption of the Glorious Virgin Mary, in the year of Grace one thousand two hundred and eighty two." *Oxford Balliol Deeds*, no. 564; Paravicini, *Early Hist. Balliol*, 64-9.

14. 16 April, Sunday, 1284, Fotheringhay

Document by which Dervorguilla beseeched Brother Richard de Slikeburne to be her agent in establishing the college of Balliol.

"Dervorguilla de Galwitha, lady of Balliol, to the Venerable Religious, and her most dear Father in Christ, Brother Richard de Slikeburne, of the Order of Friars Minor, Health, and increase devotion in the Holy Ghost.

“The credible assertion of illustrious men bears witness that the alms, which were given by the devotion of our late husband, John de Balliol, to the poor Scholars studying at Oxford, of our House of Balliol, and which we have continued to give from the time of his decease until now, are of no small utility to the Honour of God, and of the Church Militant. On this account we are greatly moved, at the instance of many men of great consideration, both Religious and secular, the Holy Ghost this inclining us, to continue to bestow the aforesaid alms. Wherefore, as we have entire confidence in your discretion and devotion, we have obtained of your Venerable Father Minister, that the bestowal of the same should be committed to your charge; begging you with all the earnestness we can, that with the help of Divine Consolation, you will fulfil this task as you shall best judge it to be according to the Divine Will, and apt and profitable for the utility of Holy Mother Church, and the advantage of the Scholars aforesaid. And we promise, as far as in us lies, to ratify and approve, in all and through all, whatever you shall decide to order, do, change, and provide, concerning the business of the said Scholars. And whenever we need attorneys to take or give seisin, whether of houses, lands, or whatsoever other things that are bought, or to be bought, or exchanged, in the business of the said Scholars, we from this time ordain, make, and appoint, as our attorneys and Procurators, those whom you, in our name, shall have chosen or assigned. And by the tenor of these presents, we signify all and each of these things aforesaid, to all the children of Holy Mother Church. In witness of which we have sent you these our letters patent, sealed with our seal. Given at Fotheringhay, on the octave-day of Easter, in the year of our Lord twelve hundred and eighty-four.” *Oxford Balliol Deeds*, no. 565; Paravicini, *Early Hist. Balliol*, 72-4.

## Appendix D

### *Selected Documents for John (II) Balliol*

#### (I) List of Auditors in the Great Cause:

##### For John (II) Balliol:

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|---|--|
| <ol style="list-style-type: none"> <li>1. William Fraser, bishop of St Andrews</li> <li>2. Henry Cheyne, bishop of Aberdeen</li> <li>3. William, bishop of Dunblane</li> <li>4. Mark, bishop of the Isles</li> <li>5. Henry of Holyrood, bishop of Whithorn</li> <li>5a. [deputy of 5] Abbot of 'Dubing'</li> <li>6. Robert de Fyvie, bishop of Ross</li> <li>7. Abbot of Dunfermline</li> <li>8. Abbot of Holyrood</li> <li>9. Abbot of Cambuskenneth</li> <li>10. Abbot of Kelso</li> <li>11. Abbot of Tungland</li> <li>11a. [deputy of 11] Master John Nepos</li> <li>12. Abbot of Coupar</li> <li>13. Abbot of Scone</li> <li>13a. [deputy of 13] Master Alpinus of Strathearn</li> <li>14. Prior of St Andrews</li> <li>15. Walter, archdeacon of Dunblane</li> <li>16. John Comyn, earl of Buchan</li> <li>17. Gilbert de Umfraville, earl of Angus</li> <li>18. Malise, earl of Strathearn</li> <li>19. William, earl of Ross</li> <li>20. Alexander of Argyll</li> <li>21. Andrew Murray</li> <li>22. Geoffrey Mowbray</li> <li>23. Herbert Maxwell</li> </ol> | <ol style="list-style-type: none"> <li>24. Simon Fraser (dead by Nov. 1292)</li> <li>24a. [replacement for 24] Abbot of Newbattle</li> <li>25. Patrick Graham</li> <li>26. William Sinclair</li> <li>27. Reginald Cheyne, <i>pater</i></li> <li>28. Reginald Cheyne, <i>filius</i></li> <li>29. Nicholas Hay</li> <li>30. Robert de Cambron of Balemely</li> <li>31. Richard Fraser</li> <li>32. John Stirling of the Carse</li> <li>33. Andrew Fraser</li> <li>34. Michael Wemyss</li> <li>35. Michael Scot</li> <li>36. Richard of Stratton</li> <li>37. William Murray of Tullibardine</li> <li>38. William of Meldrum</li> <li>39. Ralph Lascelles</li> <li>40. David Graham</li> </ol> <p>(Persons presumably added later to bring numbers to strength)</p> <p style="padding-left: 2em;">Malcolm of Fren draught<br/>Prior of Dryburgh<br/>Enguerrand de Umfraville<br/>W. Bisset (?)<br/>J. de Gevelstone<br/>Master N. of St Andrews</p> |
|---|--|

##### For Robert Bruce:

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Robert Wishart, bishop of Glasgow</li> <li>2. Matthew de Crambeth, bishop of Dunkeld</li> <li>3. Abbot of Melrose</li> <li>4. Abbot of Jedburgh</li> <li>5. Patrick de Dunbar, earl of March</li> <li>6. Donald, earl of Mar</li> <li>7. Walter Stewart, earl of Menteith</li> <li>8. John de Strathbogie, earl of Atholl</li> <li>9. Malcolm, earl of Lennox</li> <li>10. James, steward of Scotland</li> <li>11. William de Soules</li> <li>12. John de Soules</li> <li>13. Nicholas Graham</li> <li>14. John Lindsay</li> <li>15. John le Senescall'</li> <li>16. Alexander of Bonkle</li> <li>17. William de la Haye</li> <li>18. David of Torthorwald</li> </ol> | <ol style="list-style-type: none"> <li>19. John of Callander</li> <li>20. William Fenton</li> <li>21. Master Adam de Crokedeaik</li> <li>22. Hervey de Crambeth, dean of Aberdeen</li> <li>23. Reginald Crawford</li> <li>24. Colin Campbell</li> <li>25. William of Stirling</li> <li>26. John of Stirling de Moravia</li> <li>27. John of Inchmartin</li> <li>28. Master Robert de Merleye</li> <li>29. Master William of Stirling</li> <li>30. Master Thomas of Bonkle</li> <li>31. Henry de Lematherton</li> <li>32. Master William of Annan</li> <li>33. Master William of Gosford</li> <li>34. Master Richard de Boulden</li> <li>35. Brother Reginald de Rihull of Melrose</li> <li>36. William de Conysburg</li> </ol> |
|---|--|

37. William of Preston
38. Gilbert de Conysburg
39. Geoffrey de Caldecote
40. William, archdeacon of Teviotdale  
(Persons presumably added later to bring  
numbers to strength)

William de Ireby  
John of Conveth  
Master William of Lamberton  
[later bishop of St Andrews]  
Norman de Letheny  
Adam de Rette

#### For Edward I:

1. Robert Burnell, chancellor and bishop  
of Bath (d. 25 Oct. 1292)
2. Anthony Bek, bishop of Durham
3. William of Louth, bishop of Ely
4. Ralph Ireton, bishop of Carlisle (d. 1  
March 1292)
5. William of Hotham, provincial of  
Dominican Order in England
6. William of Gainsborough, minister of  
Franciscan Order in England
7. Master Henry of Newark, dean of York
8. Master John of Derby, dean of  
Lichfield
9. Master Durand, archdeacon of Stowe,  
diocese of Lincoln
10. Master Robert de Radeswell, arch-  
deacon of Chester
11. Master William Greenfield, canon of  
York
12. Master William of Kilkenny,  
'professor of civil law'
13. Henry de Lacy, earl of Lincoln
14. Roger Bigod, earl of Norfolk
15. John de St John
16. Hugh Despenser, the elder
17. Robert fitz Roger
18. Thomas of Berkeley
19. Brian fitz Alan (One of the guardians  
of Scotland)
20. Roger Brabazon, puisne justice of  
king's bench
21. William de Bereford, puisne justice of  
common pleas from Hilary 1292
22. John de Lethegreyns
23. Thomas of Fishbourne
24. Walter of Rothbury  
(Persons added to complete the list in  
June 1292)  
Robert of Thornton, chief justice of the  
king's bench  
Robert fitz Walter  
Walter Beauchamp, 'the king's  
steward'  
Robert Malet, puisne justice of the  
king's bench  
Itier of Angoulême, constable of  
Bordeaux, marshal of England<sup>1</sup>

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<sup>1</sup> As taken from *Great Cause*, ii, 80-5.

(2) Pre-Kingship Documents for John (II) Balliol

1. 28 September, Monday, 1282, Longuemort  
Ratification, along with Hugh de Balliol, 'in his capacity as *seigneur suzerain*' of the foundation of a chapel at Longuemort (now part of present-day Tours-en-Vimeu, Picardy) by Jean and Philippe de Longuemort, endowed with 24 *journaux* of land at 'Hamercourt.' Belleval, *Jean de Bailleul*, 63; *Idem, Nobiliaire de Ponthieu et de Vimeu*, ii, 191.
  
2. 1285  
An *inseximus* of a charter of Dervorguilla concerning the foundation of Balliol College by John (II) Balliol.  
"Omnibus Christi fidelibus presens scriptum visuris vel audituris Iohannes de Balliolo salutem in domino sempiternam. Noveritis me vidisse et inspecsisse scriptum karissime domine matris mee domine Dervorguille de Galewythya, domine de Balliolo, de feofacione et perpetuacione domus scholarium de Balliolo Oxonie suo sigillo signatum in hec verba: [Here follows the original charter, witnesses: dominis Antonia dei gracia episcopo Donelmensi et olivero eadem gracia episcopo Lyncolniensi, dominis Hugone de Euer, Iohanne de Swyneburne, Roberto de Meneuile, Waltero de Camhowe militibus, magistro Rogero de Rowelle tunc Cancellario Uniuersitatis Oxonie, magistro Symone de Gandauuo tunc eiusdem ville archidiacono, domino Roberto Auenel tunc rectore ecclesie de Stanwortham, Iohanne de Erintonna, Richardo beneyth, Willelmo de Daltona, et aliis]. Ego vero Iohannes de Balliolo filius et heres domini Iohannes de Balliolo, omnibus predictis inspectis et bene et distincte intellectis, ipsa omnia et singula prescripta in omnibus et per omnia secundum quod liberius, quietius vel melius predictum est pro me et heredibus meis concedo, ratifico et inperpetuum confirmo. Et ut hec mea concessio, ratificacio et confirmacio pro me et heredibus meis in omnibus et singulis prescriptis perpetuum robur firmitatis optineant, hoc scriptum sigillo meo roboratum predictis scholaribus fieri feci, hiis testibus, dominis Gilberto de Unfravile comite de Anegus, Roberto filio Rogeri, Rogero de Lonecastre, Hugone de Euer, Roberto de Insula, Waltero de Camhowe, Iohanne de Swyneburne, Hugone Gubyun, Roberto Bertram de Bothale, Rogero Maudut, Radulfo de Essingdene militibus, et aliis." *Oxford Balliol Deeds*, no. 11, 12 (where the original charter is printed).
  
3. June 1289, Amiens  
John Balliol is present at Amiens to confirm a sale of tithes by Walter de Grandsart to the college of Amiens. Stell, "The Balliol Family," 155.
  
4. 16 November, Thursday (Feast of St Edmund the archbishop), 1290, Gateshead  
Charter whereby John Balliol secures to Anthony Bek, bishop of Durham, an annual rent of 500 marks in Scotland, under certain conditions.  
"Universis ad quorum notitiam praesens scriptum pervenerit, Johannes de Baliolle, heres regni Scotiae, salutem. Noveritis quod cum nuper dederimus, concesserimus, et per cartam nostrum confirmaverimus, dilecto domino Antonio Dei gratia Dunelmensi episcopo, manerium de Werke in Tyndale, in comitatu Northumbriae, et manerium de Penrethe, et omnia alia maneria, terras et tenementa, cum pertinentiis suis, quae nobilis vir Alexander, ....rex Scot' tenuit in comitatu Comberland, volumus et concedimus pro nobis et heredibus nostris, quod si dominus Edwardus, ...rex Angliae, huiusmodi donationem ratam non habuerit et acceptam, nos eidem Antonio et heredibus suis quingentas...in regno Scotiae in loco competenti dabimus et per cartam nostram confirmabimus, per considerationem et aestimationem virorem....legalium aestimatas. Ad quae omnia fideliter facienda et complenda obligamus nos, heredes nostros, et omnes terras nobis obvientes ratione successionis in regno Scotiae supradicto. In cuius rei testimonium praesenti scripto, in modum cyrographi confecto (cujus una pars penes nos, et alia pars residet penes episcopum supradictum), sigilla nostra alternatim sunt apposita. Datum apud Gatesheved, 17 kalendas Decembris anno domini MCC nonagesimo." BL L.F. Campbell Charters, xxx, no. 9, 9\*; Stevenson, *Documents*, i, 203-4; *Records of Antony Bek*, no. 21.

(3) The Acta of King John Balliol<sup>2</sup>1292

5. 20 November, Thursday (Feast of St Edmund the king), Norham  
Notification of fealty by king to Edward I, king of England. Those present included: John, archbishop of Dublin; Anthony, bishop of Durham; William, bishop of St Andrews; Robert, bishop of Glasgow; William, bishop of Ely; John, bishop of Carlisle; Henry de Lacy, earl of Lincoln; John, earl of Buchan; William, earl of Ross; Patrick, earl of March; Walter, earl of Menteith; James the Steward; Alexander de Ergadia; Alexander de Balliol, lord of Cavers; Patrick de Graham; William de St Clair; many others of the realms of England and Scotland. *Handlist*, no. 359; *Foedera*, I, iii, 112; *CDS*, ii, no. 650; Teulet, *Inventaire Chronologique*, 4.
6. 24 December, Wednesday, Newcastle-upon-Tyne  
Letters patent narrating fealty by John, king of Scotland to Edward I, king of England. NA E39/21; *CDS*, ii, no. 652; *Handlist*, no. 360.
7. 26 December, Friday (Feast of St Stephen), Newcastle-upon-Tyne  
Notification of homage by John, king of Scotland to Edward I, king of England.  
“In the name of the Lord, Amen. In the year A.D. 1292, according to the reckoning of the English church, in the sixth indiction, and the twenty-first year of the reign of the eminent prince Lord Edward, by the grace of God the illustrious king of England, on 26 December, at Newcastle-upon-Tyne, in the hall of the palace of the king of England inside the castle, in the presence of myself (the notary [John of Caen]) and of the undermentioned witnesses, the honourable prince John Balliol, king of Scotland, did homage to the king of England, as lord superior of the realm of Scotland, for the realm and its appurtenances, being personally present, and uttering words of homage with his own mouth, in French, which have the following literal purport: ‘My lord, Lord Edward, lord superior of the realm of Scotland, I, John Balliol, king of Scots, hereby become your liegeman for the whole realm of Scotland with its appurtenances and everything that goes with it, and that kingdom I hold, and ought to hold, and claim to hold of right for myself and my heirs, the kings of Scotland, by inheritance, of you and your heirs, the kings of England; and I will maintain faith and fealty to you and your heirs, the kings of England, in matters of life and limb and of earthly honour, against all mortal men.’ Transacted in the year, indiction, day and place aforesaid, there being present the venerable fathers John, archbishop of Dublin, and John, by the grace of God bishop of Carlisle, and the noble lords, Henry de Lacy and John de Warenne, earls of Lincoln and of Surrey, John of St John, Robert de Tipetot, Brian fitz Alan, Nicholas de Segrave, Gilbert de Thornton, Roger Brabazon, Robert Malet, Robert de Hertford, John de Langton, chancellor of England, Hugh de Cressingham, John Wogan, Master John Lovel, Walter de Langton, canon of York and keeper of the king of England’s wardrobe, John of Droxford and Gilbert of Rothbury, clerks of the king, and other prelates, magnates, nobles, knights and men of rank, and common folk of the two realms of England and Scotland who were there at the time, and specially called and summoned as witnesses to these things.” (Other sources also give the following witnesses: Anthony, bishop of Durham; William de Leyburn; William, bishop of St Andrews; Robert, bishop of Glasgow; John, abbot of Jedworth; John, earl of Buchan; Patrick, earl of March; Gilbert de Umfraville, earl of Angus; John, earl of Atholl; John Comyn; Alexander de Balliol; Thomas Randolph; Geoffrey de Mowbray; Patrick de Graham; William de St Clair; Richard Seward; Enguerrand de Umfraville; Andrew Murray; Thomas Randolph, son; David de Torthorald; Michael de Wemyss; Richard Fraser; Andrew Fraser; Alexander de Bonkle; John de Stirling. NA E39/3/51; E39/16/7; *CDS*, ii, nos. 653-5; *Anglo-Scottish Relations*, no. 20; *Handlist*, no. 361; *Foedera*, I, iii, 113-4; Teulet, *Inventaire Chronologique*, 4.
8. 30 December, Tuesday, Newcastle-upon-Tyne  
Indenture between King John and Edward, king of England, listing Scottish muniments, then at Roxburgh, handed over to Alexander de Balliol, chamberlain of Scotland, for the king’s use. *Handlist*, no. 362; *APS*, i, 113-7; *Nat. MSS Scot.*, i, no. 74; *CDS*, v, pt ii, no. 119; *Diplomatarium Norvegicum*, xix, no. 380.

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<sup>2</sup> Many of these are listed in *Handlist*, nos. 359-423.

**1293**

9. 2 January, Friday (Feast of St Isidore), Newcastle-upon-Tyne  
Letters releasing Edward I, king of England, from various agreements. NA E39/29; *Handlist*, no. 363; *Foedera*, I, iii, 114-5; *CDS*, ii, nos. 657-8.
10. 9 February, Monday, Scone  
Parliament at Scone. *APS*, i, 446-8; Duncan, "The Early Parliaments of Scotland," 40-1; McQueen, "The Origins and Development of the Scottish Parliament," 140-153.
11. 23 February, Monday, Dundee  
Charter to John de Insula of land in Whitsome, Berwickshire, in fee and heritage, with freedom of alienation, for service of ½ knight's fee. *Handlist*, no. 364; *Rot. Scot.*, i, 22.
12. 24 February, Tuesday (Feast of St Mathias), Dundee  
Brieve to Alexander de Ergadia and his baillies of Lochawe to summon three persons to do homage to the king. Witnesses: Alexander de Balliol; David de Beton; Thomas Randolph; William, earl of Ross; Gilbert de Umfraville, earl of Angus; Sir Enguerrand de Umfraville. *Handlist*, no. 365; *Foedera*, I, iii, 117; *APS*, i, 448; *Rot. Scot.*, i, 22.
13. 15 April, Wednesday  
"Lettre du roy d'Ecosse ke nulls d'Amiens ne puet en sen royaume ester arresté pour debte, se il n'en est principaux debterres ou respondans." *Archives Communales d'Amiens, Inventaire Sommaire*, i, AA5 registre, gr. In-4o, f. 23.
14. 29 April, Wednesday (Translation of St Edmund the king), Cupar  
Letter to Edward I, king of England. King John understands that the king's justices in eyre are to be in Yorkshire in the quinzaine of Trinity next. At the two kings' last meeting at Newcastle-upon Tyne he had asked Edward to acquit him of common summons on that *iter*, and reminds of him of his promise to grant it. Thanks him for many favours. *Handlist*, no. 366; Stevenson, *Documents*, i, 397-8; *CDS*, ii, no. 668.
15. 2 August, Sunday, Stirling  
Parliament at Stirling. *APS*, i, 448-9; Duncan, "The Early Parliaments of Scotland," 41-2; McQueen, "The Origins and Development of the Scottish Parliament," 153-60.
16. 10 August, Monday (Feast of St Laurence), Stirling  
Brieve narrating the king's grant to the church of Glasgow for 40s annually from ferme of Rutherglen, given by King William, for light of said church, and also of 10 marks for maintenance of a deacon and a sub-deacon, and 100s for a priest at altar of St Mungo, and ordering sheriff and bailies of Lanark to cause said payments to be made. Witnesses: John Comyn; Alexander de Balliol, chamberlain; Geoffrey de Mowbray. *Handlist*, no. 367; *Registrum Episcopatus Glasguensis*, i, nos. 249, 283.
17. 12 August, Wednesday, Edinburgh  
Confirmation of a grant by King William to Dunfermline abbey of 100s annually from the ferme of Edinburgh, in free alms (lost). Witnesses: Alexander de Balliol, chamberlain. *Handlist*, no. 403; NLS Adv.MS.33.2.10 f.53.
18. a.r.1 (17 November 1292 x 16 November 1293)  
Confirmation to the monks and monastery of St Mary's of Lindores in Fife of all donations and privileges given by the king's predecessors and also by their first founder, David, earl of Huntingdon, brother to Malcolm IV and William, kings of Scotland (lost). Witnesses: Sir Alexander Fraser, knight. *Handlist*, no. 404; NLS Adv.MS.33.2.10 f.80.
19. 28 December, Monday (Feast of Holy Innocents), Dumfries?  
Letter to John le Romeyn, archbishop of York, asking him to install his clerk Walter of Darlington to the church of Parton, the presentation of which had fallen to Balliol by reason of the vacancy.



*"Johannes, Dei gracia rex Scocie, venerabili in Christo patri, domino J., eadem gracia Eboracensi archiepiscopo, Anglie primati, salutem. Ad ecclesiam de Parton (Kirkcudbrightshire), Candide Case dioceses, de jure vacantem, cujus ecclesie jus presentandi ad nos mere spectare dinoscitur, carissimum nobis Walterum de Derlington, clericum dilectum et fidelem nostrum, caritative presentamus; reverendam paternitatem vestram attentius rogantes quatinus ipsum Walterum ad eandem ecclesiam admittere, et in eadem canonicè instituere, vel saltem ipsum in corporalem possessionem ejusdem ecclesie inducere dignemini. In cujus rei testimonium has litteras nostras eidem Waltero fieri fecimus patentes. Teste me ipso apud Dunref, [28 December] et regni nostri secundo." The Register of John le Romeyn, ii, 124-5.*

## 1294

20. 13 January, Wednesday (Feast of St Hilary of Poitiers), Buittle  
 Letter to John le Romeyn, archbishop of York complaining that Thomas de Kirkcudbright had been improperly elected to the bishopric of Whithorn, and requesting that his consecration be delayed.  
*"Johannes Dei gratia rex Scotiae venerabili in Christo patri J., eadem gratia Ebor. Archiepiscopo, etc., salutem in Eo Qui, regibus regimen et tempus regendi praestans, inter caeteros praelatos sibi praelectos et pastores vos ministrum praefecit. Cum per mortem bonae memoriae venerabilis quondam patris H., Candidae Casae nuper episcopi, ecclesia sit pastore destituta, et religiosi viri Johannes prior Candidae Casae et ejusdem loci conventus, cum caeteris de clero ejusdem sedis et dioecesis vocem ibidem in electione habentibus, Deum prae oculis non habendo, Thomam de Kirkcudbryth, clericum, qui se gerit pro electo ejusdem, non per inspirationem vel viam caritativam, sed per quandam compromissionem, quam simoniacam conversationem per aliquas certas personas excogitatam reputamus, et probandum speramus, in praesulem suum praelegerint et pastorem; benevolentiam vestram, cum discretione non modica nullis retroactis temporibus frequenter nobis expertam, attentius ad praesens requirendum duximus et rogandum, quatenus cum idem Thomas, sic factus electus, ad vos venerit, admissionem vel consecrationem petiturus, ipsum non admittere dedignant negotia sua penes vos expedienda usque ad aliquem diem certum per vos sibi assignandum dilationem capere permittere velit his nostris intercessionibus, servatis meritis et amore; ut medio tempore super aliquibus vobis per articulos quos per nos contra ipsum clericum sic electum, electores, et electionem proponendos habemus, melius circumspecti et consulti vos reddamus certiores, dictis carissimorum nobis magistrorum Walteri de Fodringey et Thomae de Esthall, clericorum dilectorum et fidelium nostrorum, vel alterius isposum, latorum vel latoris praesentium, fidem, si placet, adhibere curantes; et praemissa facientes ut vestrae sanae conscientiae benignitas apud Deum et homines ad meritum vobis cedat et honorem; ac hae preces nostrae super his agendis nostris cordi nostro proximis nobis ad praesens praestent suffragium. Teste meipso apud Botil, xiii die Januarii, anno regni nostri secundo." Handlist, no. 368; Raine, Northern Registers, 104-5.*
21. 2 February, Tuesday (Feast of the Purification of the Blessed Virgin / Candlemas), Lanark  
 Parliament at Lanark. Duncan, "The Early Parliaments of Scotland," 42-3; Stevenson, Documents, i, 408, 410, 413; McQueen, "The Origins and Development of the Scottish Parliament," 162-7.
22. 30 March, Tuesday, Dundee  
 Charter to Friars Minor of Dundee. Handlist, no. 369.
23. 13 April, Tuesday, Roxburgh  
 Brieve to Geoffrey de Mowbray, justiciar of Lothian, to restore to the monks of Melrose seisin of a common way through the valley of Douglas, of which they have been disseised by William de Douglas, knight.  
*"Johannes Dei gracia rex Scocie, Galfrido de Mowbray, justiciario Laudonie, dilecto et fideli suo, salutem. Ex gravi querela religiosorum virorum, abbatis et conventus de Melsos, nuper accepimus quod cum iidem religiosi seysinam cuiusdam communis vie infra vallem de Duglas, coram venerabilis patribus Willelmo et Roberto Sancti Andree et Glasguensis episcopis, Johanne Comyn, Jacobo senescallo Scocie, et Briano filio Alani, tunc custodibus regni nostri, apud Edinburgh judicialiter recuperaverunt versus Willelmum de Duglas, militem, qui eosdem religiosos et suos in dicta via sepuis impediuit ac perturbavit, qua quidem communi via, tempore*

*a quo non extat memoria, uti consueverunt, que etiam via tendit per mediam vallem de Douglas, a rectis divisis et marchiis terre dictorum religiosorum de Tordones usque ecclesiam de Douglas, et sic deinceps ante parcam castris de Douglas, et per medium predictae vallis usque Huddigystoun, et sic sursum usque le Rayerd, et exinde usque marchaim baronie de Wystoun, idem Willelmus de Douglas seysinam predictae vie predictis abbati et conventui et suis iam de novo impedivit, ipsos exinde, ut asserunt, disseysiendo, in ipsorum religiosorum dampnum non modicum et gravamen, nostrique contemptum manifestum. Quare vobis mandamus et precipimus quatenus ad dictum locum personaliter adiat, et si predictos religiosos inveneritis de dicta via esse perturbatus seu disseysitos, eisdem seysinam dicte vie juste rehabere faciatis et sine dilacione, eosdem religiosos in dicta seysina manutinentes. Et si quos ipsos abbatem et conventum aut suos in dicta seysina perturbantes inveneneritis, ipsos attachiari faciatis, quod sint coram nobis et consilio nostro, ad certos diem et locum quos eis duxeritis assignandos nobis super tali contemptu responsuri, et facturi quod justitia suadebit; presentibus pro voluntate nostra duraturis: Testibus, Johanne Cumyn, Alexandro de Balliol camerario Scocie, et Thoma Ranulphi, militibus, apud Rokysburg xiii die Aprilis, anno regni nostri secundo. (Dorso: Per totum consilium existens apud Rokysburg super compita.)” Handlist, no. 370; Fraser, *Douglas Books*, iii, 8-9.*

**24.** 20 April, Tuesday, Jedburgh

Letters addressed to John, bishop of Carlisle, presenting Mr William de Londors, the king's clerk, to the church of [Castle] Sowerby.

*“Eisdem die et loco porrecta fuit nobis littera domini Regis Scocie tenorem continens infrascriptum. Johannes Dei gratia rex Scocie venerabili in Christo patri ac amico suo quamplurimum confidenti, domino J. eadem gratia Karliolensi episcopo, salutem et sinceram in Domino caritatem et dilectionem. Ad ecclesiam de Soureby, vestre diocesis, curam animarum habentem, per acceptacionem et admissionem magistri Ricardi de Wytton, quondam rectoris ejusdem, de ecclesia de Hawick, Glasguensis diocesis, consimilem curam habente, vacantem, cujus ecclesie de Soureby jus patronatus ad nos spectare dinoscitur, magistrum Willelmum de Londors, clericum nostrum dilectum et fidelem, vobis caritatis intuitu presentamus per presentes, paternitatem vestram attentius rogantes quantinus dictum magistrum Willelmum ad predictam ecclesiam de Soureby benigne et sine difficultate admittentes, ipsum in eadem institui et in corporalem possessionem ejusdem cum pertinenciis induci et inductum defendi faciatis; per quod a Deo meritum et a nobis grates speciales recipere valeatis. In cujus rei testimonium presentibus litteris sigillum nostrum apponi fecimus. Testibus, Johanne Comyn; Alexandro de Balliolo, camerario Scocie; Galfrido de Moubray, justiciario nostro de Laodonia; et Thoma Ranulphi, militibus. Apud Jedd[sworth], xx die Aprilis anno regni nostri secundo. Et statim tradita fuit littera nuncio presentati, domino officiali Karlioli porrigenda, pro inquisitione ejusdem ecclesie facienda.” Handlist, no. 371; Register of John de Halton, i, 8.*

**25.** 16 May, Sunday, Edinburgh

Parliament at Edinburgh. McQueen, “The Origins and Development of the Scottish Parliament,” 167-8.

**26.** 16 May, Sunday, Edinburgh

Letters patent granted that Margaret, daughter of Guy, count of Flanders, widow of Alexander, son of Alexander III, may receive her dowry, viz., 1,300 marks from Berwick, the manor of Linlithgow, and 200 marks pertaining thereto. Witnesses: Alexander de Balliol, chamberlain; John Comyn, earl of Buchan and constable of Scotland; Geoffrey de Mowbray. Stevenson, *Documents*, i, 421-2; Handlist, no. 372; Teulet, *Inventaire Chronologique*, 5.

**27.** 20 June, Sunday (Second Translation of St Edward king of Saxons), New Temple, London

Charter to Anthony Bek, bishop of Durham, for his lifetime, of manors of Penrith, Scotby, Karlaton, Languathby, Salkilde, and Soureby, advowsons of churches, fees of knights, and other free tenants, royal and other franchises customary in the county of Cumberland, with all their appurtenances and free customs, wards, reliefs, escheats, woods, moors, marshes, meadows, feedings and pastures, mills with their suits, ponds, waters, stews, fisheries, villains, villeinages, their goods and issues, and all other things appurtenant to the said manors. Witnesses: Master Thomas de Hunsingore, his chancellor; Sirs Geoffrey de Mowbray; Patrick de Graham; John de Soules; Roger de Burton; Roger de Tylmaneston; John de Rokesleye; William de Dacre; Richard de Waldegrave, knights; William de Burnton; John de Insula; others. Handlist, no. 373; CPR, 1292-1301, 102; CDS, ii, no. 692.

28. 20 June, Sunday (Second Translation of St Edward king of Saxons), New Temple, London  
Charter whereby John, king of Scotland, gave to St Cuthbert and Anthony Bek, bishop of Durham, and his successors, £50 of land in his liberty of Wark in Tynedale, where the bishop or his bailiffs shall choose, excepting the town of Wark and the king's chief messuage there, with the advowson of the church of Symundeburn and its chapels, to be held by the said bishop, and his successors, and their church in frank almoin; sealed with the privy seal of the said king, because he had not his great seal with him. Witnesses: Master Thomas de Hunsinghore, chancellor; Sir Geoffrey de Mowbray; Sir Patrick de Graham; Sir John de Soules; Sir Roger de Burton; Sir Roger de Tylmaneston; Sir John de Rokesleye; Sir William de Dacre; Sir Richard de Waldegrave, knights; William de Burnton; John de Insula. Dated at the New Temple of London, 20 June, in the second year. *Handlist*, no. 374; *Charter Rolls*, ii, 456; *CDS*, ii, no. 691; *CPR*, 1327-30, 427.
29. 2 July, Friday (Visitation of the Blessed Virgin; Feast of St Swithin), Newark  
Letter to Edward I, king of England, requesting redress for the complaints of the burgesses of Berwick.  
*"Serenissimo principi ac domino suo reverendo, domino Edwardo Dei gratia regi Angliae illustri, domino Hiberniae, et duci Aquitaniae, J. eadem gratia rex Scot', salutem in Eo per quem reges regnant, et regna subsistent universa.*  
*"Ex mandato burgensium nostrorum de Berewyke litteratorie nuper intelleximus quod cum ipsi et comburgenses sui misissent ad partes transmarinas pro blado perquirendo et ad partes Scoticanas ducendo, et bona sua, viz., lanam, corea et pelles ovium apud Berewyke ad partes transmarinas ducenda, carcaverant, antequam vestrum mandatum super hujusmodi missionum praemunitione fuerat eis expositum, et cum eorum bona juxta latus Angliae pervenerint, sive infra portus Angliae applicuerint, ballivi vestri, ut dicunt, per omnia loca ubi bona sua potuerunt inveniri ea graviter arrestant cum navibus dicta bona deferentibus, et ea cum navibus contra vadium et plegium detinent occupata et arrestata; in non modicum dampnum et gravamen totius regni nostri.*  
*"Quare vestram serenitatem rogamus et requirimus cum effectu quatenus in hujusmodi arrestationibus remedium, si placet, apponi faciatis; vestris ballivis, si placet, praecipere dignantes quod de bonis sic occupatis et arrestatis dictis nostris burgensibus integram faciant restitutionem; adeo, si placet, in praemissis facientes quod remedium per vos appositum sentient opportunum.*  
*"Datae apud Neuwerke, sub sigillo nostro private, ij die Julii, anno regni nostri secundo."*  
C47/22/1/41; Stevenson, *Documents*, i, 426-7; *Handlist*, no. 375; *CDS*, ii, no. 697.
30. early July  
Parliament held in Scotland upon King John's return from the June English parliament. *Chron. Bower*, vi, 41; McQueen, "The Origins and Development of the Scottish Parliament," 169-71.
31. 1 August, Sunday (Feast of Lammas), Lindores  
Charter granting that Nicholas de Haya, knight, and his heirs should hold their lands of Errol, Inchyra, Kilspindie, Dronley, Pitpointie, Cassingray and Fossoway, in free warren; forbidding any one to cut wood, hawk or hunt in those lands without license of the grantee or his heirs, under pain of the king's full forfeiture. Witnesses: John Comyn, earl of Buchan and constable of Scotland; John Comyn; Alexander de Balliol, chamberlain; Patrick de Graham; John de Soules; Sir Walter de Lindsay, knights. *Handlist*, no. 376; NAS RH 1/6/22.
32. 20 August, Friday, Kincardine  
Charter to Robert de Keith, the king's marshal, of lands in Keith, and others, in free warren. Witnesses: John Comyn; Alexander de Balliol, chamberlain; Geoffrey de Mowbray; Patrick de Graham; Thomas Randolph; Gilbert de Haye; Walter de Lindsay, knights. *Handlist*, no. 377; NLS Adv.MS.34.6.12 f.186.
33. 6 December, Monday (Feast of St Nicholas of Myra), Traquair  
Charter to Patrick Noble, son of Thomas Noble, knight, of two carucates of land in Ratho, in fee and heritage, for 4 marks stg. Annually, with freedom from multure to king's mill of Ratho. Witnesses: James the Steward of Scotland; Alexander de Balliol, chamberlain of Scotland; Geoffrey de Mowbray; Thomas Randolph; Bernard, his brother, knights. *Handlist*, no. 378; NLS Adv.MS.35.4.16 f.138.

**1295**

34. 20 November 1293 x 16 February 1295  
Briefs to various sheriffs to give seisin of lands of the earldom of Fife. *Handlist*, no. 408.
35. 19 March, Saturday, Linlithgow  
Charter to Friars Preachers of Linlithgow, granting protection and various rents. *Handlist*, no. 379.
36. 11 June, Saturday (Feast of St Barnabas), Loudoun  
Charter to church of Glasgow and Bishop Robert of lands of "Ballyolandis" [? Baillies, in Largs, Ayrshire], Fothrygyl and Ryesdale in Cunningham, in free forest, confirming the donation made by Dervorguilla de Balliol, his mother.  
"Johannes Dei gracia Rex Scottorum omnibus probes hominibus tocius terre sue salutem. Sciatis quod concessimus caritatis intuitu Deo et ecclesie beati Kentegerni de Glasguensi et venerabili in Christo Patri Roberto Dei gracia Glasguensis episcopo et successoribus suis ut ipsi habeant et teneant terras de Ballyolandis, Fothrygyl et Ryesdale cum suis pertinenciis in Cuningham in liberam forestam. Quasquidem terras cum pertinenciis bone memorie quondam domina Deruigulla mater nostra karissima caritatiue dedit dictis Deo ecclesie Episcopo et successoribus suis in perpetuum ad sustentationem quatour capellanorum divina celebrantium in ecclesia memorata pro anima sua et pro animabus predecessorum et successorum suorum. Quare firmiter prohibemus ne quis in eisdem terris secet aut venetur sine licencia dictorum Episcopi aut successorum suorum speciali supra nostram plenariam forisfacturam. In cujus rei testimonium presentibus sigillum nostrum precepimus apponi. Testibus Godefrido de Ros, Gilberto de Haya et Waltero de Lyndisseye militibus. Apud Londunesis xi die Junii, anno regni nostri iij." *Handlist*, no. 380; *Registrum Episcopatus Glasguensis*, i, no. 250.
37. 3 July, Sunday (Translation of St Swithun; Translation of St Thomas the Apostle), Stirling  
Charter to Anthony Bek, bishop of Durham, and his successors of the manor of Wark in Tynedale, in free alms. Witnesses: Robert Wishart, bishop of Glasgow; Donald, earl of Mar; John Comyn, earl of Buchan; Patrick de Dunbar, earl of March; Malise, earl of Strathearn; John Comyn of Badenoch; Geoffrey de Mowbray; Patrick de Graham, knights; others. *Handlist*, no. 381; *CPR, 1292-1301*, 233-4; *CDS*, ii, no. 872; *CPR, 1327-30*, 427.
38. 5 July, Tuesday, Stirling  
Letters addressed to Philip IV, king of France, appointing four persons to treat with him regarding marriage of Edward, the king's son, to a relative of Philip's. *Handlist*, no. 382; *Foedera*, I, iii, 146; *APS*, i, 453; *Reg. Halton*, i, 82; Teulet, *Inventaire Chronologique*, 6.
39. 5 July, Tuesday, Stirling  
Letters appointing four persons to undertake negotiations in France regarding Edward, the king's son, and inhabitants of the kingdom of Scotland. *Handlist*, no. 383; *Foedera*, I, iii, 146; *APS*, i, 453; *Reg. Halton*, i, 82-3; Teulet, *Inventaire Chronologique*, 7.
40. 6 July, Wednesday, Stirling  
Parliament at Stirling. *Chronicon de Lanercost*, 114-5; McQueen, "The Origins and Development of the Scottish Parliament," 171-5.
41. 22-23 October, Saturday-Sunday, Edinburgh  
Treaty with France. NA E39/91/8; Stevenson, *Documents*, ii, 8-15; *Register of John de Halton*, i, 78-84; *Foedera*, I, iii, 152-3
42. October, Edinburgh  
Parliament at Edinburgh. *Chronicon de Lanercost*, 125; *Scalachronica*, 14; McQueen, "The Origins and Development of the Scottish Parliament," 175-8.
43. 8 November, Tuesday, Edinburgh  
Letters granting safe-conduct to John Halton, bishop of Carlisle, ambassador of Edward, king of England, returning to England.

*“Johannes Dei gratia rex Scottorum, omnibus hominibus ad quos præsentes literæ pervenerint salutem. Cum venerabilis pater, Johannes, eadem gratia Karliolensis episcopus, qui nuper ad nos pro quibusdam negotiis specialibus ex parte magnifici principis domini nostri, domini Edwardi Dei gratia regis Angliæ illustris, accessit, nos interpellasset cum effectu quod salvum et securum conductum redeundi ad prædictum dominum regem Angliæ per districtus regni nostri ei concederemus; precibus ejusdem episcopi animo benevolo inclinati, vobis mandamus omnibus et singulis quatenus cum idem venerabilis pater cum familia sua, et rebus suis quas secum ducit, per vos vel districtus vestros transpire contigerit, redeundo ad partes Angliæ, nullum malum, molestiam, injuriam, seu gravamen eisdem in personis aut rebus inferatis injuste; aut ab aliis, quatenus in vobis est, inferri permittatis, super vestram plenariam forisfacturam; aut mortem eis inferat, sub pœna amissionis vitæ et membrorum; præsentibus post mensem minime valituris. Testibus Malisio comite de Straythern, Patricio comite de Dunbar, Johanne Comyn, et Jacobo senescallo Scotiæ, militibus; apud Edenburg, viii die Novembris, anno regni nostri tertio.”* *Handlist*, no. 384; Raine, *Northern Registers*, 119-20; *Reg. Halton*, i, 56.

**44.** 21 November, Monday, Stirling

Charter to William de Silksworth, king's sergeant, of 10 marks land in tenement of Covington, in fee and heritage, for forinsec service.

“John, by the grace of God, king of Scotland, to all good men of all his land, greeting. Know, that we have given, granted, and by this our present charter confirmed, to William of Silkisworth, our servant, for his homage and service, ten marks of land, with their pertinents, in the tenement of Colbanistun, until we shall have provided the said William with so much land in a suitable place elsewhere. To have and to hold, to the said William and to his heirs of his body lawfully begotten, of us and our heirs, in fee and heritage, with all their just pertinents, liberties and easements pertaining, or that may pertain, to the said land, freely and quietly, fully and honourably, Doing therefore to us and our heirs our forinsec service, as much as belongs to the said ten marks of land. Witnesses: William, earl of Ross; Andrew Fraser; David de Beton; Gilbert de Hay, knights. At Stirling the 21<sup>st</sup> day of November the fourth year of our reign.” *Handlist*, no. 385; J. Raine, *History and Antiquities of North Durham* (London, 1852), no. 78; *Nat. MSS Scot.*, i, no. 73; DCM Misc.Ch.632.

**1296**

**45.** 23 January, Monday

Letters of the king of Scotland sending the abbot of Aberbroyoc and the prior thereof on an embassy to the king of England. Safe-conduct, for fifteen days, issued by the king of England. *CPR, 1292-1301*, 183.

**46.** 23 February, Thursday, Dunfermline

Ratification of agreement between the king's procurators and Philip IV, king of France. NA E39/2/41; *Handlist*, no. 386; *APS*, i, 451-3; Teulet, *Inventaire Chronologique*, 8; *Foedera*, I, iii, 153; *CDS*, ii, no. 721.

**47.** 23 February, Thursday, Dunfermline

Parliament held at Dunfermline. McQueen, “The Origins and Development of the Scottish Parliament,” 178-80.

**48.** 4 April, Wednesday (Feast of St Ambrose), Jedburgh

Charter to William de Silksworth, the king's sergeant, for his homage and service, all the land of Balmuto [Balmutath] and its appurtenances, which once belonged to William de Crombathy, in the tenement of Kinghorn with its rights, boundaries and all appurtenances for forinsec service. Witnesses: John Comyn, earl of Buchan and constable of Scotland; Donald, earl of Mar; Malise, earl of Strathearn; Geoffrey de Mowbray; Andrew Fraser. *Handlist*, no. 387; DCM Misc.Ch.363.

**49.** ante 5 April, Berwick-upon-Tweed

Letter to Edward I, king of England, renouncing homage and fealty to Edward.

“To the eminent prince, Edward, by the grace of God king of England, John, by the same grace king of Scotland. You yourself, and others of your realm (to your knowledge, for surely you should not be ignorant of what they do) have (as everyone knows) inflicted over and over again,

by naked force, grievous and intolerable injuries, slights, and wrongs upon us and the inhabitants of our realm, and indeed have caused harm beyond measure to the liberties of ourselves and of our kingdom, and in a manner which offends against God and against justice; for instance by summoning us outside our realm at the mere beck and call of anybody, as your own whim dictated, and by harassing us unjustifiably; by seizing our castles, lands and possessions, and those of our people, within your realms, unjustly and without any fault on our part; by taking away and receiving within your realm, both by land and by sea, our chattels and those of our subjects; by slaying merchants and other inhabitants of our realm; and by forcibly seizing the men of our realm, taking them into your own, and keeping and imprisoning them there. We have often sent our envoys to you to discuss the amendment of these things, yet, up to the present, the injuries not only persist as they were, but even have offences added to them which are worse than the first, by you and your subjects, as one day succeeds another. For now you have come to the frontiers of our realm in warlike array, with a vast concourse of soldiers, and with an army openly assembled, to disinherit us and the inhabitants of our realm, and have crossed beyond into our realm, and brutally committed acts of slaughter and burning, as well as aggression and acts of violence both by land and by sea. We cannot any longer endure these injuries, insults, and grievous wrongs, nor these hostile attacks, nor can we remain in your fealty and homage (which, be it said, were extorted by extreme coercion on your part) and we desire to assert ourselves against you, for our own defence and that of our realm, to whose defence and safekeeping we are constrained by the bond of an oath; and so by the present letter we renounce the fealty and homage which we have done to you, and which any other person among our faithful subjects, the inhabitants of our realm, has done, by reason of the lands which are held of you in your realm, and also by reason of the membership of your household or retinue: this we do in our own name and in the name of each and all of them." *Anglo-Scottish Relations*, no. 23; *Handlist*, no. 392; *Foedera*, I, iii, 156-7; *Register of John de Halton*, i, 68-9; *Thomae Walsingham, Historia Anglicana*, i, 56-7; *Chronicon Henrici de Knighton*, ed. J.R. Lumby (Rolls Series, 1895), i, 300-1.

50. 2 July, Monday (Visitation of the Blessed Virgin; Feast of St Swithun), Kincardine  
Letters patent acknowledging offences against Edward I, king of England, and resigning the kingdom to him.  
"John, by the grace of God king of Scotland, gives greeting to all those who shall see or hear this letter. Seeing that we have by evil and false counsel, and our own folly, grievously offended and angered our lord Edward, by the grace of God king of England, lord of Ireland, and duke of Aquitaine, in many ways, in that while we yet owed him fealty and homage we made alliance against him with the king of France, who then was, and still is, his enemy, agreeing to arrange a marriage with the daughter of Charles, the French king's brother, and to harass our lord, and held the king of France, with all our power, in war and by other means; and in that by the same evil counsel we have 'defied' our lord the king of England, and have withdrawn ourselves from his homage and fealty by renouncing our homage, and also in that we have sent our men into his land of England to burn, plunder, murder, and do many other wrongs, and have fortified against him the land of Scotland, which is his fief, by putting and maintaining armed men in the towns, castles, and elsewhere, to defend the lands against him, and deprive him of his fee: for all these reasons and these many transgressions, our lord the king of England has entered the realm of Scotland and taken and conquered it by force, notwithstanding the army that we had sent against him, a thing which he was rightly able to do as lord of his fee, since we had renounced our homage to him and done the things already described. Therefore we, acting under no constraint, and of our own free will, have surrendered to him the lands of Scotland and all its people, with the homage of all of them. As evidence of this action, we have caused this our letter patent to be written. Kincardine, 2 July, the fourth year of our reign." E30/100/133; *Handlist*, no. 388; *Foedera*, I, ii, 841-2; *The Chronicle of Walter of Guisborough*, 280-1; *Thomae Walsingham, Historia Anglicana*, i, 59-60; *CDS*, ii, no. 754.
51. 7 July, Saturday (Translation of St Thomas of Canterbury), Stracathro  
Renunciation of treaty with Philip IV, king of France, against Edward I, king of England. *Handlist*, no. 389; Stevenson, *Documents*, ii, 59-60; Teulet, *Inventaire Chronologique*, 8-9, 15; *CDS*, ii, no. 821.

52. 10 July, Tuesday, Brechin Castle  
Resignation of the kingdom and royal dignity to the bishop of Durham, on behalf of Edward I, king of England. *Handlist*, no. 390; Stevenson, *Documents*, ii, 61; Teulet, *Inventaire Chronologique*, 9; *CDS*, ii, no. 821; BL MS.Add.37223 f.132b.
53. 1292 x 1296  
Brieve to the sheriff and bailies of Roxburgh to cause to be paid annually to the abbot and convent of Dryburgh alms from rents of burgh of Roxburgh granted by the king's predecessors. *Handlist*, no. 391.

#### Lost Undated Acts

54. Charter to Hugh de Ardrossan of land of 'Sippeland.' *Handlist*, no. 393; *CDS*, iv, no. 1815 (1).
55. Charter to Isabella de Beaumont, as heir to Richard de Beaumont, of the barony of Crail. *Handlist*, no. 394; *CDS*, ii, no. 1670.
56. Charter to Reginald le Chen [jr.?), of land of 'Drim,' in sheriffdom of Elgin, worth £10 yearly. *Handlist*, no. 395; *CDS*, ii, no. 1737.
57. Charter to John Comyn, earl of Buchan, relieving him of payment of £48 [annually?], part of 80 marks due to the king for the land of 'Covenache.' *Handlist*, no. 396; *CDS*, ii, no. 1541.
58. Charter to John Comyn, earl of Buchan, of lands of thanage of Formartine and 'Dereleye,' except the burgh and castle of Fyvie. *Handlist*, no. 397; *CDS*, ii, no. 1541.
59. Charter to Dovenald, son of Kan, knight, and the lawful heirs of his body, of £10 of land from the king's demesnes in the county of Ayr. *Handlist*, no. 398; *CDS*, ii, no. 1664.
60. Charter to Thomas de Fishburn of 20 marks rent in Ednam, in the sheriffdom of Roxburgh, by the hands of the tenants thereof. *Handlist*, no. 399; *Rot. Scot.*, i, 43.
61. Charter(s) granting to each of the 'Six brothers Halyburton of Scotland,' £20 of land. *Handlist*, no. 400; *CDS*, ii, no. 1778.
62. Charter to Alan de Penington, knight, of £10 of land in Ednam, in the sheriffdoms of Roxburgh. *Handlist*, no. 401; *CDS*, ii, no. 736 (at page 173); iv, no. 1815 (7).
63. Charter granting lease, in fee-farm, to William, earl of Ross, of lands of Dingwall and Ferintosh. *Handlist*, no. 402; *CDS*, ii, no. 1631.
64. Letters patent granting 3s per week to the Friars Minor of Haddington. *Handlist*, no. 405; Stevenson, *Documents*, ii, 247.
65. Confirmation of a grant by David, earl of Huntingdon, to Lindores abbey of the church of 'Edie.' *Handlist*, no. 406; NLS Adv.MS.33.2.23 f.19.
66. Letters of remission to Newbattle abbey of part of rent of land of Bothkennar. *Handlist*, no. 407; *Rot. Scot.*, i, 38.
67. Fragment of a document with great seal appended, possibly related to the end of the 'Great Cause.' *Handlist*, no. 409.

#### (4) Charters and Documents after King John's Abdication:

68. 8 September, Saturday (Nativity of the Blessed Virgin), 1296  
"Ès assises de Eu qui furent lan de Grace Mil CC IIIxx et seize, le jeudy devant le Feste de le Nativité Nostre-Dame, l'abbé de Eu et Raheul de Paris, procureur dudit couvent de Eu, et Monseigneur Jehan de Bailleul, chevalier, furent en amende pour pez faite entre eux. Et est la

pez tele que comme ledit abbé et procureur du couvant proposassent vers ledit Monseigneur Jehan qu'il estoient en bonne saisine de prendre et recevoir chascun an la disme du moulin de Hornoi, et ledit Monseigneur Jehan leur empeschoit et avoit empeschié par trois ans, si comme ils disoient, si requéroient que ledit Monseigneur Jehan ostat l'empeschement quil il avoit mis et quil leur rendist les arrérages desdites trois années. A la parfin, pour bonne pez, veut et ottroia et s'accorda que dores avant ledit abbé et couvent prengnent et aient la disme dudit molin autant comme à sa partie dudit molin appartient et peut appartenir, sanz ce que contre ce il puist desormex aller encontre. Donné sous le scel de le baillie de céans, lan et le jour dessus dis." Belleval, *Jean de Bailleul*, 99.

69. 11 October, Friday, 1297, Haddington  
Letter to the mayors and communities of Lubeck and Hamburg informing them that merchants can now have safe access to ports of Scotland, which has been recovered from the English. [Act of Andrew Murray and William Wallace, leaders of the army of the kingdom of Scotland, and the community of the same.] *Handlist*, no. 410.
70. 7 November, Thursday, 1297, Hexham  
Letters of protection for the prior and convent of Hexham priory. [Act of Andrew Murray and William Wallace on behalf of King John.]  
"We, Andrew Murray and William Wallace, the leaders of the army of the realm of Scotland, in the name of the eminent prince lord John, by the grace of God the illustrious king of Scotland, with the agreement of the community of the realm, give greeting to all of that realm to whom the present letter shall come. We inform you that in the name of the king we have duly received into the firm peace and protection of the king and of ourselves the prior and convent of Hexham in Northumberland, with their lands, and their men, and all their possessions, and their property, moveable and immoveable. Therefore we strictly forbid anyone to presume to inflict on them, in their persons, lands, or chattels, any ill, interference, injury, or hurt, on pain of incurring plenary forfeiture to the king himself; or to cause the death of them, or of any one of them, on pain of loss of life and limb. The present letter is to be of no value after one year. Hexham, 7 November 1297." *Handlist*, no. 411; *Anglo-Scottish Relations*, no. 26a; *Chron. Knighton*, i, 386-7.
71. 7 November, Thursday, 1297, Hexham (? Presumably dated as above)  
Letters of safe conduct for one canon of Hexham priory, with an esquire and two servants. [Act of Andrew Murray and William Wallace on behalf of King John.]  
"We, Andrew, etc. We inform you that we have granted safe-conduct in the name of our king and of ourselves to one canon of Hexham, and one squire, and their two servants, to come to us, wherever we may be, whenever it is necessary and expedient for that [religious] house. Therefore, in the name of the lord king, we give command to one and all, strictly ordering that when any canon of that house, with a squire, and their servants, having this letter with him, shall come among you with the intention of journeying to meet us, you shall bring them to us under safe guard, in such manner that nobody may molest them in any way, either in their persons or in their property, on pain of incurring plenary forfeiture of the king; or cause the death of them, or of any one of them, on pain of loss of life and limb. The present letter is to remain in force as long as we so desire." *Handlist*, no. 412; *Anglo-Scottish Relations*, no. 26b; *Chron. Knighton*, i, 387.
72. 29 March, Saturday, 1298, Torphichen  
Charter to Alexander Scrymgeour of six marks of land in territory of Dundee, the king's meadow in said territory, and constabulary of the castle of the same, for service of carrying the royal standard in the army of Scotland. [Act of William Wallace, guardian, on behalf of King John and under his seal.] *Handlist*, no. 413; *APS*, i, 453-4; *Nat. MSS Scot.*, i, xiv.
73. 1 April, Tuesday, 1298, Durham House, outside London  
Statement of John Balliol.  
"In the name of the Lord, Amen. In the year A.D. 1298, the eleventh indiction, and on 1 April, in a room in the lodging outside London of the venerable father Anthony, bishop of Durham, the bishop said something about the state and condition of the realms of Scotland and of its inhabitants, in the presence of the noble lord, John Balliol.....and this John, of his own accord, in the presence of myself, the notary, and of the witnesses named below (among other



observations which he made) uttered a statement in French, to this effect: namely, that when he possessed and ruled the realm of Scotland as king and lord of the realm, he found in the men of that realm such malice, deceit, treason, and treachery, arising from their malignity, wickedness, and stratagems, and [from] various other execrable and detestable actions by those who, as he had good grounds to believe were plotting to poison him, who was then their prince, that it is not his intention to enter or go into the realm of Scotland at any time to come, or to interfere in any way with it, or its appurtenances, through his own agency, or through that of any other person or persons, or even (for the reasons given and for many others) to have anything to do with the Scots. And John added that on occasion he had asked the bishop of Durham to explain this, his intention, will, and firm resolve, to the eminent prince, Edward, the illustrious king of England, and his good lord, and he still urgently beseeches him that he may graciously agree to explain, and fully to expound, these things to the king on his behalf.

“Executed in the year, indiction, and place, and on the day aforesaid, in the presence of the bishop of Durham and the noble Ralph of Sandwich, constable of the Tower of London, and of various other people who were present there at the time.

“And I, John, son of Arthur, of Caen, a public notary by authority of the Apostolic See, was present at all these proceedings, and have written with my own hand and drawn up a record of this in public form, bearing the mark of my *signum*.” *Anglo-Scottish Relations*, no. 27

74. 1298?

Letters of safe conduct for William Wallace. [Lost act in the name of King John.] *Handlist*, no. 414; *The Antient Kalendars and Inventories of the Treasury of His Majesty's Exchequer*, ed. F. Palgrave (London, 1836), i, 134.

75. 5 December, Friday, 1298, Govan

Brieve to the sheriff and bailies of Forfar to maintain Alexander Scrymgeour in possession of constabulary of the castle of Dundee and certain adjacent lands granted to him by Sir William Wallace. [Act of Robert de Bruce, earl of Carrick, guardian, on behalf of himself and John Comyn, guardian.] *Handlist*, no. 415.

76. 18 July, Saturday, 1299, Wissant-sur-mer

Document from Vatican Archives concerning John Balliol's residence and papal custody.

“In the name of the Lord, Amen. [On 18 July 1299], the fifth year of Pope Boniface VIII, in the presence of the Reverend Father Lord Raynald, by the grace of God bishop of Vicenza, nuncio of the Apostolic See; bring present the Venerable Father Lord John, bishop of Carcassone, the noble lord James de Castellione, lord of Leusa and of Condeto and lord Peter de Bellapertica, canon of Bourges, nuncio of the Most Excellent Lord Philip, illustrious king of France; also in the presence of me, a notary, and of the underwritten witnesses, there appeared His Magnificence Lord John de Balliol, styled king of Scotland, declaring himself free and freely committed, on account of the reverence borne by the Most Excellent Lord Edward, illustrious king of England, to the most Holy Father Lord Boniface, Sovereign Pontiff, into the hands, power and judgement of the said lord bishop of Vicenza, aforementioned nuncio, receiving [him] in the name and stead of the said lord pope, and he promised and agreed simply, willingly and freely, to the said lord bishop of Vicenza, nuncio, receiving and covenanting in the name and stead of the said pope, to stand simply and wholly in obedience to the mandates, ordinances and pleasure of the said lord pope and bishop of Vicenza, or of any other having mandate from the lord pope thereanent, and to go with the said bishop of Vicenza or with any other, according as the said lord bishop will order him from time to time, and to remain in the place or places where the said lord bishop of Vicenza shall order him to remain, and nowise and for no reason depart from the lord bishop of Vicenza or from any other or from the place where he had been consigned, or commanded to remain, without special licence and consent of the lord bishop of Vicenza or of another having special mandate thereanent with a true bull of the said lord pope, until the said lord pope shall decree otherwise concerning his person. For steadfastly observing and fulfilling which things all and sundry, the said lord John, styled king of Scotland, into the hands of the said lord bishop of Vicenza, receiving as said is, freely submitted and bound his person and all his goods, rights and actions, present and future wherever they are or may be, especially to the Roman Church or the said lord pope, in such way that if he should not fully do and observe the above, as said is, all and sundry, all his goods, wheresoever they are or will be, shall thereby pass by way of penalty into the right and power of the said lord pope and be confiscated to the Roman Church, while proceedings shall be taken against his person as against

a perjurer, contumacious and disobedient to the Roman Church and said lord pope. Moreover, for the greater stability of all the premises, the said lord John, styled king of Scotland, swore upon the Holy Gospels to perform and inviolably to observe all and sundry the above written, as stated.

“Done at Wissant-sur-mer in the realm of France in the hospice of John Steuari, in the presence of lord E, lord Berleta, Robert Liuerd, Master William de Rivo, clerk and notary of the lord king of France, and lords Lancelm, provost of St Thecla, Milan, and Thomas de Vicopisano, canon of Luna, chaplains of the said lord bishop of Vicenza, and master Nerius, notary of the bishop, and many others called as witnesses for the purpose.” Cameron, “Documents,” 34-5; Stevenson, *Documents*, ii, 382-6.

**77.** 22 July, Wednesday, 1299, Cambrai

Of the same.

“In the name of the Lord, Amen. [On 22 July 1299], in the presence of me, a notary, and of the witnesses underwritten, specially asked and called for the purpose. There bring personally present, before the Reverend Father in Christ, Lord Raynald, bishop of Vicenza, nuncio of the Apostolic See anent restoring peace between the most excellent princes, lord.....of France and lord.....of England, illustrious king, both the venerable sirs concerned in the affair, and the discreet lords, Master Walter, styled Le Chat, canon, official of Laôn; Bonhomme de Sublaco, canon of Cambrai and B....., styled Provost of Quimper, Vicars of the Reverend Father Lord G....., by the grace of God bishop of Cambrai; the said lord Raynald, bishop of Vicenza, in the name and stead of the Sovereign Pontiff, handed over and assigned His Magnificence, lord John de Balliol, styled king of Scotland, there present, as presented, assigned and delivered and also freed from the power of the foresaid lord king of England, in whose hands he was, into the hands of the above lord nuncio in name of the Sovereign Pontiff, for whom he should be held, guarded and safely preserved in good faith without guile or fraud in the Castle or House of Malmaison, which house from now on he has placed for the purpose in the protection, guard and defence of the Holy Mother Roman Church, to the aforesaid lord official and vicars in the name of the lord bishop of Cambrai, until it shall have been ordered otherwise anent the said lord John by the said pope or lord bishop of Vicenza, having mandate of the pope thereanent. The said lord bishop of Vicenza requesting, exhorting and admonishing the above-mentioned official and vicars, and ordering them by the authority which he enjoys, that out of reverence to the Roman Church and the Sovereign Pontiff they shall have such care, guardianship and safekeeping of the said lord John, as well by themselves as by others, as shall seem expedient; so that they said Sovereign Pontiff may, not without reason, comment them for their diligence and solicitude, and that they may not deserve to incur his indignation. Which official and vicars, with common will and assent, willingly and freely out of reverence for the Roman Church, the lord pope, the bishop of Vicenza, received forthwith John Balliol, there present, to be kept, guarded and safely held by them or their nuncios faithfully, without guile or fraud, according to the assignation and delivery of the lord bishop of Vicenza. Performed at Cambrai, in the house of the lords of the chapter of Cambrai, where they are wont to hold the chapter, there bring present, the venerable sirs lords Lancelm, provost of St. Thecla, Egidius (Giles) Pamersali, canon of St George’s in the palace of Milan, lord Stephen de Fur, of Lyons diocese, professor of law, master Galuagnius de Medici, physician, Master Nerius de Podiobonigi and Salunius de Pergamo, notaries, chaplains and associates of the aforesaid lord bishop of Vicenza, witnesses specially called and asked for the purpose.” Cameron, “Documents Relating to John Baliol,” 35-6; Stevenson, *Documents*, ii, 390-1.

**78.** 23 July, Thursday, 1299, Cambrai

Of the same.

“[On 23 July 1299] in the castle of Cambrai, in the house of the bishop of Cambrai, in the presence of me, a notary, and of the witness, etc. The above-written lord John Balliol, king of Scotland, freely and willingly said and declared, that if his lordship the most Holy Father, Lord Pope Boniface VIII, should not take order anent him and the affairs relating to him and to the kingdom of Scotland, that his successor or successors shall be able, until the matter is finally determined, to take order therewith according to their pleasure, in whose hands he wishes to be, and submits himself as if into the hands of the said lord Sovereign Pontiff until the issue of these matters. Done in the said place, there being present lords Gerard de Clare, canon of Cambrai, Lancelm, and Thomas de Vicopisano aforesaid, chaplains of the said lord bishop, and Master Nerius, his notary, witnesses for this purpose.” Stevenson, *Documents*, ii, 391-2.

79. 11 November, Wednesday, 1299, Malmaison, Cambrai

Of the same.

"In the name of Christ, Amen. We Raynald, by the grace of God, bishop of Vicenza anent restoring peace between the lords Philip and Edward, by the grace of God, illustrious kings of France and England, require and warn, first, secondly, thirdly, and peremptorily, you, lord John de Baylleul, king of Scotland, here present, and others, all and sundry, as well clergy as laity, of whatsoever order, state, dignity and condition they may be, present and absent, to whom our present sentence may anywise come, that, since you, lord king, are assigned and delivered to us, receiving you in the name and stead of the most Holy Father and Lord, our Lord Boniface Sovereign Pontiff, and for him with the consent and will of the foresaid kings, you have promised, bound and sworn to us, receiving and stipulating as said is, not to depart for any cause or reason from us, nor from the place or places where we should or shall command you to be or remain, or to which we might wish to convey you or have you conveyed by any person or persons, without our express and free will and licence, under pain of excommunication and the other pains contained in the promise and obligation made by you to us, as said is; and, by virtue of your sworn oath, you may not depart without the express licence of us or of another having special mandate for the purpose from our said Lord Sovereign Pontiff. And you shall go without any gainsaying wheresoever or to whomsoever we shall from time to time appoint, ad hereto we now enjoin you expressly under the foresaid pains and oaths; and command that no one, of whatsoever state, order or dignity he be, dare under pain of excommunication in any way to hinder to attempt anything in the contrary of us, our mandates, ordinances and dispositions hereanent. Otherwise we now as then decern you, lord John, king of Scots, doing, promising or assenting to anything in the contrary, to underly the pains of excommunication and all other pains involved in your obligation and oath herein written; also all and sundry others, as said is, as well clergy as laity, of whatsoever state and dignity they be, in any way hindering us or others in our name and molesting us in the foregoing or any part thereof, we bind with the sentence of excommunication and we put the whole of them or their places, if they shall be lords of places, under ecclesiastical interdict, from which sentence no one can be absolved, unless by us or by our superior, or by his special licence brought and pronounced. This sentence was put into writing by the said lord Raynald, bishop of Vicenza, sitting as judge, there being present the said lord John, king of Scots and many of his household and other audience at Malmaison in the room of the bishop of Cambrai, Cambrai diocese, before religious men, Brothers Gervase, Master in Theology, and Nicholas de Brugis, of the Order of Friars Minor, and discreet men lord William, chaplain of Milan, Abbot Raynerius of Siena and Jacobinus de Concorezo, doncels of the said lord bishop of Vicenza, and many other witnesses called for the purpose." Cameron, "Documents Relating to John Balliol," 37-8; Stevenson, *Documents*, ii, 402-4.

80. 13 November, Friday, 1299, Forest of 'Torre'

Letter to Edward I, king of England, offering to cease hostilities at the mediation of the king of France. [Act of William, bishop of St Andrews, Robert de Bruce, earl of Carrick, and John Comyn, the son, and guardians, on behalf of King John.] *Handlist*, no. 416; *Foedera*, I, iii, 215; *APS*, i, 454; *CDS*, ii, no. 1108.

81. 15 December, Tuesday, 1299, Châtillon-sur-Marne

Concerning the papal residence and custody of John Balliol.

"[On 15 December 1299] at Châtillon-sur-Marne, Langres diocese, in the hospice of Andrew Gibuoyne, host, before lord Brother Guido, abbot of Pulcercys, Cluniac order, and brother Hugh de Vilarys, called Blancet [Friars Minor], lord Thomas canon of Luni, Stephen de Fur, doctor of laws, partners thereto, and the abbot of Siena and Perotto de Sabaudia, doncels of lord bishop of Vicenza and many other witnesses for the purpose. The lord bishop of Vicenza sitting as judge, the said John Balliol, king of Scotland, being present, and the above having been written, reaffirmed and ratified his sentence against the said lord John, king of Scotland, and others, commanding the said lord John, king of Scotland there present to go with the familiars of the said lord bishop of Gevrey, a certain house of castle of the abbot of Cluny, Langres diocese, under the pains contained in the above sentence and not to withdraw thence upon any cause or consideration without his special licence and mandate.

"I, Constantine, called De Pozolo, clerk, Milan diocese, notary public by apostolic and imperial authority, have written this exemplar from the protocol of Master Nerius Spronelli, notary aforesaid, by the authority and mandate of the reverend lord Master John, chamberlain of the lord pope, and I have taken and faithfully exemplified, adding or omitting nothing which might

change the sense or alter the meaning, and for the greater strength and validity I have appended my customary sign, and subscribed myself, being asked." Cameron, "Documents Relating to John Balliol," 37-8; Stevenson, *Documents*, ii, 406.

82. *post* 1299  
Confirmation of grant by Sir Alexander de Abernethy to Coupar Abbey of lands in barony of Lour. *Handlist*, no. 417.
83. 28 September, Wednesday, 1300, Gevrey-Chambertin  
Concerning the papal residence and custody of John Balliol.  
"In the presence of me, Constantinus, notary, and of the underwritten witnesses. Raynald, bishop of Vicenza, nuncio of the Apostolic See, in the name and stead of the most holy father, Boniface, Sovereign Pontiff, assigned and delivered to Master Saluinus de Pergamo, notary, to Ramusinus Busolo de Parma, and to Perotto, called de Sabaudia, his doncels and familiars, as being men pledged to him and faithful, lord John Balliol, illustrious king of Scotland, to be guarded and safe-kept in the castle of Gevrey [*Jeuriaci-in-Montana*] of the abbot of Cluny, Langres diocese [Gevrey-Chambertin or Gevrey-en-Montagne, Côte d'Or, arr. Dijon], until they should be specially commanded to do otherwise by the said Sovereign Pontiff or the lord bishop of Vicenza in person. He also commanded the said lord king, being present, that he go not out by himself from the said castle, the place assigned to him, in any way without licence unless in company of his foresaid familiars or the greater part of them, and if it shall happen at any time that he go out to take a walk with the said licence and companionship, he is commanded that he do not leave the said castle before sunrise, and that he return and enter the said castle before sundown, under pain of all his goods and the oath taken to the said lord bishop and of excommunication which he may automatically incur by acting contrariwise, and under all other pains contained, as well in the obligations made by the said king to the said lord pope and the Roman Church, as in the sentence pronounced by the said lord bishop against the said king and others, and in the mandates made to the same; which, all and sundry, there the same lord bishop renewed, confirmed and approved as he was best able of right. Done in the said castle of Gevrey, there bring present the Venerable Father Lord Brother Hilary, bishop of Isola, S. Herine, lords, (Dsola, suffragan of S. Severina), Brother Raynald, Dean, a brother of the said place, .....Dean of Verzi, Cluniac order, and lords Martin de Alzate, Master Galuagnius Provost of St Donatus in Strata, Milan diocese, and Nerius de Podiobonigi, notary, and many other witnesses called and asked for the purpose.  
"I, Constantine, styled De Pozolo, clerk, Milan diocese, notary public by apostolic and imperial authority, and scribe of the foresaid lord R[aynald], bishop of Vicenza, nuncio of the Apostolic See, was personally present together with the aforesaid witnesses at the above proceedings, all and sundry, and by mandate and authority of the said lord bishop I have written and published them, and signed them with my customary sign, being asked.  
"This exemplar is a transumpt made by me, Constantine, notary underwritten, from the protocol of Master Nerius Epronelli de Podiobonigi, notary public by apostolic and imperial authority, at that time scribe to the Reverend Father Lord Raynald, by the grace of God bishop of Vicenza, anent certain acts done by the said lord bishop, then nuncio of the Apostolic See, as hereinafter related." (Here follows above, nos. 69 and 71) Cameron, "Documents Relating to John Balliol," 36-7; Stevenson, *Documents*, ii, 420-1.
84. 10 July, Monday, 1301, Stirling  
Charter following upon an inquest of the chancery finding that the constable of the castle of Dundee had the right to the lands belonging to the castle and also the duties pertaining thereto, in favour of Alexander Scrymgeour, now constable. [Act in the name of King John, witnesses: John de Soules, guardian.] *Handlist*, no. 418; NAS GD137/3680.
85. 17 November 1300 x 16 November 1301, Rutherglen  
Charter mentioning John de Soules, guardian. [Lost act in the name of King John]. *Handlist*, no. 419.
86. 23 February, Friday, 1302, Scone  
Letter to Philip IV, king of France, undertaking to observe the truce with England. [Act of John de Soules, guardian, and prelates, earls, barons and community.] AN JJ16 ff.1-4; *Handlist*, no. 420; *APS*, i, 454; Teulet, *Inventaire Chronologique*, 21 (dated 24 February 1301).

87. 27 April, Friday, 1302, St Andrews  
Brieve to the sheriff and bailies of Perth to compel the provosts of the burgh of Perth to pay to the monks of Kelso abbey six marks as their fee for two years past. [Act in the name of King John, witnesses: John de Soules, guardian.] *Handlist*, no. 421.
88. 20 June, Wednesday (Second Translation of St Edward, king of Saxons), 1302, Inchaffray  
Confirmation of a grant by the guardians to Alexander Scrymgeour of land in the territory of Dundee, and constabulary of the castle of the same, for service of carrying the king's standard in his army. [Act in the name of King John, witnesses: John de Soules, guardian.] *Handlist*, no. 422.
89. 23 November, Friday (Feast of Pope St Clement; Feast of St Felicitas), 1302, Bailleul  
Letter from King John Balliol to Philip IV, king of France, authorising Philip to undertake negotiations on his behalf against the king of England.  
"To the most excellent prince, our very dear lord and good friend, and our hope after God, Philip, by the grace of God, king of France, John de Balliol, king of Scotland, sends greeting, and wishes the increase of honour and of all good things according to his desire.  
"Whereas we know for certain, and have seen and known effectually, that you have been to us, and still are, a good lord and helpful, and that you have had, and still have, our affairs at heart, and we have hope that you will be so always in time to come; it pleases us, we will, and we consent for you to prosecute, or cause to be prosecuted, our said affairs, especially those which we have against the king of England, in the way which shall seem good to you, either in conjunction with your own matters, which you have against the said king, or separately, by prosecuting and bringing to an end in the first place your own matters, if so it should seem good to you, either by a peace, or by truce or abstinence, in such manner that if you bring your own affairs to a conclusion, you would be pleased forthwith to prosecute ours, and to bring it to an end in the way you best may. May God give you a good and long life. Given at Bailleul, on the day of the feast of St Clement, AD 1302. [*Dorso*] Letters of the king of Scotland consenting that the king of France should settle his affairs which he has with the king of England, either by peace, or truce, or abstinence." AN J633/5; *Handlist*, no. 423; Stevenson, *Documents*, ii, 449-50 (dated 17 November); Teulet, *Inventaire Chronologique*, 21; Belleval, *Jean de Bailleul*, 99-100.
90. September 1304, Abbeville  
Letters by which the king, Philip le Bel, permits John de Balliol, king of Scotland, to sell to the mayor and *echevins* of Abbeville the right of *travers* which he had on the river Somme, at Abbeville. Belleval, *Jean de Bailleul*, 100.
91. 2 December, Wednesday, 1304  
Charter by which 'John, king of Scots and sire de Bailleul-en-Vimeu' sells to Hugh, abbot of Sery, all that he possessed in the burgh of Oisement, under the reservation of high justice and of the sheriff, totalling a price of 2,376 *livres*: that is, 164 capons of annual taxable quota on certain hovels of Oisement, 21 *livres Ad paris* of rent on 40 *journaux* of land, a communal oven, 20 *journaux* of land of which half is labour, all the rights on 17 *journaux* of land granted by him to the lepers house of Oisement, and finally his right of justice on everything, which is estimated to be worth 85 *livres 15 sous paris* of annual revenue. Belleval, *Jean de Bailleul*, 101.
92. 1304  
Charter by which 'John, king of Scotland and sire de Bailleul-en-Vimeu' sells to the commune of Abbeville all that he had 'in that ville and the Somme river by reason of *travers*, of custom and of rent.' Belleval, *Jean de Bailleul*, 100.
93. 14 September, Thursday (Feast of Exaltatio Crucis; Cornelius and Cyprian), 1312  
Letter by which 'Robert de Vilenneve, bailiff of Amiens' makes known the debates which took place 'in the assize of Amiens which began the day of Octaves of the beheading of St John the Baptist the year 1312' between the steward of Ponthieu for the king of England, count of Ponthieu, for one part, and 'John, *seigneur de Bailleul*, knight,' for the other part, for some dams which the abovementioned knight had made erected in the land that he had at Rue and that he held of the king; and that the steward claimed could not be erected because that injured the rights of the count of Ponthieu; and because of still various other reasons, the steward could not show the letters of *committimus* addressed to the count of Ponthieu, the said Robert, bailiff of Amiens,

assigns the parties to the next parliament. "Given under the seal of the baillie of Amiens the Thursday after the Nativity of Our Lady the year mentioned above." Belleval, *Jean de Bailleul*, 101-2.

94. 4 March, Monday, 1314

*"Nous, Jehans, par la grâce de Dieu Roys d'Ecosse et sire de Bailleul-en-Vimmeu, faisons savoir à tous chiaus qui ches présentes lettres verront ou orront, que, pour plusieurs entrepresures, meffais et trespas des ques li senescaus de Pontiu nous acoisonnoit et nos gens et nous metoit sus avoir fais en nostre terre de Heliscourt et es appartenanches seans en Vimmeu, lequel nous tenons en fief de tres excellent prince nostre chier seigneur Edouard par la grâce de Dieu rois d'Engleterre et conte de Pontiu, pour bien de pais à nostre requeste et pour nostre prouffit évident et très grand damache esquiever, nous nous sommes acordé et apaisié dudit senescal en le manière qui sensient, chest asavoir que nous demourons a pais desdites entrepresures, meffais et trespas des ques il nous acoisonnoit et nos gens, avoir fais contre la droiture de nostre avant dit seigneur, et nous paierons et baillerons au receveur de Pontiu ou ferons paier et bailler, ou a chelui qui ches lettres ara, sans autre procuratoin demander, et a che nous sommes nous obligié et obligons bien et loiaument, wit vins livres de boins fors parisis as termes qui sensuivent: chest assavoir quatre vins livres de parisis au jour de le Nativité Nostre Seigneur prochaine venant et quatre vins livres de parisis à lautre feste de le Nativité Nostre Seigneur prochaine ensievant après. Et sil estoit ainsi que li dis recheverres ou chil qui ches lettres avoit eust cous ou damaches, fesist fres ou despens ou missions en avocas, en procureurs, en message pou ledite dette requerre et faire avoir, ou en autre quelconque manière que che fust, par le deffaute de nostre paiement en tout ou en partie, nous sommes tenus de rendre et restorer et a che nous obligons nous aveuc tout le princhipal, par le serement dudit receveur ou de chelui qui ches lettres aroit, sans autre preuve demander et sans riens dire encontre. Et quant à che en avons-nous renonchié et renonchons a tout privilège de crois prise et à prendre, especialement as privilege de le crois de le quele on a commenchié a preschier pour le voiage doutremer; a toutes les dilacions et purlongemens que nous arimes ou poiriemes avoir el temps et avenir du pappe, du roi de Franche noseigneur ou dautre prélat ou seigneurterrien pour locasion de leditte crois; a toutes graces et repis empetrés ou a empetrer soit du roi de Franche noseigneur ou dautrui, especialement a le grace que le roi noseigneur nous a faite de prendre seur demeure pour notre vivre; et a toutes les graces et respis que il nous a faites sanblaules ou greigneurs et que il nous porroit faire ou feroit el temps a avenir; car nous nous obligons et volons que de riens ne nous en puissons aidier el temps a avenir quant a le dette dessus dite; a tous conduits, a toute opposicion, alegacion, exception de fraude, de boisdie, de déchoite, de forche, de peeur, a che que nous peussions dire que nous euissions esté décheu en le dite pais faisant ou acort en quele maniere que che fust, car nous sommes chertains du contraire; a che que nous peussions dire que le chose neust mie ainsi esté faite comme il est chi dessus écrit au droit disant ou veullant dire general renonciation nient valoir, et à toutes les choses qui généraument et especialement nous porroient aidier et valoir, et audit recheverres ou a chelui qui ches lettres porteroit nuire. As choses dessus dites tenir bien et loiaument toutes ensamble et chescune a parli avons-nous obligié et obligons ou dit recheverres ou a cheli qui ches lettres aroit, nous et tous nos biens temporeus muebles et non meubles, catex et yrtages presens et avenir, especialement en avons-nous rapporté et rapportons par le teneur de ches lettres en le main dudit senscal toute nostre terre de Heliscourt et les appartenanches, pour prendre, saisir, lever, vendre et despendre et exploitier tel markié, tele vente de le pure autorité dudit senscal ou du recheverres ou de cheli qui ches lettres aroit, ou par autre justiche quele que ele fust en quelconque lieu que nos biens seroient trouvés, fust à Heliscourt ou en oeutre juridicion tout ni fussons nous couchant ne levant dusques à tant que li dis recheverres ou li porterres de ches lettres aroit pleniere satication de tous cous, de tous fres, de tous damaches et de toutes missions aveuc tout le principal dessus dit. Et pour che que toutes les choses dessus dites soient fermes et estaules, nous avons ches presentes lettres faites et baillées our fait bailler audit receveur de Pontiu, seelées de nostre seel. Che fu fait lan de grace Mil CCC treze, le quart jour de mois de mars." Belleval, *Jean de Bailleul*, 102-4.*

95. 1314

Grant to Renaud de Picquigny, vidame of Amiens, his cousin, of a rent of 30 marks sterling to take all the lands and particularly that of Hornoy, for which Renaud will serve him *un aveu* at once. Belleval, *Jean de Bailleul*, 84; Darsy, *Picquigny et Ses Seigneurs, Vidames d'Amiens*, 36.

## Appendix E

### *Selected Documents for Edward Balliol*

#### (1) Pre-Kingship Documents, 1307-32

1. 2 February, Thursday (Feast of the Purification of the Blessed Virgin / Candlemas), 1307, Lanercost  
*"...Si ea Edwardo de Balliolo filio predicti Johannis filii Johannis post hec tempora reddere velimus de nostra gracia speciali abseque reclamacione predicti Guidonis [de Beauchamp, earl of Warwick] vel heredum suorum in manum nostrum resumere possumus prefato Edwardo liberanda ita cum quod eidem Guidoni vel heredibus suis debitam inde recompensationem in terres et tenementis in regno Anglie vel in terra Scocie prefato Guidoni aut heredibus suis in forma predicta tenenda fieri faciamus..."* BL MS Stowe 930, ff.146d.-147d.; Nicholson, *Edward III and the Scots*, appendix, no. 2.
  
2. *post* 7 July 1307  
*"A nostre seignur le roi humblement prie et requert Edward de Bayllof qil pur Dieu et en sauvete de sa alme et l'alme son pere voile granter et fayre liverrer a luy les terres qe furent a Mons' Johan de Bayllof son pere qui heire il est en Engleterre et en Galway desicum la volunte nostre seignur le roi qi mort est ne fust unkes qil fust desherite de ces terres Dengleterre ne de Galway sicum ceaux qi adunkes furent du conseil nostre seignur le roi bien le sevient. E prie a nostre seignur le roi sa grace qil voille parfurnir le grante et la volunte son pere a qi Dieu face verrey mercy."* NA SC8/319/e387; Nicholson, *Edward III and the Scots*, appendix, no. 3.
  
3. *ante* 2 November 1309  
 Balliol sends a petition to Edward II asking to be released from the custody of John de Warenne, earl of Surrey, his cousin, in order to reside in the household of the king's brothers, Thomas earl of Norfolk and Edmund earl of Kent. This was granted on 20 September 1310. *CDS*, iii, nos. 106, 162; *Chancery Warrants*, i, 327; *CPR, 1307-13*, 283, 329.
  
4. 4 January, Saturday, 1315, King's Langley  
 Letter from Edward II to King Louis X of France on behalf of Edward Balliol, regarding the recent death of his father, John Balliol.  
*"Ad Ludovicum Francorum Regem, pro Edwardo de Baliolo. Excellentissimo Principi, Domino Ludovico, Dei gratiâ, Regi Francorum Illustri, Fratri suo carissimo, Edwardus, &c. salutem, & successus, ad vota, semper prosperos & felices. Cum Dominus Johannes de Baliolo, qui quaedam feodalia tenuit de Dominio vestro, viam universae carnis, ut acecpimus, sit ingressus, Magnificentiam vestram attentè requirimus & rogamus quatinus, dilectum nobis, Edwardum de Baliolo, Filium & Haeredem praedicti Johannis, Alumpnum nostrum, habentes, si placet, nostri intuitu, propensius commendatum, Nobilem Virum, Reginaldum de Pynkeny, Vicedominum Ambienensem (quem idem Edwardus procuratorem suum constituit in hac parte) ad fidelitatem, Majestati vestrae Regiae debitam, nomine ipsius Edwardi, faciendam, benigne admittere, sibi que feoda praedicta, ad opus dicti Edwardi, liberari jubere dignemini nostris precibus & amore. Dat. Apud Langele, 4 die Januarii."* *Foedera*, II, i, 75; *CDS*, iii, nos. 348, 449.
  
5. *c.* February 1316 x October 1317  
 Petition by Edward Balliol to reside with Thomas de Brotherton, the earl marshal.  
*"Item qil plese a nostre seignur le roi qe ledit Edward de Baillol puisse demorier en la compaignie le counte mareschal come il ad feta vaunt ces heures et qe le roi voile maunder par ses letters au tresourier et as barouns del eschequer qil facent paier audit counte deniers le jour pur la demoere Edward en soun houstiel auxicome il ount fet en temps pass et qe gree soit fet au counte des arriages qe il sount deus pur la demoere Edward oue li par maundement du roy ou qe le roy face bailler audit Edward aucunes des terres qe furent a soun piere en Engleterre pur sa sustenance tauntqe le roy seit certefiee du proces et de la fourme coment Mons' Johan de Baillol vint ala pees le Roy Edward qe Dieux assoille et qe le roy face sa grace et en die sa volente, car les terres Edward par dela sount taunt encoubrex de la dette soun piere vers le roy de Fraunce et plusours creditours de la terre qil ne poet aver profit ne rien pur sa*

*sustenance des issues de ses terres susdites.*" NA SC8/317/e274; Nicholson, *Edward III and the Scots*, appendix, no. 4.

(2) The Acta of King Edward Balliol<sup>1</sup>

**1332**

6. 26 July, Sunday (Feast of St Anne), Berwick-upon-Tweed  
Grant to his clerk, Simon de Sanford, for life, of the keepership of the hospital of Rutherford next Jedworth. *Rot. Scot.*, i, 327.
7. c. August/September, Perth  
Grant to Robert de Byncestre of the lands of Sir Alexander de Seton, in Scotland, dated directly after Balliol's arrival at Perth. *CDS*, iii, no. 1223.
8. 3 October, Saturday, Roxburgh  
Grant to Sir Ivo de Aldeburgh, of lands in Broxmouth forfeited by Andrew Gray. *CDS*, iii, no. 1480; *Rot. Scot.*, i, 707.
9. 20 October, Tuesday, Roxburgh  
Grant to Thomas de Ughtred, knight, of the manor of Bonkle, and other lands in Scotland which had escheated to the king by the forfeiture of John Stewart, knight, to hold to him and his heirs with all knights' fees, wards, reliefs, escheats, forfeitures, marriages, advowsons of churches liberties, easements, *tol* and *theme*, *infangthef*, *utfangthef*, commodities and appurtenances, and promise that if the same should be recovered from him by the heirs of the said John or by any other by judgement of the king's council, by petition in Parliament or otherwise, he should hold them until he should be peaceably seized by the king's gift of land in Scotland of equal value. Witnesses: Henry de Beaumont, earl of Buchan; David de Strathbogie, earl of Atholl; Duncan, earl of Fife; Gilbert de Umfraville, earl of Angus; Richard Talbot; Henry de Ferrars; Alexander de Mowbray; Eustace de Maxwell, knights; many others. *CDS*, iii, no. 1128; *Rot. Scot.*, i, 273.
10. 24 October, Saturday, Roxburgh  
Grant to Walter de Selby, of the lands in Plenderleith, Roxburghshire, forfeited by William Wyschard. *CDS*, iii, no. 1670; *Rot. Scot.*, i, 820.
11. October, Roxburgh  
Parliament held at Roxburgh. *CPR, 1330-34*, 503; *Issues of the Exchequer*, 143.
12. 23 November, Monday, Roxburgh  
Divers donations, concessions and recognitions made to the king of England by the king of Scotland. *Foedera*, II, iii, 84-5.
13. 14 December, Monday, Roxburgh  
Grant to his valet, Richard Sefoul, of a £20 land held by his forebears. *CDS*, iii, no. 1249; *Rot. Scot.*, i, 514.
14. Winter, Westmorland  
Grant to Robert de Clifford, of the lands in Douglasdale in Scotland. *Chronicon de Lanercost*, 271.

**1333**

15. 17 February, Wednesday, Edinburgh  
Covenant between Edward Balliol, king of Scotland, and Richard Talbot, knight, whereby the former agrees to deliver to the said Richard the castle of Kildrummy (Aberdeens), provided he will pledge himself not to take part in any quarrel against the king, excepting in allegiance to him. French. BL L.F. Campbell Charters, xxx, 11; *Nat. MSS Scot.*, ii, no. 35; NAS RH1/2/107.

<sup>1</sup> Many of these are also listed in Reid, "Edward de Balliol," 59-63.



16. 17 February, Wednesday, Edinburgh  
Covenant between Edward Balliol, king of Scotland, and Monseigneur Richard Talbot whereby the former, on condition of the deliver of the castle of Kildrummy, in Mar, agrees to pay the moiety of 960 marks, in discharge of a bond from the said Richard to Mons. William de Montague, for the delivery of certain lands in Keith, to the use of Robert de Keith. French.  
*“Cest endenture faite par entre le noble Prince Monsieur Edward par la grace de Dieu Roi Descoco dune part et Monsieur Richard Talebot dautre part tesmoigne que le dit Monsieur Richard ad empis et est tenuz a Monsieur Willame de Montagu par my le commandement nostre Seigneur le Roi Descoco en nef cents et sessant marcz desterlinges pour la deliverance de les terres de Kethe al oeufs Monsieur Robert de Keth a paier la moite an dit Monsieur Williame a Berewyke a la feste de Seint Martyn prochaine avenir apres le fesance de cestes et lautre moite a la Pentecost prochain pares suant sauvez autre delay. Et est accorde par ceste endenture par entre le dit nostre seigneur le Roi dune part, et le dit Monsieur Richard dautre part pour certeyns composicions et covenances par autre eux faites tou crainz la deliverance du dit chastel de Kyndromy en Marre, que nostre dit siengneur le Roi paiera en bone foi la une moite de tout la somme des deux avantnommez as termes suscritess et le dit Monsieur Richard paiera lautre moite de la dite somme en tout sicom est avant. Nome sauvez autre charge du Roi du paiement en sa default. En tesmoignance de quele chose nostre siegneur le Roi dun part de ceste endenture et monsieur Richard Talbot dautre part entre chaungeablement ount mys leur seals escript a Edenburgh. Le xvii jour de Feverier. L’an de grace mil ccc trentisme tierce.”* BL L.F. Campbell Charters, xxx, 12; *Nat. MSS Scot.*, ii, no. 37; NAS RH1/2/604/2.
17. 25 July, Sunday (Feast of St Christopher; Feast of St James), Berwick-upon-Tweed  
Grant to William Duresme, merchant of burgess of Darlington, and his heirs of lands late of William de Eughless, rebel, as to the extent of £40 yearly. He and his heirs are to answer at the exchequer of Scotland for anything which may be found in excess of such extent, and shall hold the lands by the services due to the chief lords as fully and freely as the said William de Eughless or any of his ancestors at any time held them, provided that they be not of the crown or of the inheritance of the said king. Witnesses: Henry de Beaumont, earl of Buchan; David de Strathbogie, earl of Atholl; Richard Talbot; Thomas Ughtred; John de Felton, knights; others. *Inspeximus* and confirmation by Edward III, 27 May 1335, York. *CPR, 1334-38*, 110.
18. 29 July, Thursday, Falkirk  
Grant to Henry de Percy, of the pele of Lochmaben, the valley of Annan and Moffatdale as Thomas Randolph, late earl of Moray held them to the value of 1,000 marks yearly.  
*“Edwardus, Dei gracia rex Scotorum...concessisse...dilecto consaguineo et fideli nostro, Henrico de Percy, pelum de Loghmaban, vallem de Anaund et Moffetdal...Habendum et tenendum...de nobis...sicut Thomas Randolf quondam comes Moravie illa tenuit...salvis nobis forisfacturis guerre, hac vice....”* *The Percy Chartulary*, 448.
19. 15 September, Wednesday, Glasgow  
Grant to Geoffrey de Mowbray, of lands in Roxburgh and the Forest in right of his wife, Isabella, countess of Mar. *Rot. Scot.*, i, 278.
20. October, Edinburgh  
Parliament of Edward Balliol. *CDS*, iii, no. 1094; *Rot. Scot.*, i, 259, 261; *Foedera*, II, iii, 100; *Chronicon de Lanercost*, 276; *Scalachronica*, 163-4 (which gives Scone as the parliament’s venue).
21. *ante* 25 October  
Commission by Edward Balliol to send certain men of Hartlepool on a ship to the Scottish sea for war. *CDS*, iii, no. 1097.

**1334**

22. 12 February, Saturday, Edinburgh  
Charter of Edward Balliol (in pursuance of an act in his parliament in Edinburgh) granting to Edward III, king of England, the town, castle and county of Berwick, in part of £2,000 of lands in Scotland, to be annexed to the English crown for ever. *CDS*, iii, nos. 1109.

23. 12 February, Saturday, Edinburgh  
Deeds of homage by Edward Balliol, king of Scotland to the king of England, offering to marry his sister, Joan, affianced to David de Brus, with an increased jointure, and to provide for David; also to maintain a certain number of men-at-arms for the service of the English King. *CDS*, iii, no. 1108.
24. 12 February, Saturday, Edinburgh  
Letters patent by Edward, king of Scotland, with assent of his parliament at Edinburgh, binding himself and his heirs, with their whole power and at their own costs, to aid in person the king of England and his successors in England, Wales and Ireland, against all gainsayers, on warning of six months. *CDS*, iii, no. 1110.
25. 12 February, Saturday, Edinburgh  
Letters patent by Edward, king of Scotland, with assent of his parliament at Edinburgh, ratifying the acts of Sir Alexander de Mowbray and Sir John de Felton, his commissioners appointed to carry out the terms of perpetual peace agreed on between the realms of England and Scotland at Roxburgh on 23 November 1332. *CDS*, iii, no. 1111.
26. 12 February, Saturday, Edinburgh  
Instrument under the hand of an apostolic notary of the diocese of York, attesting the acts of the parliament held by Edward de Balliol, king of Scotland, at Edinburgh, reciting and confirming his homage to the king of England, the concession of Berwick-on-Tweed, and other documents under the Great Seal of Scotland. *CDS*, iii, no. 1112; *Foedera*, II, iii, 105-7.
27. 1 March, Tuesday (Feast of St David), York  
Letters patent by the Edward III declaring that, as his cousin and liege Edward, king of Scotland, with assent of his magnates and people, had become bound to aid him in person in his wars, he, with assent of his own parliament at York, Monday next before the Feast of St Peter *in Cathedra* last, had become bound in like manner to the king of Scotland; saving to himself and his heirs his sovereign right of homage and fealty, and the service of a certain number of men-at-arms of Scotland and the Isles, and also £200,000 and right to enter Scotland failing the above service; saving, also, the castle and town and county of Berwick, and other lands which the king of Scotland is bound to surrender on the March adjoining the realm of England, to be for ever annexed to the English crown. NA SP58/1/6; *CDS*, iii, no. 1116; *Rot. Scot.*, i, 261-3.
28. *ante* 2 March  
Grant by Edward Balliol to John, earl of Warenne, of the earldom of Strathearn. *CDS*, iii, no. 1118; *Foedera*, II, iii, 108.
29. *ante* 8 March  
Grant to Henry de Percy of the lands of Sir Walter de Corry and his son John, in Annandale.  
“*A touz... William de Bohoun, count de Northampton, conestable Dengleterre et seigneur du val de Anand... avoir done congie a nostre trescher et bienasmez monsire Henry de Percy seigneur de Alnewyk, a doner totes les terres... queux furent a monsire Wauter de Corry deinz nostre roiale seigneurie en le dit vale de Anand, a Johan de Corry fiz le dit monsire Wauter, les quels... le dit monsire Henry avoit du doun... monsire Edward de Baillol roi Descoce par forfaiture de monsire Wauter de Corry frer eynez le dit Johan, savaunt a nous et fesaunt le dit Johan les services dewes et acoustomez a nostre reale seigneurie du dit vale... Escrit a nostre chastiel de Loghmaban, le tiercz jour de May, lan de grace MCCC cynquant une [13 May 1351].*” *The Percy Chartulary*, 436-7.
30. 12 June, Sunday, Newcastle-upon-Tyne  
Charter by Edward, king of Scots, granting to Edward, king of England, £2,000 of land in the Marches of Scotland, and in part payment of same, conceding the castles, towns, and counties of Berwick-upon-Tweed and Roxburgh, the town, castle and forest of Jedburgh, the town and county of Selkirk and forests of Selkirk and Ettrick, the town, castle and county of Edinburgh, with the constabularies of Haddington and Linlithgow, the town and county of Peebles and the town, castle and county of Dumfries. NA E39/11; *CDS*, iii, no. 1127; *Foedera*, II, iii, 115.

31. 19 June, Sunday, Newcastle-upon-Tyne  
*Inspeximus* of the charter by Edward Balliol (20 October 1332 above) granting Sir Thomas Ughtred knight, the manor of Bonkhill and the other lands of Sir John Steward, etc. The king of England commands J. archbishop of Canterbury to issue letters of confirmatory, etc. *CDS*, iii, no. 1128.
32. 24 June, Friday (Feast of St John the Baptist), Barnard Castle  
 Charter by Edward Balliol granting to Thomas de Wakefield, clerk of Edward III, the gift of the hospital of St Leonard's, near Edinburgh. *CDS*, iii, 1130.
33. 28 August, Sunday (Feast of St Augustine (Hippo)), Scone  
 Charter by Edward Balliol granting to Henry Percy, the forfeiture of all lands and tenements of all the men being within the pele of Lochmaben. He is not to receive anything further from Balliol for besieging the pele (*pro obsessione peli predicti*).  
*"Edwardus, Dei gracia rex Scotorum...concessisse...dilecto consanguineo et fideli nostro, Henrico de Percy, omnes forisfacturas omnium terrarum et tenementorum de omnibus hominibus infra pelum de Loghmaban existentibus. Habendum et tenendum...omnes predictas forisfacturas de nobis...per servicia inde debita...ita quod...faciat habere nobis...pelum predictum ad sumptus suos propios, sine aliquo de nobis percipiendo pro obsessione peli predicti...Teste me ipso, apud Sconam, xxvij die Augusti, anno regni nostri secundo."* *The Percy Chartulary*, 448.
34. 5 September, Monday  
 Charter by Edward Balliol granting to Henry de Percy the manor of Carstryvelin and other forfeited lands (detailed) provided that if they are found to exceed £690 16s 6d the surplus is to be at Balliol's will.  
*"Come accorde est entre le tres-honorable prince monsire Edward, par la grace de Dieu roi Descoce, de une part, e monsire Henri de Percy dautre part, que lavaundit monsire Henri soit demorre a terme de sa vie od le dit monsire Edward, od cent hommes darmes, soi altre a banere od xxx chivalers de son banerette accomptez, contre totes gentz quele part qil est a faire en la terre Descoce, save son seignur lige le roi Dengleterre et ses heirs, issint totes voies que, au quel heure que son dit seignur le roi Dengleterre eist a faire de luy, que sauncz chalenge du dit monsire Edward, le dit monsire Henri peusse ceo faire ceo que faire doit a son dit seignur le roi Dengleterre. Et pur la dite demure, lavaundit monsire Edward soi covenust estre tenucz, e par ceste escript obligez pur luy e ses heirs, a doner au dit monsire Henri deus mil marchez de terre par covenable estent decea la mere Descoce, en lius come soit agreable au dit monsire Henri, si come plus pleynementz est contenuz en la chartre que monsire Edward ent fait au dit monsire Henri. E a paier au dit monsire henri a totes les foitz luy e ses gentz avaunditz du temps de son departir de [son] dit hostiel par resonable jornez accomptez, et pur sa demure issint ceste a savoir pur luy mesmes demy mark le jour, pur un b[anerette] pur chescun chivaler deus soutz, pur chescun homme darmes doze deners, e serrount les chivalers a la marche preisez par ceteynes gentz du dit monsire Edward a ceo ass[ignez] [chivaux] ne soient preisez issint a sa venue a la dite marche et perde de ses [chivaux, que] aveigne en le service le dit monsire Edward du temps qil soit entre la marche Descoce en demurant [en le] dit service ou repiraunt vers la marche Dengleterre, qe restor luy soit fet de la dite perde soldz. Et sil aviene plus des gentz darmes outre le nombre avaundit qil soit servyz pur restor de lour chivaux, ceste a savoir, pur chescun colom sa condicione en avaundit, etc."* *The Percy Chartulary*, 447-8.
35. 15 September, Thursday  
 Grant to William de Stapilton, his valet, of the lands that belonged to Adam de Delmayne and John, son of William l'Englis, in the valley of Liddel and the lands called Hirdmanstoun in Teviotdale. *The Percy Chartulary*, 436-7; *Rot. Scot.*, i, 728.
36. 25 September, Sunday, Glasgow  
 Ratification by Edward Balliol of a confirmation of King John Balliol of a grant by William the Lion to Glasgow cathedral. Witnesses: lords Henry de Beaumont, earl of Buchan; David de Strathbogie, earl of Atholl; Alexander de Mowbray; Richard Talbot; Thomas Ughtred; John de Stirling, knights; others. *Registrum Episcopatus Glasguensis*, i, no. 283.

37. October, Edinburgh  
Parliament held at Edinburgh. *CCR, 1333-37, 267.*
38. *ante* 18 November  
Grant to Ralph de Dacre, of the lands, castles and manors formerly belonging to Roger de Kirkpatrick and Humphrey de Bois. *Rot. Scot.*, i, 294; *CDS*, iii, no. 1139.
39. *ante* 1335  
Grant to John de Barneby of the vill of Elstaneford (Haddington) worth £20 per annum. *CDS*, iii, page 330.

### 1335

40. *ante* 6 March, Carlisle?  
Letter from Edward Balliol requesting that King Edward III issue a commission to two justices to deliver to Carlisle gaol Richard son of Richard son of Hugh, and Thomas del Celer, imprisoned for the alleged murder of Robert de Coventry, William Shelle, and William Fisherman, the king of Scotland's servants. *CDS*, iii, no. 1152.
41. 1 May, Monday (Feast of Sts Philip and James), Carlisle  
Letter from Edward Balliol to Edward III, urging the loyalty of the abbot and convent of Dundrennan in Galway [Galloway?], and their losses in consequence. *CDS*, iii, no. 1157.
42. July, Edinburgh  
Parliament held at Edinburgh. *CDS*, iii, no. 1169.
43. *ante* 15 October, Berwick?  
Appointment of Thomas de Burgo (Burgh), to the office of chancellor and chamberlain of Berwick. *Rot. Scot.*, i, 384.
44. *ante* 3 November  
Grant to Brother John de Wirkeleye, master of the hospital of the manor of Templiston, near Edinburgh. *Rot. Scot.*, i, 386.
45. *ante* 1335-36  
Grant to Gilbert Talbot, of the barony of Dirleton extending to a £140 land. *CDS*, iii, appendix, page 336.
46. *ante* 1335-36  
Grant to Reginald More of Fentoun, of 15 husbandlands, in the barony of Drem worth 20 marks yearly. *CDS*, iii, appendix, page 336.

### 1336

47. 8 February, Thursday, Holm Cultram  
Presentation by the abbot of Holm Cultram, of Lord Walter de Annandia to the advowson of Dornock, and an acre there, gifted to the abbey by Edward de Balliol and confirmed by John, bishop of Glasgow. Balliol's gift was to relieve the abbey's penury caused by the war. *The Register and Records of Holm Cultram*, eds. F. Grainger and W.G. Collingwood (Kendal, 1929), 146; *Registrum Episcopatus Glasguensis*, i, no. 286.
48. July, Edinburgh  
Parliament held at Edinburgh. *Issues of the Exchequer*, 145.
49. 12 September, Tuesday, Perth  
Indenture between Edward, king of Scots, and John de Insula by which John received the island of Islay, the lands of Kintyre and Knapdale, the island of Gigha, half the island of Jura, the islands of Colonsay, Mull, Skye and Lewis, and the lands of Morvern and Ardnamurchan; and also the ward of Lochaber until the son and heir of David de Strathbogie comes of age; in exchange for support against Edward's enemies. For which John and his heirs shall be liegeman

to the king of Scots, and harass his enemies continually when able. And in security he as made oath of the Holy Eucharist, chalice of the altar, and missal, and shall also deliver if required, as hostages, his next cousins in minority, having as yet no lawful son and heir of his body. When he has such an heir, the King of Scots will be his godfather. *CDS*, iii, no. 1182; *Rot. Scot.*, i, 463; *Acts of the Lords of the Isles*, 1-3.

50. *ante* 28 November  
Charter from Edward Balliol to Richard earl of Arundel, of the stewardship of Scotland, belonging to him by descent. *CDS*, iii, no. 1218.
51. 2 December, Monday, Perth  
Charter to Anthony de Lucy of the barony of Drumsargard and all the lands which belonged to Maurice Murray, knight, beyond the Scottish sea, together with the barony of Carmunnock, which belonged to Patrick de Dunbar, late earl of March, forfeited by the said Maurice and Patrick, the king's enemies and rebels. Anthony is to answer for the value of the lands in excess of 600 marks; declaring that the said lands do not belong to the crown and are not part of the king's patrimony and that no grant has been made of them hitherto. No witnesses given. Reid, "Edward de Balliol," 62.

### 1337

52. 31 May, Saturday, Stamford  
Letter from Edward Balliol to Master Robert de Stratford, chancellor of England, requesting a protection for his merchant, John Turgys 'cerger' of London, who is going with part of his 'vitailles' to Scotland, etc. *CDS*, iii, no. 1232.
53. 6 June, Friday, Stamford  
Letter to the same, notifying him that the abbot of Lindores has come to his peace.  
*"Edward par la grace de dieu Roi Descoce a mestre Robert Destratford Chaunceiller Dengleterre salutez. Sire nous vous fesoms assavoir que Labbe de Londores vint a nostre pees a la seint Michel darreyn passe et avoit nostre preteitionem a le dit Abbe ad deinre a nostre pees taunqz encea. Nostres vous gard. Donne sous nostre prive seal a Estaimford le vi jour de Juin Lan de nostre regne quint."* NA C47/22/4/46; *CDS*, iii, no. 1234.
54. 1 July, Tuesday, Stamford  
Letter to the same, requesting letters of protection for the bearer, Robert de Doncaster, his valet, who had been with him in his war in Scotland, and is now going there with him so that he be not impleaded while in the war. Given under his privy seal. NA SC1/39/53; *CDS*, v, pt. ii, no. 768.
55. 1 July, Tuesday, Stamford  
Letter to the same. The king of England has granted a pardon to Thomas de Chadebourn, the bearer, who served in Edward de Balliol's household in the Scottish war, and still does so. Asks the chancellor to send writs for the proclamation of his pardon to the sheriffs of York and Lancashire. Given under his privy seal. NA SC1/45/230; *CDS*, v, pt. ii, no. 769.
56. 1337  
Letter to the same, requesting a pardon for Sir Richard Cros, about to attend him in his war in Scotland, for the death of Roger de Derecombe, and also requesting protection for sir Robert Gower and Roger de Tong, his own sergeant. *CDS*, iii, no. 1253.

### 1339

57. *ante* 10 April  
Grant to John of Orreton, of the lands forfeited by Sir John Lindsay of Wauchop. *Rot. Scot.*, i, 710; *CDS*, iii, no. 1328.
58. 21 May, Friday, manor of Auckland  
Grant to Sir John Stirling, of the lands and tenements of Sir William de Keith and of Sir John Stirling of Glenesse, forfeited as enemies and rebels. Under the Great Seal.

"Edwardus die gracia Rex Scottorum omnibus hominibus terre sue ad quos presentes littere pervenerint salutem. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Johanni de Strivelyn milit pro bono et laudabili servicio suo nobis impenso et in futurum impendo omnia terras et tenementa cum pertinentiis que fuerunt Willelmi de Keth militis ac etiam omnia terras et tenementa cum pertinentiis que fuerunt Johannis de Strivelyn de Glennesse militis, nuper inimicorum et rebellium nostrorum, et que per forisfacturam eorundem Willelmi et Johannis ad manus nostras iam devenerunt. Habenda et tenenda eidem Johanni de Strivelyn et heredibus suis predicta terras et tenementa de nobis et heredibus nostris in perpetuum libere, quiete, integre, bene, et in pace, cum omnibus libertatibus, comoditatibus, et aesiamentis ac aliis quibuscumque pertinentiis ad predicta terras et tenementa quoquo modo de iure spectantibus. Faciendo nobis et heredibus nostris servicia inde debita et de iure consueta, ita tamen quod predicta, terre et tenementa cum pertinentiis non fuerint de corona sue hereditate nostra nec alicui vel aliquibus ante hec tempora per nos donata. Ac salvo iure cuiuslibet. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud manerium de Aukeland vicesimo primo die mensis maii Anno regni nostri septimo." NAS RH1/2/110.

**59.** 9 August, Monday, Bishop Auckland

Confirmation of a charter by John, king of Scots, the king's father, granting and confirming to William de Silksworth, his sergeant, for his homage and service, all the land of Balmutah and its appurtenances, which once belonged to William de Crombathy, clerk, in the tenement of Kinghorn with its rights, boundaries and all appurtenances. Witnesses: Sir Thomas de Surtays; Sir Adam Percevale; Sir Henry de Haverington, knights; others. No seal. *Nat. MSS Scot.*, ii, no. 38; DCM Misc.Ch.363.

**1341**

**60.** 24 June, Sunday (Feast of St John the Baptist), Fulham

Letter from Edward Balliol to his friend Sir Robert Burgcher, chancellor of England, requesting a protection for Elys, son of William de Kellawe, who is in the king's and his own service in Scotland. Under his Privy Seal. *CDS*, iii, no. 1362.

**1342**

**61.** ante 15 July

Letter from Edward Balliol requesting a pardon for the Grithmen who will fight against the Scots. *Rot. Scot.*, i, 629.

**1343**

**62.** 27 October, Monday, London

Acquittance to the prior of Durham for £15 16s 4½d received by an Exchequer tally levied in its name.

"Edward par la grace de dieu Roi Descoce, etc. saluz. Sachez nous avoir receu del Priour de Duresme le xxvij jour D'octobr' lan de grace mille troiscenz quarantz tierz a Lundres sese livres qnze soulz quartre deniers mail per une taille de eschequer leve en son noum. Des quex, etc. nous nous tenons pleynement paieez et lavandit Priour aquitons per cestes noz livres patentes ensealez de nostre preve seal. Don a Lundres le jour et l'an susdit." Raine, *History and Antiquities of North Durham*, appendix, page 18; *Nat. MSS Scot.*, ii, no. 29; DCM Misc.Ch.3716.

**1346**

**63.** ante 21 May

Letter requesting a pardon for John del Hill of the king's suit for the death of Alan Slegell, whereof he is appealed, and of any consequent outlawry. *CPR*, 1345-48, 119.

1347

64. *ante* 12 April  
Grant to Walter de Manny of the vill of Nesbit. *Rot. Scot.*, i, 693-4.
65. 21 September, Friday (Feast of St Matthew; Feast of St Laudus), Hestan Island  
Letter patent to 'our beloved servant John de Denton [of Denton, Cumberland] for his good and praiseworthy service, given and to be given, the forest of Garnery which with all its belongings was possessed by William, bishop of Glasgow, an enemy and rebel against us, and which by forfeiture of the same bishop came into our hands, etc' paying yearly 20 marks. McIntire, "Historical Relations between Dumfriesshire and Cumberland," 80.
66. *ante* 18 October, Buittle?  
Letters of request to Pope Clement VI for confirmation, with exemplification, of the appropriation of the church of St Calmanellus, Buittle, in the diocese of Whithorn, to the abbot and convent of Sweetheart, in the diocese of Glasgow, of their patronage, the church being void by the resignation of Simon de Dre, or Are. *Papal Letters*, iii, 396.
67. *c.* 1347  
Agreement made with Henry de Percy who is to remain with and aid Balliol with 100 men at arms and 30 knights of his banner wherever he is in Scotland. Henry is to be given 2,000 marks worth of land on this side of the Scottish sea in such place as shall be agreeable to him. Details are given of payments for each class of men serving.  
"Come accorde est entre le tres-honorable prince monsire Edward, par la grace de Dieu roi Descoce, de une part, e monsire Henri de Percy dautre part, que lavaundit monsire Henri soit demorre a terme de sa vie od le dit monsire Edward, od cent hommes darmes, soi altre a banere od xxx chivalers de son banerette accompez, contre totes gentz quele part qil est a faire en la terre Descoce, save son seignur lige le roi Dengleterre et ses heirs, issint totes voies que, au quel heure que son dit seignur le roi Dengleterre eist a faire de luy, que sauncz chalenge du dit monsire Edward, le dit monsire Henri peusse ceo faire ceo que faire doit a son dit seignur le roi Dengleterre. Et pur la dite demure, lavaundit monsire Edward soi covenust estre tenucz, e par ceste escript obligez pur luy e ses heirs, a doner au dit monsire Henri deus mil marches de terre par covenable estent decea la mere Descoce, en lius come soit agreable au dit monsire Henri, si come plus pleynementz est contenuz en la chartre que monsire Edward ent fait au dit monsire Henri. E a paier au dit monsire henri a totes les foitz luy e ses gentz avaunditz du temps de son departir de [son] dit hostiel par resonable jornez accompez, et pur sa demure issint ceste a savoir pur luy mesmes demy mark le jour, pur un b[anerette] pur chescun chivaler deus soutz, pur chescun homme darmes doze deners, e serrount les chivalers a la marche preisez par ceteynes gentz du dit monsire Edward a ceo ass[ignez] [chivaux] ne soient preisez issint a sa venue a la dite marche et perde de ses [chivaux, que] aveigne en le service le dit monsire Edward du temps qil soit entre la marche Descoce en demurant [en le] dit service ou repiraunt vers la marche Dengleterre, qe restor luy soit fet de la dite perde soldz. Et sil aviene plus des gentz darmes outre le nombre avaundit qil soit servyz pur restor de lour chivaux, ceste a savoir, pur chescun colom sa condicione en avaundit, etc." *The Percy Chartulary*, 447-8; *CDS*, iii, no. 1477.

1348

68. 20 and 21 September, Saturday and Sunday (21: Feast of St Matthew; Feast of St Laudus), Hestan Island  
Grant to his valet, William de Aldeburgh, of the lands of Kirkandrews and Ballemegethe (Balmaghie) in order to maintain peace and keep down robbers. *CDS*, iii, no. 1578.
69. 21 September, Sunday (Feast of St Matthew; Feast of St Laudus), Hestan Island  
Letters patent to the same erecting the above lands into a free barony. *CDS*, iii, no. 1578.

**1349****70. ante 4 November**

Grant to William de Warenne of half the lands that were William de Soules' in the valley of Liddell, forfeited by Ermygarde, heir to the said William. The lands and castle of Hermitage had been occupied by William de Douglas of Scotland till the battle of Durham (Neville's Cross, 17 October 1346). *Rot. Scot.*, i, 730.

**1352****71. 29 November, Thursday, Buittle Castle**

Grant to Sir William de Aldeburgh, of the barony of Kells in Glenken and the granter's castle of Insula Arsa and the reversions of his barony of Crossmichael and Kisdale in Galloway for the yearly *reddendo* of a rose in the season of roses, if asked for. Witnesses: Matthew Maclellan; Patrick McCulloch; Roger de Montbray, knights; Gilbert McCulloch; Dougal MacDowell; John, son of Sir Matthew Maclellan; John de Rereyk. *CDS*, iii, no. 1578; *CPR, 1354-58*, 142-3.

**72. 1 December, Saturday, Buittle Castle**

Grant to the same erecting the above into a free barony. *CDS*, ii, no. 1578.

**1353****73. 3 October, Thursday, Berwick**

Grant to Ralph de Neville, lord of Raby, of the manor of Lessudden in Roxburghshire.

*"A touz ceauz qi cest escrit verront ou orront Rauf de Neville seigneur de Raby salutz en Dieu. Come Monseigneur Edward de Bailliole pro sa charter eit done et garante a nous et a noz heirs et a nos assignes le manoir de Lessydewyn od les appurtenances sicome est contenuz plus pleinement en la charter susdite. Sachez nous avoir done et garante apres nostre decees as Religious hominess L'abbe et Couvent de Meaurose et a lour successours le manoir susditod les membris et appurtenances quecunques. A avoir et tenir en pure et perpetuele aumoisne apres nostre decees sans challenge ou contredit de noz heirs ou de nulle depert nous a touz jours. Et nous avantditz Rauf et nos heirs garrantiroms le dit manoir od les membris et les appurtenances as ditz Abbe et Couvent et a los successeurs a tous jours en la forme susdite. En tesmoignes de queu chose a cest escrit avoms fait metre nostre seal. Escrit a Bereqyk sou Twed le tierz jour doctobr Lan de grace mille troiscenz cinquatisme tierz." Liber de Sancte Marie de Melros, 437-8; Fawcett and Oram, *Melrose Abbey*, 213.*

**1354****74. ante 24 March**

Letter requesting pardons for various nobles and others who had hunted with Edward de Balliol on various occasions in Inglewood forest, and slain 14 stags, 2 bucks, 11 hinds, and 16 red deer calves, in summer, and 16 hinds, 15 red deer calves, 21 bucks and does, and 17 fawns, in winter. *CDS*, iii, no. 1574; *CPR, 1354-58*, 23.

**75. ante 20 November**

Letter requesting pardons to divers nobles and others who were with Edward de Balliol, king of Scotland, when, with the king's licence, he hunted in Inglewood forest and took 18 harts, 13 brockets, 9 hinds, 2 calves, 6 bucks, 4 sorels, a pricket, 4 does and 3 fawns. *CPR, 1354-58*, 138.

**1355****76. ante 3 December**

Letter requesting pardons for certain nobles and others who had hunted with Edward de Balliol in Inglewood forest, and took 19 harts, 14 hinds, 17 calves, 2 bucks, 4 'sourells,' 13 does, a 'priket,' and 2 fawns. *CDS*, iii, no. 1589; *CPR, 1354-58*, 321.



**1356**

77. 20 January, Wednesday (Feast of Sts Fabian and Sebastian), Roxburgh  
Cessions by Edward, king of Scots, of his kingdom of Scotland to Edward, king of England, by delivery of his golden crown and the soil of the kingdom, with warrandice against all. NA E39/23; E39/87A; *CDS*, iii, nos. 1591-2; *Rot. Scot.*, i, 787-8; *Chron. Fordun*, i, 373-4.
78. 20 January, Wednesday (Feast of Sts Fabian and Sebastian), Bamburgh  
Indenture [or transcript] by which the king of England grants to Edward de Balliol an annuity of £2,000 in recompense for the cession of his kingdom, besides Galloway and his private possessions both in England and Scotland not annexed to the crown, to the king of England. NA E39/2/37; *CDS*, iii, nos. 1593-5.
79. 25 January, Monday (Feast of the Conversion of St Paul), Roxburgh  
Resignation by Edward, king of Scots, in favour of Edward, king of England, constituting the latter his heir in the kingdom of Scotland and all its appurtenant rights both in England and Galloway. NA E39/24A, B; *CDS*, iii, no. 1596.
80. 25 January, Monday (Feast of the Conversion of St Paul), Roxburgh  
Release by Edward de Balliol to Edward, king of England, of all promises, contracts, etc., between them before the 20<sup>th</sup> instant. NA E39/23; *CDS*, iii, no. 1597.
81. *ante* 26 January, Roxburgh  
Letter requesting a pardon for Nicholas Scot of Okham, clerk, for the death of William de Grantham, monk of Westminster. *CDS*, iii, no. 1602; *CPR*, 1354-58, 355.
82. *ante* 26 January, Roxburgh  
Letter requesting a pardon for John son of Richard le Tournour of Horneby of the king's suit for the death of Gilbert de Thornton of the county of Lancaster, whereof he is indicted or appealed, and of any consequent outlawry. *CPR*, 1354-58, 343.
83. *ante* 27 January, Roxburgh  
Letter requesting a pardon for William Paumes for the death of William del Grove of Nabourne. *CDS*, iii, no. 1604; *CPR*, 1354-58, 347.
84. 27 January, Wednesday, Roxburgh  
Letters patent by Edward de Balliol, renouncing all his rights in the kingdom of Scotland and royal dignity in favour of Edward, king of England and his heirs. NA E39/92/7; *CDS*, iii, no. 1063.

**(3) Charters and Documents after King Edward's Abdication:****1356**

85. *ante* 19 October, Westminster?  
Letter from Edward de Balliol, king of Scotland, requesting a pardon for certain nobles and others of the district, who hunted and fished in his company while staying at Haytefield, Yorkshire, when they killed 16 hart, 6 hinds, 8 'stagges,' 3 calves, and 6 roes, and in the park 8 does, a 'souren,' a 'sourell': and in the ponds 2 pikes, 3½ feet, 3 of 3 feet, 20 of 2½ feet, 50 pikerells, 1½ foot, 6 of 1 foot, in length; also 109 'perches, roches, tenches, and skelys,' and 6 'bremes' and 'bremettes.' *CDS*, iii, no. 1622; *CPR*, 1354-8, 483.

**1358**

86. *ante* 12 May, Westminster  
Letter requesting a pardon for William de Aldeburgh, knight, by whose order John de Stratherne, yeoman of Edward Balliol, king of Scotland, Thomas Bride, Robert Clerk, John Hare and David de la Chambre were said to have committed trespasses in parks of Queen Philippa;

the said Edward has testified that the said William and the others are wholly innocent of the trespasses. *CPR, 1358-61, 49.*

**87.** *ante* 12 May, Westminster

Letter requesting a pardon for John de Stratherne, yeoman of Edward Balliol, king of Scotland, and for Thomas Bridde and Robert Clerk, indicted of having with other servants of the said king and other evildoers, by order of William de Aldeburgh, knight, on Wednesday before Easter, in the thirty-first year, broken the park of Queen Philippa of Haywra by Knaresburgh by night, and killed with dogs 4 bucks and 12 does there; carried away 9 of these whole with horses and left 5 behind for want of carriage, also of having on Monday after the close of Easter in the same year, broken her park of Le Haye by Knaresburgh, and taken and carried away a buck, 2 sorrels and 4 does, whereof 5 were sent, as is said, to the house of the said William at Kelkefeld, also of having, at times when the said Edward stayed at Knaresburgh taken of the queen's deer to the number of 50 beasts and more, in the thirtieth and thirty-first years, without her knowledge, afor the said trespasses; the said Edward has testified before the king that John is entirely innocent of these trespasses. *CPR, 1358-61, 45.*

**88.** *ante* 6 October, Westminster

Letter requesting a pardon for David Thomasson of the king's suit for the death of John de Langton of the bishopric of Durham, whereof he is indicted or appealed, and of any consequent outlawry. *CPR, 1358-61, 104.*

**1359**

**89.** *ante* 14 July

Grant to Sir Alexander de Mowbray of six messuages and 3 carucates of land in the vill of Malkarstone in Roxburghshire extending to 120 marks sterling. Edward III restored the lands to Mowbray. *Rot. Scot., i, 838.*

**1363**

**90.** 27 May, Saturday (Feast of Bede the Venerable), Wheatley near Doncaster

Charter to King Edward III of England granting him and his heirs the castle and town of Hélicourt in Vimeu, under the dominion of Ponthieu.

*“Edward dei gracia Rex Scottorum universis et singulis presentes litteras visuris vel auditoris salutem. Cum gratitudines honores et beneficta pergrandia que excellentissimus princeps consanguineus nostre et dominus Dominus Edwardus dei gracia Illustris Rex Anglorum Dominus Hibernia et Aquitaine nobis semper haitemis liberaliter impendebat nedum statum nostram excessiuis sumptibus supportando verum etiam ab inimicis nostris fortissimis nos tuendo per nostre cordis intima recensem prefecco conspicimus evidentur. Ad incrementa suorum honoris et commodi fructuosi exhibicionem oporis presequend multiplicatur nos astringi lyat igitur confideracionem inducti castram et villam de Helicuria in Vymeo sub domino prefaci consanguinei nostre et domino Regis Anglorum de Pontiuo constituta ex certa sciencia et non per errorem, non seducti aut coacti set inera nostra liberalitate damus et concedimus eidem consanguineo et domino nostro Regi et suis heredibus et in ipsos totum nis et clamium que in dictis castro et villa eorumque pertinentiis hunnus et hemus transferimus modo quo possumus meliori herend et tenend castrum et villam predictam eidem domino et consanguineo nostro Regi et suis heredibus imppetimum uva cum preficuis et emolumentis dominiis vassallis et vassalagiis feudis retrofeudis homagiis fedesitatibus patis nemoribus pascuis et pascuiis aqins aquarumque decursibus advocacionibus ecclesiarum et aliorum beneficiorum ecclesiasticorum quorumcumque et quibuscumque aliis nostribus et pertinentiis ubicumque consistant adeo plene honorifice nobilitru et quiete sicut ea tenuimus aut tenemus seu aliqui alii ante nos ea tenuerint vel habuerint ullis vinqam temporibus retrolapsis prefatum que consanguineum et dominum nostrum Regem Angliae et heredes suos de castris villa ac ipsorum singulis pertinentiis superdatis per presentis carte nostre tradicionem et tenorem investimus ac eorumdem petatem et possessionem eis realitur ubalitur liberamus ac nos heredes nostros exinde exuimus et totalitur denestimus Premittentes fidelitur prefata castrum et villam et iporum pertinentias vimisas dicto domino et consanguineo nostro Regi et suis heredibus garentiare contenta omnes homines impetuum. Et tenore presentium litterarum reminciamus exceptionibus doli mali vis et metus frandis et circumuencionis ac ominibus aliis et singulis excepcionibus*

*primlegiis et litteris aplicis impetratis seu impetrand defensionibus et remediis per quiete contenta promissa aut eorum aliqua possemus venire seu quocumque tempore nos tueri. Et specialitur nostre dicenti generalem reminciacionem non valere. Promittimus insuper bona fide et in verbo legio quod contenta donacionem concessionem et transfacionem predictas nec aliqua alia s[...damaged...]s enarrata millo unam tempore venienius. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Datum in manerio de Whetelay juxta Dancastre xxvii die maii anno domini milli CCCmo sexagesimo tertio. His testibus venerabilibus patribus dominis Simone Chenem et Johanne Wygornem Episcopis Cancellario et Thesaurario Angliae Johanne de Bukyngham electo Lincolnieum confirmato Ricardo Arundell et Humfrido de Bohun Herefordi Comitibus Ricardo la Vache et Willelmo de Aldeburgh militibus.” NA E39/95/9; Issues of the Exchequer, 178.*

### 1391

#### 91. 19 October (Thursday)

Will and Testament of Lady Margery, widow of Sir William de Aldeburgh, knight

*“In Dei nomine Amen. In die veneris proxime ante festum Michaelis, Anno Domini MCCCXCI, in manerio de Harwode, Ego Margeria, relicta Domini Willielmi de Aldburgh, militis nuper defuncti, sanae mentis existens integraeque memoriae, condo testamentum meum et ordino, in hunc modum.*

*...Item eidem unam aulam rebeam cum bordure de blodio, cum armis Ballioli et Aldburgh, cum sex peciis ejusdem sectae. Item eidem septem quyssyns de blodio unius sectae. Item eidem unum duplum cum loricâ interius opertum cum rubeo correo caprae. Item eidem unum jak defencionis, opertum nigro velveto.*

*...Item eidem unum lectum rebeum, inbroderatum cum arbore et leone succumbenti, et armis de Aldeburgh et Tillzolf, cum quatour tapetis, canabo, et uno matrays, duobus blanketz, et duobus linthiaminibus.*

*...Item unam loricam, quae fuit Edwardi Ballyoclyff [ita].” Testamenta Eboracensia, i, no. 122; Mann, “Two 14<sup>th</sup> Century Gauntlets from Ripon Cathedral,” 120.*

## Appendix F

### Edward Balliol's English Payments, 1296-1363<sup>1</sup>

<b>Date paid</b>	<b>Amount</b>	<b>Place</b>	<b>per manus</b>	<b>Reason (if stated)</b>	<b>Reference</b>
5 December 1296	100s	Westminster	Walter [de Frene?]	Shoes and other items bought by Walter	NA C47/4/7 m.2; CDS, ii, no. 858 (dated 6 December)
15 April 1298	113s 5d	Westminster	Walter de Frene	Offerings and expenses of saddles, etc	Stevenson, <i>Documents</i> , ii, 135
29-33EdI (Nov 1300 - 19 February 1305)	£323 3s	Wallingford	Walter de Aylesbury, constable	Expenses 1/2 mark per day	CDS, ii, no. 1948; iii, no. 72; v, pt. ii, no. 472t
19 June 1305	40s	Arundel	Walter de Frene	Wages and expenses	NA E101/367/16 m.37
3 July 1305	40s	London	Walter de Frene	Wages and expenses	<i>Ibid.</i>
19 September 1305	20s			Expenses going <i>ad coriaumentum</i> up to Stebenheth	<i>Ibid.</i>
25 September 1305	40s	Havering	Thomas de Wedon	Wages and expenses	<i>Ibid.</i>
12 November 1305	60s	Westminster	Thomas de Wedon	Wages and expenses	<i>Ibid.</i>
22 November 1305	50s	Westminster	Walter de Frene	Wages and expenses	<i>Ibid.</i>
22 November 1305	50s	Bassildon (Berks)	Walter de Frene	Expenses	NA E101/368/6 m.6d.
27 November 1305	20s	Oseney (Oxon)	Henry Bac?	Expenses	<i>Ibid.</i>
28 December 1305	50 marks	Kingston (Dorset)	Walter de Frene	Horses and other equip.	NA E101/368/6 m.19
29 December 1305	1 mark	Kingston	Walter de Frene	Expenses	NA E101/368/6 m.6d.
3 January 1306	5 marks	Kingston	Henry de Frene	Expenses	<i>Ibid.</i>
9 January 1308	10 marks		Roger de Aylesbury, valet		NAS RH2/4/562; NA E403/141 m.3
29 January 1308	10 marks	Boulogne	Roger de Aylesbury		<i>Ibid.</i> ; E403/141 m.6
12 April 1308	10 marks	Windsor	Geoffrey de Mildenhale, valet		<i>Ibid.</i> ; E403/141 m.9
17 June 1308	£11 6s 8d	Windsor	Geoffrey de Mildenhale	Wages	<i>Ibid.</i> ; E403/143 m.3; /1326
15 July 1308	£10	Windsor	Geoffrey de Mildenhale		<i>Ibid.</i> ; E403/140 m.1
15 July 1308	£10	Windsor	Geoffrey de Mildenhale		<i>Ibid.</i> ; E403/143 m.7
18 November 1308	£10	Windsor	Geoffrey de Mildenhale		NA E403/145 m.2
21 December 1308	20 marks	King's Langley	Geoffrey de Mildenhale		NAS RH2/4/562; E403/144 m.4
6 February 1309	20 marks	King's Langley	Geoffrey de Mildenhale		<i>Ibid.</i> ; /145 m.4; /404 m.4
23 June 1310	20 marks	Canterbury	Nicholas de la Hurst, valet		<i>Ibid.</i> ; E403/154 m.3
30 September 1310 - 7 July 1311	34s 3d		Edward de Balliol	Wages	NA E101/374/11
3-4 EdII (July 1309-11)	10 marks		Edward de Balliol	Expenses	NA E101/619/45 m.3; E101/374/3

<sup>1</sup> This is only an estimate of expenses paid. Certainly, there will be some payments that were not recorded in the records. \*Denotes those payments made to Thomas de Brotherton for Balliol's expenses.

3-4 EdII (July 1309-11)	£10			Edward de Balliol	Delayed expenses	NA E101/619/45 m.4
Easter 1312	£67 6s 8d	Westminster		John de Clayton*	Expenses	NA E101/374/19 m.1
11 November 1312	£61 10s	Shene		John de Clayton*	Expenses 8 July – 7 November 1312	NA E101/375/8 m.5; CDS, v, pt. ii, no. 586
9 October 1313	£121	Westminster		John de Clayton*	Expenses 8 November 1312 – 7 July 1313	NA E101/375/8 m.11d.
July 1313-14	100s			Edward de Balliol		NA E101/374/20
8 November 1315	100 marks (of £124 16s 8d)			Thomas de Brotherton*	Balliol's expenses 5-6 EdII	<i>Issues of the Exchequer</i> , 131; NA E404/482/17/2
22 April 1317	£10 (of £124 16s 8d)			Egidi de Trumpeton, knight*	Balliol's expenses 5-6 EdII	NAS RH2/4/562; NA E404/482/17/2
31 May 1317	£30 (of £124 16s 8d)			Egidi de Trumpeton, kt*	Balliol's expenses 5-6 EdII	<i>Ibid.</i> (dated 29 April); <i>Ibid.</i>
20 October 1317	£167 10s	Westminster		Thomas de Brotherton*	Expenses 1 December – 31 January 1316 (minus 92 days)	NA E101/376/7 m.17, m.35
7 November 1318	£20	Northburgh		Egidii de Trumpeton, kt*	Balliol's expenses	NA E403/186 m.8
10 November 1318	£200 (out of £500)			Thomas de Brotherton*	Balliol's expenses	CCR, 1318-23, 26
6 February 1319	100 marks (of £92 7s 10d)			Abbot of Colecestre*	Balliol's expenses 6EdII (£182 10s above)	NA E403/186 m.8
27 April 1319	£83 2s 2d (of £109)	York		Prior of Thurgarcon*	Balliol's expenses per <i>briefe</i> 10EdII	NA E403/187 m.1
30 April 1319	£16	York		Thomas de Brotherton*	Balliol's expenses	NA E403/187 m.1
3 May 1319	£116 17s 10d			Prior of Thurgarcon*	Balliol's expenses	NA E403/187 m.7, /188 m.5
17 November 1319	100 marks (of £600)			Thomas de Brotherton*	Balliol's expenses per <i>briefe</i> Michaelmas 12EdII	NA E403/189 m.8; /190 m.8
10 July 1320	20 marks	Westminster / Waltham		John de Wallingford, valet	King's gift for expenses	NA E403/191 m.14; E403/192 m.14
20 January 1321	80 marks			Edward de Balliol	Sustenance	NA E403/193 m.4; /194 m.5
15 EdII (July 1321-22)	80 marks			Edward de Balliol	Sustenance per <i>briefe</i> 9EdII	NA E361/2 m.2, 18d.
5 January 1324	£200 (out of £500)			Thomas de Brotherton*	Balliol's expenses	CCR, 1323-27, 52
<b>Total of personal payments only</b>	<b>£282 4s 4d and 36 marks</b>					
21 July 1334	£333 6s 8d	Berwick		Edward de Balliol, king of Scotland		NA E404/3/18 (dated 16 June)
7 June 1335	£200			John de Whuton	Wages of men-at-arms	NA E403/282 m.10; CDS, v, pt. ii, no. 738; iii, no. 1161
July 1335	£100	Newcastle		Edward de Balliol, king of Scotland	'Parting gift' before Scottish campaign	BM MS Nero C VIII, f.271v.; Nicholson, <i>Edward III and the Scots</i> , 201
31 July 1335	£100	Airth		Edward de Balliol, king of Scotland	Gift	BM MS Nero C VIII, f.239v.; Nicholson,

						Scotland				<i>Edward III and the Scots</i> , 212
23 March 1336	£55 (of £200)	Westminster			Edward, king of Scotland, our dear kinsman				Balliol's debts in the North	<i>Foedera</i> , II, iii, 145
24 March 1336	£100	Westminster			Edward, king of Scotland, our dear kinsman				Wages and men-at-arms	<i>Foedera</i> , II, iii, 145
17 May 1337	100 marks £66 13s 4d (50s daily)	Berwick			Edward de Balliol, king of Scotland				Expenses going to Stamford	<i>Issues of the Exchequer</i> , 146; NA E404/3/19 (dated 14 May)
15 July 1337	£300	Westminster			William de la Pole, mercer				Sustenance	<i>Issues of the Exchequer</i> , 146
29 July 1337	£100				Edward de Balliol, king of Scotland					NA E404/3/20 (dated 26 July)
7 November 1337	£100				Edward de Balliol, king of Scotland					Prince, "The Payment of Army Wages," 142
23 February - 21 July 1338	£343 6s 8d				Edward de Balliol, King of Scotland				Loan	NA E361/2 m.14, m.37
9 June 1338	£100	Lopham			Edward, king of Scotland				Balliol's pay and for 40 men-at-arms	CCR, 1337-39, 421
3 July 1338	£333 6s 8d				Edmund de Barde, kt					CDS, iii, no. 1280
8 July 1338	£155 (of £200)	Walton			Robert Darreys, sheriff of Northumberland				To pay debts in North	CDS, iii, no. 1279; CCR, 1337-39, 441
6 August 1338	2 tuns wine				Edward, king of Scotland					CCR, 1337-39, 458
12 October 1338	6 tuns wine, 4 tuns flour	Berwick			Edward de Balliol, king of Scotland				Expenses of his household	CDS, iii, no. 1287; <i>Rot. Scot.</i> , i, 546
12 October 1338	100 marks + 100 marks	Northampton			Edward de Balliol, king of Scotland				Household expenses	NA E404/4/25 (dated 5 August)
October 1338?	£173 6s 8d				Edward de Balliol, king of Scotland					Prince, "The Payment of Army Wages," 144
26 May 1341	£100				John de Neuson & Thomas de Reynyngton				Expenses at 30s/day (peace time)	NA E403/318 m.8
12 June 1341	£54	Fulham?			John de Neuson, valet				Expenses in household 30s/day peace time	NA E403/318 m.9
31 July 1341	£100 (of £200)	Fulham			Abbot of St Mary's York				Defence of Marches	CDS, iii, no. 1365
28 October 1341	£300	Westminster			Edward de Balliol, king of Scotland				Wages and men	<i>Rot. Scot.</i> , i, 618
3 June 1342	£200				William de Ravendale, clerk				Wages and men	NA E403/325b m.9; /326 m.14
15 July 1342	£303 6s 8d	Westminster			Edward de Balliol, king of Scotland				Expenses (40s/day in peace, 60s in war)	NA E403/326 m.27; <i>Rot. Scot.</i> , i, 630
9 September 1342	£100				Robert Gower, knight				Expenses (60s/day peace, 40s war)	NA E403/325c m.17; /326 m.31
18 July 1343	£66 13s 4d				Robert Gower, kt				Expenses (40s peace, 60s war)	NA E403/328 m.26
16 August 1343	£66 13s 4d				William de Aldeburgh, valet				Expenses (40s peace, 60s war)	NA E403/328 m.31
27 October 1343	£16 15s 4½d	London			Edward Balliol, king of				Exchequer tally, levied in the prior of	<i>Nat. MSS Scot.</i> , ii, no. 39; DCM Misc.Ch.

			Scotland	Durham's name	3716; <i>Hist. Northumberland</i> , app., pg. 18. <i>Issues of the Exchequer</i> , 151; NA E403/332 m.24
9 September 1344	£680		Sir Robert Gower, kt	Expenses (40s peace, 60s war)	
15 October 1344	£300		Sir Robert Gower, kt	Wages and men	NA E403/331 m.4
27 October 1344	£16 15s 4d		William Strugg, attorney	Expenses in household	NA E403/331 m.7
14 November 1344	£19 18s		William Strugg, attorney	Expenses (40s peace, 60s war)	NA E403/331 m.12
20 February 1345	5s		William Strugg, valet	Expenses in household	NA E403/331 m.34
26 October 1345	£200		John de Bolton, valet	Delayed expenses from 10th and 15th of Derbyshire	NA E403/335 m.5
28 October 1345	40s		John de Bolton, valet	Delayed expenses	NA E403/335 m.7
28 November 1346	£300		Robert Gower, kt		NA E403/336 m.15
5 December 1346	£100		Robert Gower, kt	Wages and men going to the Scottish Marches	NA E403/336 m.17
20 December 1346	£140		Robert Gower, kt	Wages and men	NA E403/336 m.22
20 March 1347	£417	Reading	King of Scotland	Wages for men for 90 days' service	<i>Rot. Scot.</i> , i, 691-2, 699; <i>CDS</i> , iii, no. 1450
10 April 1347	£100		Edward de Balliol, king of Scotland	Wages and men	NA E403/337 m.16
20 February 1349	£100		Thomas de Thorp, valet	Expenses	NA E403/340 m.32
1 March 1349	100s		John de Wygyngton, valet	Expenses	NA E403/340 m.34
23 July 1349	£200		Thomas Ergaill, valet	Expenses in household	NA E403/347 m.22; /348 m.22
30 July 1349	£184		Edward de Balliol, king of Scotland		<i>CDS</i> , iii, no. 1544
18 August 1349	£10		John de Wygyngton	Sustenance and expenses in household	NA E403/347 m.24; /348 m.24
12 September 1349	£20		Thomas de Bride, valet	Sustenance and expenses in household	NA E403/347 m.26; /348 m.25
11 October 1349	£200		Thomas Ergaill, valet	Sustenance and expenses in household	NA E403/344 m.4; /345 m.4
14 November 1349	£187		Thomas Ergaill, valet	Sustenance and expenses in household	NA E403/344 m.13; /345 m.14; /346 m.11
12 February 1350	£400		Thomas Ergaill, scutiferi	Sustenance and expenses in household	NA E403/344 m.25; /345 m.25; /346 m.24
7 March 1350	£66 13s 4d + £10		William de Aldeburgh & John de Wygyngton	Sustenance and expenses in household	NA E403/355 m.34
17 April 1350	40s		John de Weston, valet	Sustenance and expenses in household	NA E403/353 m.3; /354 m.3
16 June 1350	£100		Edward de Balliol, king of Scotland	Sustenance and expenses in household	NA E403/353 m.15; /354 m.19
18 June 1350	60s		John de Weston, valet	Sustenance and expenses in household	NA E403/353 m.15; /354 m.20
21 July 1350	£66 13s 4d		Edward de Balliol, king of Scotland	Sustenance and expenses in household	NA E403/353 m.23; /352 m.9
3 November 1350	£200		Edward de Balliol, king of Scotland	Sustenance and expenses in household	NA E403/349 m.7; /350 m.5; /351 m.6
13 November 1350	40s		John de Weston, valet	Sustenance and expenses	NA E403/355 m.11
20 November 1350	60s		John de Wygyngton, valet	Sustenance and expenses	NA E403/355 m.14
3 June 1351	£6 13s 4d		John de Wygyngton, valet		NA E403/356 m.24; /357 m.11; /358 m.12
5 July 1351	66s 8d		John de Wygyngton, valet	Sustenance and expenses in household	NA E403/356 m.18; /357 m.15; /358 m.16

5-7 July 1351	£45 13s £66 13s 4d (scored out)	Edward de Balliol, king of Scotland		Edward de Balliol, king of Scotland		NA E403/356 m.19
19 July 1351		John de Coupland				NA E403/356 m.9; /357 m.23; /358 m.23
9 September 1351	£66 13s 4d	Edward de Balliol, king of Scotland			Sustenance and expenses	NA E403/356 m.4; /357 m.27
24 September 1351	100s	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/356 m.3; /357 m.29
26 May 1352	£200	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/362 m.11; /363 m.6; /364 m.8
7 June 1352	£200	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/362 m.12; /363 m.7; /364 m.9 (last two dated 6 June)
28 June 1352	£60	John de Wygyngton, valet	London		Use	NA E43/473 (dated 23 June)
23 July 1352	£100	John de Wygyngton, valet			Sustenance and expenses	NA E403/362 m.22
23 July 1352	£80 (of £140)	John de Wygyngton, valet	Fulham		Expenses (40s/day) post arrival at Fulham	NA E403/362 m.22
14 August 1352	£60 (of £140)	Edward de Balliol, king of Scotland			Expenses for 70 days (12 May – 21 July)	<i>Issues of the Exchequer</i> , 157; NA E403/362 m.25; /364 m.17
17 November 1352	40s	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/359 m.13; /360 m.10; /361 m.8
14 December 1352	40s	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/359 m.24; /360 m.16; /361 m.14
31 January 1353	£200	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/359 m.28; /360 m.18
4 February 1353	£10	John de Wygyngton, valet			Sustenance and expenses in household	<i>Ibid.</i> ; E403/361 m.16
18 June 1353	£180	Thomas de Bride, valet			Money owed	NA E403/368 m. 13; /369 m.14; /370 m.14
26 July 1353	£102	John del Marche, valet			Sustenance	NA E403/368 m. 22; /369 m.23; /370 m.23
6 August 1353	£100 (of £200)	Abbot of St Mary's, York				<i>CDS</i> , iii, no. 1571
14 November 1353	£86	Thomas Bride, valet			Expenses for 43 days (22 July – 3 September)	<i>Issues of the Exchequer</i> , 160; NA E403/365 m.10; /366 m.10; /367 m.7
23 November 1353	£140	Thomas Bride, valet			Expenses at 40s per day	NA E403/365 m.11; /366 m.11; /367 m.8
18 March 1354	£166 13s 4d	John de Wygyngton, valet			Sustenance and expenses in household	NA E403/365 m.24; /366 m.24; /367 m.22
15 May 1354	£180	John de Wygyngton, valet			Maintenance	NA E403/374 m.4
27 June 1354	£40	John de Aldeburgh, knight				NA E403/374 m.12
18 October 1354	£224	John de Wygyngton, valet			Expenses (40s/day) up to 31 December	NA E403/371 m.3; /373 m.4
14 November 1354	100s	John de Wygyngton, valet			Expenses 40s per day	NA E403/371 m.9; /373 m.11
10 February 1355	£204	Thomas de Bride, valet			Maintenance	NA E403/371 m.20; /372 m.6; /373 m.24
22 May 1355	£100	John de Wygyngton, valet			Expenses for 50 days (10 June – 20 July)	NA E403/377 m.14
30 July 1355	£126	Edward de Balliol, king of Scotland			Expenses for 63 days (29 July – 29 Sept)	NA E403/377 m.31-2
15 October 1355	£60	William de Aldeburgh, knight			Expenses at 40s/day up to 18 November	NA E403/375 m.5; /376 m.5
12 November 1355	£40	Edward de Balliol, king of Scotland	London		Gift for expenses, delayed in London	NA E403/376 m.11
13 November 1355	£200	William de Aldeburgh, knight			Expenses for 100 days (19 November – 26 February)	NA E403/376 m.11
12 March 1356	£202	John de Rok (Balliol still			Expenses for 101 days (28 February – 8	NA E403/376 m.31



				as 'king')	June	
23 April 1356	£250	Kingston	Edward de Balliol, once king of Scotland	Annuity payment	CCR, 1354-60, 258	
25 June 1356	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Midsummer	CCR, 1354-60, 264	
3 August 1356	£2,666 13s 4d		Edward de Balliol, once King of Scotland	Gift of the king of 4,000 marks	NA E403/380 m.20	
30 September 1356	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Michaelmas	CCR, 1354-60, 264	
13 November 1356	£160	Kingston upon Hull	Edward de Balliol, king of Scotland	Expenses for 80 days (30 September – 18 December)	NA E403/378 m.14; /379 m.12	
9 January 1357	£250	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments Christmas	CCR, 1354-60, 264	
4 February 1357	£2,000	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£1000 each port) Christmas	CCR, 1354-60, 345	
25 February 1357	£40		John de Wyngton	Sustenance and expenses in household	NA E403/378 m.33; /379 m.28	
14 March 1357	£626 13s 4d		William de Aldeburgh	Part payment of 5,000 marks	NA E403/378 m.35; /379 m.30	
12 April 1357	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Easter	CCR, 1354-60, 360	
27 June 1357	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Midsummer	<i>Ibid.</i>	
6 October 1357	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Michaelmas	<i>Ibid.</i>	
8 April 1358	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Easter	CCR, 1354-60, 441	
1 May 1359	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Easter	CCR, 1354-60, 563	
1 October 1359	£500	Kingston & Boston	Edward de Balliol, late king of Scotland	Annuity payments (£250 each port) Michaelmas	CCR, 1354-60, 597	
17 May 1363	1,000 marks (£666 13s 4d)		William de Aldeburgh, kt	Part of 5,000 marks for French land grant	NA E403/415 m.16; <i>Issues of the Exchequer</i> , 178	
<b>Total payments from 1332</b>	<b>£21,859 13s 4½d</b>					

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<sup>1</sup> † denotes those documents or sources which were consulted but not referenced in the text.

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MS Mickleton

National Archives, Kew

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| C49       | Chancery and Exchequer: King's Remembrancer: Parliamentary and Council Proceedings                 |
| C53       | Charter Rolls  |
| E36       | Exchequer: Treasury of Receipt: Miscellaneous Books  |
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| E199      | Exchequer: King's Remembrancer and Lord Treasurer's Remembrancer: Sheriffs' Accounts and Petitions |
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| KB27/141  | Court of King's Bench: Pleas and Crown Sides: <i>Coram Rege</i> Rolls                              |
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| SC8       | Special Collections: Ancient Petitions   |

SC13	Special Collections: Seals
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## JOHN BALLIOL, THE BISHOPS OF DURHAM, AND BALLIOL COLLEGE, 1255–1260\*

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IN MEDIEVAL ENGLAND, the county of Durham was its own kingdom ruled by the residing prince bishop. A steward of the bishopric, Master William de St Botolph, said in 1302 that there were ‘two kings in England, namely, the lord king of England . . . and the lord bishop of Durham’.<sup>1</sup> Shortly after the Norman Conquest, William the Conqueror elevated the bishops of Durham to the rank of ‘Prince Bishops’ by giving them secular power to rule over North-East England in his place. William’s reason for giving the bishops of Durham such powers was to create a strong bulwark in the North in order to deter invasion by the armies of Scotland.

Because of their position, therefore, the bishops seemed to believe that they could rule in their own right — not only could they raise their own armies but also levy their own taxes, mint their own coins and set up their own court system. Yet this strong attitude was the cause of most of the property disputes between the bishop and his tenants in Durham, especially those relating to homage and jurisdiction, as was the case in the twelfth and thirteenth centuries with the Balliol family. Indeed, the dispute involving John (I) Balliol and the prince bishops in the mid-thirteenth century must be prominent in the history of the bishopric, as it was a rare instance when the political power and influence of one family actually rivalled the legacy and prestige of the prince bishops. The motive behind these arguments was largely an intertwined network of power and money and certainly exposes Balliol’s power in Northern England at this time.

The Balliol family held many lands in Northumberland, including some in County Durham. Of the many baronies and manors that John (I) inherited from his father in 1229, Long Newton, which was part of the barony of Gainford, proved to be the cause of the long-standing dispute between him and the bishops of Durham, which perhaps resulted in the foundation of Balliol College. Long Newton was in the

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<sup>1</sup> C. M. Fraser, ‘Edward I of England and the Regalian Franchise of Durham’, *Speculum*, xxxi (1956), 329; quote by the steward of Bishop Anthony Bek (1283–1311) from National Archives: Public Record Office, Justices in Eyre, of Assize, etc: Rolls and Files, JUST1/226, m. 1d.



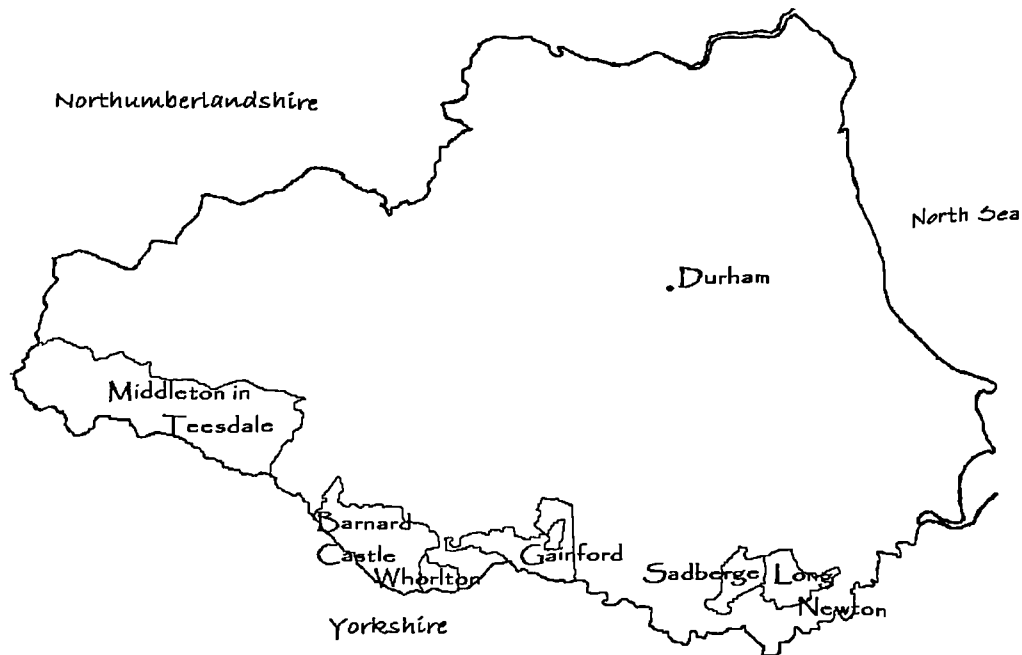


FIGURE 1. The Balliol lands in Durham

wapentake of Sadberge, which, since its purchase by Bishop Hugh Le Puiset (Bishop of Durham 1153–95, and cousin of Henry II) from Richard I in September 1189, had become effectively included in the prince bishops' palatinate.<sup>2</sup> Bishop Puiset purchased Sadberge for £400 and the services of six knights in Lincolnshire; however, the total was never paid, for Bishop Philip de Poitou (1197–1208) paid King John £800 for its confirmation. Because of this transaction and sale, the bishops believed they were in full control of the wapentake. However, even after the purchase, Sadberge remained a separate district, and was sometimes claimed to be its own county (with its own sheriffs), having never been absorbed completely into Durham.<sup>3</sup>

The Balliol connection with their lands in Northern England — most importantly those in Sadberge and Durham — appeared to have begun earlier than the bishops' claims to those lands. King William Rufus, in 1094, gave Guy de Balliol, for services rendered to William the Conqueror (with whom he had crossed over from Normandy), the Barony of Bywell, the Forests of Teesdale and Marwood, and the Lordships of Barnard Castle, Middleton and Gainford, 'with all the royalties and

<sup>2</sup> C. M. Fraser and K. Emsley, 'Durham and the Wapentake of Sadberge', *Transactions of the Architectural and Archaeological Society of Durham and Northumberland*, new series, II (1970), 71; R. Lomas, *North-East England in the Middle Ages* (Edinburgh, 1992), p. 21; R. Surtees, *The History and Antiquities of the County Palatine of Durham*, III (1816–40), 265.

<sup>3</sup> Lomas, *North-East England in the Middle Ages*, p. 21; Surtees, *History and Antiquities of Durham*, III, 265; C. H. Hunter Blair, 'The Sheriffs of the County of Durham', *Archaeologia Aeliana*, 4th series, XXII (1944), 24.

franchises and immunities thereunto appertaining'.<sup>4</sup> At this time, these lands were part of Northumberlandshire (although later they would be within the county of Durham) and the bishops therefore had no claim on the Balliols for homage because the family held these and other lands 'in capite of the king of England. The prelates' claims for homage came only after Bishop Puiset purchased Sadberge in 1189. After the sale, for practical purposes, Sadberge was 'detached from Northumberland while not incorporating it in Durham'; it was thus necessary to give it the 'honorary status of a shire — whence came the notion that the bishops of Durham were earls of Sadberge'.<sup>5</sup>

Shortly after Guy de Balliol received his lands from William Rufus, he granted 'the churches of Stokesley, Gainesford and Steinton, with lands and tithes there' to the abbot and monks of St Mary's Abbey, York. Later, the succeeding Balliols granted the churches of Gainford, Barnard Castle and Middleton to St Mary's, with confirmation by Eustace de Balliol at the beginning of the thirteenth century. Bernard de Balliol had also granted to St Mary's and the monks of Rievaulx pasture in the forest of Teesdale.<sup>6</sup> Because this argument involved both Durham and York, which constantly rivalled each other, it is easy to understand why the bishops of Durham were perhaps unyielding with Balliol.

At this time, the Balliols were very loyal to their kings. Almost every man of the family was a knight in the English kings' service and proved to be quite wealthy. Bernard de Balliol (d. c. 1190), however, seemed to possess too much generosity — he granted many of his lands to churches (as seen from his grant to St Mary's), and most of his money in loans. Very quickly, he found himself short of money and in order to meet demands for his own rents, he was compelled to borrow. Bernard's decision to borrow from the Bishop of Durham later proved to have been an impetuous mistake, as the bishop was then able to claim power over the family.<sup>7</sup>

In 1190, Bernard borrowed 150 marks from Bishop Puiset and gave as security for this loan the charters of Long Newton, giving Puiset the authority to take Long Newton when Bernard failed to repay the loan.<sup>8</sup> Around 1193, a few years after Bernard had died, Eustace 'de Heliscort' (later de Balliol), his kinsman and heir,<sup>9</sup> inherited the Balliol lands in England and upon examination learned that Barnard Castle — the Balliols' chief castle in England — was in Bishop Puiset's possession, apparently as a guarantee for another unspecified debt of Bernard. Eustace made a quitclaim to the Bishop of these lands in Long Newton when he acquired them as his

<sup>4</sup> Surtees, *History and Antiquities of Durham*, iv, 50–51; F. Barlow, *William Rufus* (2000), p. 298; W. Scott, *The Norman Balliols in England* (1914), pp. 122–23.

<sup>5</sup> Fraser and Emsley, *TAASDN*, new series, ii, 74; Surtees, *History and Antiquities of Durham*, iii, 265.

<sup>6</sup> *Northumberland and Durham Deeds: from the Dodsworth MSS in Bodley's Library, Oxford*, ed. A. M. Oliver (Newcastle upon Tyne, 1929), pp. 275–78, nos 24–27, 29–31. Hugh de Balliol confirmed Bernard's grant of arable land to the church, c. 1209–28.

<sup>7</sup> J. H. Burn, *A Defence of John Balliol* (privately printed, c. 1970), p. 17.

<sup>8</sup> Durham Cathedral Muniments, (DCM) Cart. vet., fols 50v–51r. (Not dated, but between 1189 and 1195 — yet Bernard de Balliol seems to have died 1190x92.) In these documents, Bernard handed over certain lands in Newton 'in the dispute between them'.

<sup>9</sup> 'Heliscort', or Hêlicourt, was one of the Balliol estates in Picardy, France. When Eustace inherited the English lands, he became Eustace de Balliol. Some sources claim that Bernard and Eustace were brothers, yet others state that they were cousins.

inheritance in return for 250 marks 'which Eustace owed the Bishop'.<sup>10</sup> It is more likely that this was money which Bernard still owed the Bishop at the time of his death and which Eustace was required to pay in order to regain Barnard Castle. Moreover, the Bishop retained Long Newton and its charters for a further 400 marks but he was supposed to return the castle to Eustace. To make the situation worse, before Bishop Puiset died in 1195, he handed over the charters of Long Newton to the Prior and Convent of Durham, 'in exchange for Westwick and for 400 marks which he gave to Eustace de Balliol'.<sup>11</sup> Yet the money which he gave Eustace does not indicate that this was a legitimate sale, but rather a 'refund' of the 400 marks that Balliol had given Puiset to return Barnard Castle.

Furthermore, it seems that the Bishop did not hand over Barnard Castle to Eustace as promised, for in April 1213, King John ordered the guardians of Durham, Aimeric the Archdeacon and Philip de Ulecote (the bishopric having been vacant upon the death of Bishop Philip of Poitou from 1208 to 1217 when Bishop Richard March was elected), to restore Barnard Castle and other lands of Hugh de Balliol, which they had retained.<sup>12</sup> Hugh de Balliol, son and heir of Eustace who had died c. 1208, had become a powerful magnate under King John; he became the apparent successor to Ulecote (another leading member of the English government) in 1216 for not only the castle of Durham but other castles in northern England, including those of Norham, Mitford, Prudhoe, Newcastle upon Tyne and 'especially our castle of Bamburgh'.<sup>13</sup> Hugh was also appointed as guardian of the bishopric, which certainly created a power struggle between the great prince bishops and the powerful northern lords, the Balliols, over lands as well as the royal favour of the new young King, Henry III.

It appeared at this time that Hugh de Balliol had a slightly higher status than his Balliol kinsmen, namely two of his younger brothers, Ingram de Balliol of Urr and Dalton, lord of Tours-en-Vimeu in France and Henry de Balliol, later chamberlain of Scotland. This status was a result of his long-standing loyalty to King John and later King Henry, as well as the simple fact that he was the eldest and thus heir to the vast Balliol lands and the family's legacy. That status, which contributed to his influential positions in Durham, surely indicated the family's power in northern England at that point.

The dispute of Hugh's son, John (I) Balliol, with the bishops in the mid-thirteenth century was in response to the initial homage and service due for the knights' fees of these lands. As seen above, however, the King of England held the fee of Gainford (including Long Newton) and Guy de Balliol's successors claimed that the homage due from the lands within the fee was covered by the terms of the grant (in 1094 from William Rufus). The Bishops of Durham on the other hand, claimed that the homage of 5¼ knights' fees for the barony of Gainford belonged to them, as held of the

<sup>10</sup> DCM, Cart. vet., fols 84v-85r.

<sup>11</sup> DCM, 3.1 Pont 8; Parv. Cart. fol. 15v; Cart. II fol. 119.

<sup>12</sup> *Rotuli Litterarum Clausarum in Turri Londinensi 1204-1224* (1833), p. 129; J.C. Hodgson, *A History of Northumberland*, VI (Newcastle upon Tyne, 1893-1940), 32; Scott, *Norman Balliols*, p. 222; Burn, *Defence of John Balliol*, p. 19.

<sup>13</sup> *Rotuli Litterarum Patentium in Turri Londinensi 1201-1216* (1835), p. 186; *The Victoria History of the County of Durham*, II (1968), 145; Scott, *Norman Balliols*, pp. 232-35.

palatinate.<sup>14</sup> In fact, from 1208–10, Hugh de Balliol was mentioned in the *Book of Fees* as holding 5¼ knights' fees 'in capite de domino rege', not as holding from the bishops.<sup>15</sup> The argument probably intensified shortly after Hugh's death in 1229, as the new Bishop of Durham, Richard le Poor (1229–1237), more than likely asked for the homage of the fees, but John Balliol was not willing to give it. The position of these lands, near the River Tees, no doubt appealed to Balliol because of the possible fiscal advantages of fishing and mining. Although there is no coherent account of mining activities in Gainford, mining activities in the North of England at this time were common and point toward Balliol's preference for the land.<sup>16</sup> What seemingly irritated Balliol the most upon his inheritance in 1229 was the fact that this particular piece of valuable land was lost in 1190 to the bishops — this was no doubt behind his continuous refusals of homage. Indeed, Matthew Paris claims (among other vices) that Balliol was 'grasping',<sup>17</sup> a point which leads one to believe this piece of land, worth £40 3s. 11d. in the 1290s, perhaps had a high monetary value at this time.<sup>18</sup>

At Auckland on 9 December 1231, the situation between Bishop Poor and John Balliol regarding homage for the knights' fees seemed to be heading toward resolve, when both men entered into an agreement. With this contract, the Bishop granted that John Balliol and his heirs 'shall hold the vill of Long Newton as his ancestors had held by homage and service'. Balliol agreed to give the Bishop ward and scutage for the 5¼ knights' fees and to give suit to the Bishop at the court of Sadberge for all lands he held within the wapentake. Balliol further promised to do his best so that the King would allow the Bishop to have the homage of the fees within Sadberge.<sup>19</sup> The Bishop also agreed that as soon as he had received Balliol's homage, he would give Balliol all the ancient charters of Long Newton, which were still in the Bishop's possession. An important inclusion was that if the King directed homage to be done to the Bishop for this property, Balliol would willingly and promptly perform it; thus, the final decision appeared to rest with King Henry, who at this time favoured Balliol.<sup>20</sup>

King Henry III also had his own dispute with the see of Durham prior to 1229. Bishop Richard Marsh had died in 1225 and during the election to the see in 1226, Henry desired that Luke, Dean of St Martin's le Grand, London, be considered. However, only monks could elect the new bishop and Henry — still in his minority — was overruled. The monks and Henry reached an agreement and William Stichill, a Scotsman and archdeacon of Worcester, was chosen. He was never consecrated, however, and the see was vacant until the arrival of Bishop Richard Poor in 1229.<sup>21</sup>

<sup>14</sup> Hodgson, *Hist. Northumberland*, vi, 41; Scott, *Norman Balliols*, p. 245.

<sup>15</sup> *Book of Fees, 1198–1242*, I (1920), 25, for dates 1208–10 within the Bishopric of Durham.

<sup>16</sup> Lomas, *North-East England in the Middle Ages*, p. 203.

<sup>17</sup> Matthew Paris, *Chronica Majora*, ed. H. R. Luard, v, Rolls Series (1880), 528.

<sup>18</sup> *VCH, Durham*, III, 300. This value was given when King John Balliol granted Long Newton to Bishop Bek before 1296.

<sup>19</sup> Also taking an oath for this were John Fitz-Robert, Eustace de Balliol, Walter de Fountains, Henry de Balliol, and Nigel de Balliol. Those giving oaths for the bishop were Ralph, Prior of Durham, Ralph, Prior of Finchale, Master William the Archdeacon, and John de Rumes the Seneschal (Durham Cathedral Library, (DCL) Hunter MS, IV, 289; Surtees, *History and Antiquities of Durham*, III, 212–13).

<sup>20</sup> Hodgson, *Hist. Northumberland*, vi, 41–42n; Surtees, *History and Antiquities of Durham*, III, 212–13. Balliol's brother Eustace, and uncles Ingram and Henry, took part in this agreement. It is transcribed in DCL, Hunter MS, IV, 289. The original, however, is now lost.

<sup>21</sup> F. M. Powicke, *King Henry III and the Lord Edward* (Oxford, 1947), pp. 267–68.

Because of this dispute, Henry might not have been inclined to support the bishops in their on-going struggle with Balliol.

It has been argued, though, that the jurisdictional position of Gainford and Barnard Castle, which the Balliols controlled, in relation to Sadberge, of which the bishops claimed possession, was doubtful, and in the course of the agreement, Bishop Richard convinced Balliol that the three were part of the franchise of Durham, not the Crown. Balliol then signed the agreement, only to learn later of his mistake — prompting repeated disputes over the next thirty years.<sup>22</sup> As mentioned earlier, Barnard Castle and Gainford were at times said to be part of Northumberland — not Durham — and thus outside the Bishop's jurisdiction. Strangely, attempts were occasionally made to annex Barnard Castle, and all the Balliol possessions, to Sadberge, perhaps because Durham's bishops never held these lands directly despite their desires (that is until the forfeiture of the Balliol lands in 1296).<sup>23</sup> Moreover, in 1265, when Balliol committed Barnard Castle to Hugh le Despenser, as a means of peace during the Barons' War, Bishop Robert Stichill of Durham was given 'his right and royal liberty',<sup>24</sup> thus signifying that perhaps the bishops of Durham did indeed claim rights to Barnard Castle.<sup>25</sup>

After seemingly being tricked into signing this agreement, Balliol realized that now he had to oblige the bishops with homage, which was never his original intention. Thus, the pact in 1231 failed to resolve the situation and three years later, on 11 April 1234, King Henry commanded Balliol to do homage and service to the Bishop for the fees, so that Bishop Richard could in turn answer to the King for the castle ward of Newcastle upon Tyne, due to be funded from the fees, 'unless he [Balliol] can show the King that he ought to be quit of the said ward'.<sup>26</sup> Contrary to the newly made agreement, Balliol defied the King and refused to perform his homage to the Bishop.

The Balliols may have originally held Long Newton, but evidently, by the time that John (I) Balliol succeeded to the inheritance in 1229 the possession had changed. In December 1234, after the defiance just mentioned, he went before King Henry to admit formally that he 'ought to hold of the Bishop of Durham 5¼ knights' fees', yet when Henry again ordered that he perform homage to the Bishop, Balliol again refused.<sup>27</sup> The next year, Balliol, in obvious retaliation, aimed to intimidate the Bishop further and attacked him 'with horse and arms'. The Bishop complained to the King, who then fined Balliol twenty marks, although he later pardoned John for that fine

<sup>22</sup> Surtees, *History and Antiquities of Durham*, III, 266.

<sup>23</sup> Surtees, *History and Antiquities of Durham*, III, 266, claims that 'even so Barnard Castle, Hartlepool [which belonged to the Brus family], and Gainford were sometimes said to be in Northumberland; that is, they claimed to be without the Bishop's franchise'. Although the bishops of Durham claimed that Barnard Castle and other lands of the Balliols belonged to them as being within their wapentake of Sadberge, Edward I granted the forfeited lands of Barnard Castle, and others, of King John Balliol to Guy Beauchamp, Earl of Warwick (Hodgson, *Hist. Northumberland*, IV, 51).

<sup>24</sup> *C(alendar of) P(atent) R(olls)*, 1258–66, p. 414; Burn, *Defence of John Balliol*, p. 100.

<sup>25</sup> Stichill, however, appears to have had divided loyalties during the Barons' War and at this time must have been benefiting from his current position. Apparently supporting Montfort, he was sued after Evesham for his transgressions; yet, in 1268, he was urged by Cardinal Ottobuono, papal legate to Pope Clement IV, to restore the lands of nobles recently dispossessed and himself held part of Peter de Montfort's lands (J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994), p. 305; *VCH, Durham*, II, 15).

<sup>26</sup> *C(alendar of) D(ocuments relating to) S(cotland)*, I, no. 1209.

<sup>27</sup> *CPR*, 1232–47, p. 86, dated 25 Dec. 1234.

'amerced for transgressions done to R. Bishop of Durham, against the King's peace'.<sup>28</sup> There are no details of this incident, but it does allude to a later attack on Bishop Kirkham — mentioned below — in which Balliol's brothers and a group of men ambushed the Bishop and his retinue. Because John Balliol never gave the Bishop homage, the Bishop retained his claim to Long Newton, and conceivably the charters as well, and therefore the squabble continued for over twenty years. It is also probable, though not entirely convincing, that John (II) Balliol's negotiations with Anthony Bek, Bishop of Durham (1283–1311), in the 1290s stemmed in part from his father's obstinacy towards the previous bishops. It also relates to the younger Balliol's childhood training in the clerical schools at Durham.<sup>29</sup> There is also a claim that the church of Long Newton was one of the churches given to Bishop Bek by John (II) when he was King of Scots, as well the grant of certain Scottish royal lands, made in November 1290 — before John (II)'s inauguration as King — in which Balliol claimed to be 'heir to Scotland'.<sup>30</sup>

Bishop Richard died in 1237 and even though there was an election for the vacancy, the bishop-elect, Thomas of Melsanby, was not consecrated immediately. Thomas then resigned in 1240 before his consecration, shortly after four Durham monks died at Rome. With the lack of a legitimate bishop, the see of Durham was occupied by a 'custos' who handled the affairs.<sup>31</sup> In April 1237, the sheriff of Northumberland, knowing that Balliol had not kept his obligation of homage in 1231 or 1234, wrote to the *custos* to distrain John Balliol because he had not kept his terms.<sup>32</sup> However, that seems to have had little real effect, for Balliol continued to be involved with Sadberge, and in February 1238, the King wrote to the *custos* of Durham commanding him to respite the pleas of 'Sedbern between Robert son of Meaudr and John de Balliol and his men, and between the Abbot of Ryvall and the said John and his men of Alewent and Middleton concerning mills, and other contentions' because Balliol was in the King's service.<sup>33</sup> Although the respite does not indicate favouritism by the Crown, it gives evidence that Balliol's dispute with the bishops over Sadberge was becoming a lengthy debate. It also provides further evidence that the continuous debate had to do with the fiscal value of Balliol's lands in Durham since these above-mentioned pleas claim to have concerned mills.

Shortly before Nicholas Farnham was consecrated in 1241 as the next Bishop of Durham, the *custos* owed Balliol 5 marks 40d. of his fees and also £8 15s. 'for the same'.<sup>34</sup> With Balliol not performing homage, one would think that these fees would

<sup>28</sup> NA: PRO, E 372/80 m.5d; *C(alendar of) C(lose) R(olls)*, 1234–37, p. 116, dated 14 Jul. 1235; Burn, *Defence of John Balliol*, p. 39. It seems that Balliol also owed 24s fees to the Bishop for 1235–36 (*Book of Fees*, i, 554).

<sup>29</sup> This is discussed below in more detail.

<sup>30</sup> Hodgson, *Hist. Northumberland* (vi, 45) makes this claim, without mentioning a date. The present church, St Mary's, occupies the site of the ancient church. Balliol, in fact, performed homage to Robert of Holy Island (Bishop of Durham 1274–83) in 1279 for Barnard Castle (*CCR*, 1272–79, p. 579; *CDS*, ii, no. 166), which seems to suggest that the bishops eventually won the dispute.

<sup>31</sup> The *custos* at one time was Stephen de Lacy, but he was replaced sometime before April by John, son of Philip (*CCR*, 1234–37, p. 437). Although neither of these men appears to have been involved with John Balliol, that notion cannot be ruled out completely.

<sup>32</sup> *CDS*, i, no. 1319. It was also mentioned that Balliol 'held little in the county', although this is bizarre because he did hold vast estates there.

<sup>33</sup> *CCR*, 1237–42, p. 29; *CDS*, i, no. 1400.

<sup>34</sup> *CDS*, i, no. 1527.

have been retained until Balliol agreed that he would make amends. Indeed, at this time, Balliol was in the English King's favour and thus the payment was perhaps made without question, or under promise from Balliol that homage would be performed. With the accession of Farnham, the King again commanded John Balliol to do homage for the 5¼ knights' fees for Sadberge, 'which he was ordered to do homage to R. late Bishop, that the Bishop [Farnham] be no longer troubled'.<sup>35</sup> Perhaps a little too stubbornly, Balliol again refused.

It is interesting that despite these repeated commands from King Henry, John Balliol chose to defy the King and do nothing. Henry's indifference to the matter — as well as his distraction by more pressing foreign and domestic affairs — was no doubt apparent to the overconfident Balliol, who did not expect further action from the King apart from these repeated warnings; in addition, Henry's occasional orders for homage suggested pressure from the bishops themselves, with whom Henry had also had a dispute prior to Bishop Poor's election in 1229. Balliol held all of his lands in England in chief of the King, and therefore owed homage to no one except King Henry. Although Balliol was apparently infringing the law by refusing Henry's commands, Henry seems to have appreciated Balliol's experience in royal service more than the continued arguments with the bishops. By this time, Balliol had taken part in the expedition to France in 1230, taken an oath of peace in the Treaty of York (1237) between England and Scotland, prepared to invade Wales with other English nobles in 1241; in 1248 he was rewarded for his faithful services with the appointment as sheriff of Cumberland and keeper of Carlisle Castle.<sup>36</sup> His connections within the three realms of England, Scotland and France were certainly beneficial to Henry III, and his power in the North was useful in later years when Henry was at odds with his rebellious barons.

The Durham episode, however, was not the first time that Balliol had been in contempt of the law. In 1229–30, shortly after he inherited his father's lands, John was held responsible for preventing the King's miners around Tynedale from going into the mine of Alston (also called Aldeneston or the mine of Carlisle), just as Hugh de Balliol in 1219 had been accused of the same actions. Balliol claimed that the miners had cut down trees in the forests of Teesdale and Marwood, which rightly belonged to Balliol, for purposes other than the use of the mines; in retaliation, Balliol closed the forest of Marwood, which was adjacent to Alston and apparently included the road to the mines.<sup>37</sup> Balliol, who had just inherited a wealthy portion of lands and an equally impressive reputation as the son of one of Henry III's most powerful advisers, perhaps considered himself and his up-coming royal services as beneficial. He imagined, no doubt, that this gave him power to control his local resources even though it meant contempt and contestation with the Crown. Yet he soon learned the limit of that power as well, when in April 1230, he was ordered to allow the miners their free

<sup>35</sup> *Ibid.*, i, no. 1552; *CPR*, 1232–47, p. 261, dated 25 Oct. 1241.

<sup>36</sup> *CPR*, 1225–32, pp. 357, 378, 380; *CPR*, 1247–58, pp. 13, 30; *CDS*, i, nos. 1089, 1097, 1731; *Anglo-Scottish Relations 1174–1328: some selected documents*, ed. E. L. G. Stones, 2nd edn (1970), no. 7; *CCR*, 1237–42, p. 362; *The Pipe Rolls of Cumberland and Westmorland: 1222–1260*, ed. F. H. M. Parker (Kendal, 1905), p. 128.

<sup>37</sup> *CDS*, i, no. 1053 (5 Dec. 1229); Hodgson, *Hist. Northumberland*, vi, 36–37. The forests of Teesdale and Marwood were part of the lands given to Guy de Balliol by William Rufus.

right of way, settling the disagreement without much hassle.<sup>38</sup> This quick settlement was perhaps a cunning move by Henry III — since Balliol was in his service in France, he could not protest the decision as he would with Durham.

With John Balliol's personality as a strong-willed, tenacious baron with much influence, it seems almost obvious that he would never give the bishops of Durham homage for the knights' fees. After all, the argument perhaps was only a struggle for power — Balliol refused to give homage to anyone except the King and, since the King was apparently indifferent, the homage was virtually meaningless.

Bishop Nicholas resigned his post in 1248 and was replaced the next year with Walter Kirkham who, seemingly just as stubborn as Balliol himself, would become his strongest adversary.<sup>39</sup> In 1250, as the commands grew stronger, Balliol was again ordered by King Henry to give his homage for the fees, 'which the King ordered him to do to R[ichard] and N[icholas] sometime Bishops of Durham . . . so that the King may be no more vexed by the Bishop'.<sup>40</sup> It seems that Balliol could not escape his homage. There is no surviving evidence which suggests that homage was given at this time; yet, given Balliol's behaviour during the years 1255–1260, as well as later claims of successful homage,<sup>41</sup> it can be assumed that he was finally forced into submission, only to become angry and violent towards Bishop Kirkham later.

Around the summer of 1255, another quarrel began to simmer from the homage due for Long Newton. John Balliol and his men seized the church of Long Newton and held it with an armed force, for which Bishop Walter, enraged, excommunicated his men. Sir Maurice Powicke claims that the Bishop, however, excommunicated Balliol's men 'in virtue of his Episcopal powers, and imprisoned them in virtue of his regality',<sup>42</sup> powers which the prince bishops claimed as virtual rulers, although an attack on consecrated land would be sufficient grounds for excommunication. The Bishop waited for the excommunication to take effect, and meanwhile Balliol's men occupied the church for a lengthy forty days. The Bishop then called in a number of soldiers, outnumbering Balliol and his brothers. Eventually some of Balliol's men were taken prisoner and sent to Auckland, where the Bishop had his residence. It seems that John Balliol's brothers — Eustace and Jocelin — were surprised by the Bishop's actions, and in revenge decided to set an ambush for him.

The Bishop complained to King Henry in August, condemning the ambush in the strongest language. He alleged that Balliol's men — including Balliol's brothers and Henry fitz Ranulf — were 'lurking in a wood', and while the Bishop and his retinue passed by they 'did irreverently insult and most enormously handle himself, his clerks, and attendants, with swords and other weapons, taking four of his retainers prisoners to Bernard's castle, where they remain'. Undoubtedly, the Bishop gave Henry his opinion of Balliol who was not present but likely indirectly involved in the attack.

<sup>38</sup> *CDS*, I, no. 1091. The order to allow the miners free right of way was given to Balliol's bailiff, as Balliol was in the King's service at the time.

<sup>39</sup> Kirkham was joint wardrobe clerk with Walter of Brackley from 5 Jan. 1224 to 10 Apr. 1227, and sole wardrobe clerk for Henry III from 17 May 1234 to 27 Oct. 1236. He also served on the side of the opposition in 1258. T. F. Tout, *Chapters in the Administrative History of Mediaeval England* (Manchester, 1920–33), I, 192, 244.

<sup>40</sup> *CPR*, 1247–58, p. 69, dated 28 Jun. 1250.

<sup>41</sup> *CDS*, III, no. 898.

<sup>42</sup> F. M. Powicke, *The Thirteenth Century: 1216–1307* (Oxford, 1953), p. 465.



Thus the King wrote to 'his beloved and faithful' John and commanded him to release the Bishop's men and give the Bishop 'competent satisfaction'.<sup>43</sup> According to Matthew Paris, Balliol 'who, more than was becoming or safe for his soul, was covetous, rapacious, and grasping had for a long time, unjustly and severely, molested both the Church of Tynemouth and the Church of Durham, and had done them incalculable damage'.<sup>44</sup> Paris, though, cannot be someone from whom to gain unbiased opinions of John (I) for he was himself a monk at St Albans (Hertfordshire) and could relate to Bishop Walter's ongoing problem with this 'priest-hating, beer-loving lord'.<sup>45</sup>

After this episode, King Henry was angry with his faithful subject and probably realized that he had allowed Balliol too much freedom to do as he pleased, as well as too much influence. Balliol's appointment as sheriff of Cumberland and keeper of Carlisle Castle was terminated in this year (1255) as a result of Henry's dissatisfaction with Balliol's service.<sup>46</sup> From 1251 to 1255 Balliol was also co-guardian of the young King and Queen of Scotland, Alexander III and Margaret (Henry III's daughter), yet his four-year tenure ended in September 1255, just a month after the complaint from the Bishop, when the entire Comyn-led regency of Scotland was replaced. According to Matthew Paris, in 1255, Balliol and his co-representative, Robert de Ros, 'were seriously accused on the charge that they had unfaithfully and dishonourable controlled the kingdom of Scotland and the King and queen, whose tutelage had been entrusted to them'. Yet, it can be argued that the 1255 coup had nothing specifically to do with John (I) or Ros, and the accusations against them were not related to their performance as guardians. The Scottish nobles had already been in bitter opposition and battling for control of the government; thus, the overthrow of the Comyn government meant that the expulsion of Balliol and Ros was necessary because of their co-operation with (and domination by) the Comyn party, which had evidently neglected Henry's young daughter, the Queen. Paris further mentions that Queen Margaret was 'unfaithfully and inhumanly treated among those unworthy Scots' — it appears that it was her complaints which caused Henry to intervene before throwing his support behind Durward.<sup>47</sup> Both Balliol, who himself had been preoccupied in France during these years,<sup>48</sup> and Ros had failed to act and neglected their duties by not looking after Margaret, and for this — not for any abuse of power — King Henry chose to remove them from office.

<sup>43</sup> CCR, 1254–56, p. 217; CDS, I, no. 1989, dated 13 Aug. 1255; Surtees, *History and Antiquities of Durham*, III, 213. Balliol, of course, cannot be ruled out as a co-conspirator in the ambush.

<sup>44</sup> *Chron. Maj.*, v (1880), 528; F. de Paravicini, *Early History of Balliol College* (1891), pp. 41–42. Tynemouth Priory was on the east coast of Northumberland and was annexed to Durham Priory in about 1074.

<sup>45</sup> Scott, *Norman Balliols*, p. 251. In addition, Paris had a negative opinion of Balliol's father, Hugh, a 'most wicked adviser' of King John I (*Chron. Maj.*, II (1874), 532–33).

<sup>46</sup> *Anglo-Scottish Relations*, no. 10; *Flores Historiarum*, ed. H. R. Luard (1890), II, 378; *The Acts of the Parliaments of Scotland*, ed. T. Thomson and C. Innes (Edinburgh, 1814), I, 419–20.

<sup>47</sup> *Chron. Maj.*, v (1880), 501–02; *Scottish Annals from English Chronicles*, ed. A. Anderson (1908), 370–71.

<sup>48</sup> Balliol was also involved in the disputed election of the Bishop of Whithorn in 1253 (*The Chronicle of Melrose*, ed. J. Stevenson (Llanerch reprint, 1991), pp. 89–90; *Chronicon de Lanercost 1201–1346*, ed. J. Stevenson (Edinburgh, 1839), p. 59; D. E. R. Watt, *Fasti Ecclesiae Scoticanæ Medii Aevi: ad annum 1638* (Edinburgh, 1969), p. 129). For Balliol's services for Henry III at this time see: CPR, 1247–58, pp. 124, 230, 244; *Royal and other Historical Letters illustrative of the Reign of Henry III*, ed. W. Shirley (1866), II, 68–69, 101; CCR, 1253–54, p. 167; *Rôles Gascons*, ed. Francisque-Michel (Paris, 1885), I, nos 2111, 2154, 2650; R. de Belleval, *Jean de Bailleul, Roi d'Ecosse et Sire de Bailleul-en-Vimeu* (Paris, 1866), p. 57; F. J. Darsy, *Notice Historique sur l'Abbaye de Sery au Diocèse d'Amiens* (Amiens, 1861), p. 64; M. W. Labarge, *Simon de Montfort* (1962), p. 125.

If Paris is to be believed, King Henry, 'knowing that this same John possessed a large quantity of specie, started a serious matter of debate with him, in hopes that, in negotiating peace, he would be able to mutilate somewhat his treasured pile'.<sup>49</sup> This is exactly what Henry seemed to have done by relieving Balliol of some of his positions. The charges against Balliol, indeed, were serious yet he used his wealth to buy his pardon in 1257, whereas Ros was disinherited.<sup>50</sup> The year 1255 was, thus, a significant year for John (I) Balliol in terms of Anglo-Scottish politics, as his power was quickly diminished because of his actions.

Balliol probably took too much confidence from his political role at this time as co-guardian in Scotland — he perhaps imagined immunity against the Bishop. It is worth noting again that despite the unrelenting arguments, Henry continued to reward Balliol for his royal services, as if the entire Durham dispute meant nothing. Yet, it was this final argument in August 1255 which subsequently led to the loss the following month of Balliol's position as sheriff and as co-guardian, both in favour of Robert Bruce.<sup>51</sup> Although the Durham dispute and Balliol's loss of power were not directly related, the dispute did make a direct contribution to Balliol's later dismissal from Scottish politics. Balliol perhaps allowed his behaviour and constant struggling with the bishops of Durham to affect his performance as guardian of the Scottish government, as well as guardian to Henry's daughter, Margaret. That obviously did not impress Henry, whose opinion of Balliol appeared to be quickly diminishing.

Sometime after 1255, but before Bishop Walter died in 1260, there was one last, major quarrel between them, yet this one had a very important, lasting result. It probably occurred shortly after Balliol was reprimanded for his conduct towards the Bishop and his men, and Balliol wanted to settle the score. In 1260, according to the *Cumbrian Chronicle of Lanercost*:

A Baron of his diocese, the most famous in the whole of England, *had gotten himself drunk with beer*, quite contrary to the fair esteem beseeming his rank, and had done other evils disrespectful to the Church. When he heard of the audacity of that effrontery the good shepherd admonished him that he should make amends; but inasmuch as pride chooses rather to be confounded than to be corrected, he added scorn to effrontery. But the Bishop, strengthening his heart, so shrewdly brought back his truant son to his bosom, that with much ceremony at the entrance of Durham Cathedral, before the eyes of all the people, he suffered whipping at the hands of the Bishop, and assigned a sum of fixed maintenance to be continued for ever to Scholars studying at Oxford.<sup>52</sup>

The Bishop's choice of establishing a college at Oxford University was not a coincidence, as Frances de Paravicini points out. The University already had an established Society of Clerics, made possible from money donated by William of Durham

<sup>49</sup> *Chron. Maj.*, v (1880), 528.

<sup>50</sup> *CDS*, I, nos 2091–92; *Chron. Maj.*, v (1880), 507, 569; *Scottish Annals*, pp. 373–74.

<sup>51</sup> *CCR*, 1254–56, p. 220; *CDS*, I, no. 1991, dated 18 Aug. 1255; 1993, 1994, both dated 22 Aug. 1255.

<sup>52</sup> *Chronicon de Lanercost*, p. 69; Paravicini, *Early Hist. Balliol*, pp. 46–47; R. L. Hine, *The History of Huchin*, I (1927–29), 32; Hodgson, *Hist. Northumberland*, VI, 45. Only two sources, Paravicini and Hine, mention the excerpt in italics. If Balliol was an alcoholic — as this might suggest — his marriage to Dervorguilla, a very pious and gentle woman, does not appear idyllic. Hodgson implies that the 'evil disrespect' was when Balliol damaged some churches belonging to the bishop (perhaps the church of Long Newton?). This scene where Balliol was virtually put on display would echo that of King John in 1296, when he was stripped of his regalia after renouncing his crown and the kingdom of Scotland to Edward I.

(d. 1249) for the support of the clerks there.<sup>53</sup> Thus, when Bishop Walter demanded that Balliol endow the poor students at Oxford with weekly stipends of 8d., it was because the bishops had a previous, and apparently strong, relationship with the University.<sup>54</sup>

The legend that Balliol's penance was to maintain forever the scholars at Oxford is a somewhat romantic story passed down since the foundation of the College. Regardless of what has been accepted as fact for the foundation, there has been an argument against the theory surrounding John (I) and the bishops of Durham. J. H. Burn, however, seems to be the only source which mentions this.

Burn theorizes, in his work from the early 1970s, that Balliol's penance was not to maintain scholars and establish Balliol College, but rather to do the homage that was due from him for several decades. Burn states that at the time of Balliol College's foundation, civil war between Henry III and the barons under Simon de Montfort was looming, and although 'John Balliol was a firm supporter of the King, the students of Oxford University, under the influence of the Franciscan friars among them, stoutly supported Simon de Montfort'.<sup>55</sup> He claims therefore that it would be likely that the students had strong feelings against John Balliol for his continuing support for Henry III. Mr Burn claims that the Lanercost story had merely arisen because of the ill-feeling towards Balliol, and was nothing more 'than angry surmise among students in the hall'.<sup>56</sup> His main reason for this approach is the fact that there are no existing records of Balliol's penance to establish a college, apart from the story in the *Lanercost Chronicle* — which does not mention Balliol specifically. The *Chronicle of Melrose (735–1270)* does not mention a penance (although it mentions the weekly stipends) and neither does Matthew Paris, who only commented on the 'evils' Balliol had committed against the Church. It is reasonable to say that Paris never held any Balliol in high regard and thus, he would be less likely to comment on anything positive about them. Moreover, had Paris not died in 1259, certainly he would have enjoyed Balliol's humiliation at the hands of the Bishop of Durham and would have enlightened his readers with it.<sup>57</sup>

Lanercost Priory was a house of Augustinian canons just outside Carlisle. The now lost original chronicle existed at the beginning of the sixteenth century, but incidentally it was known as the *Chronicles of Friar Richard of Durham*.<sup>58</sup> A. G. Little claims that the chronicle was written by two Franciscan friars — the first (who Little believes to be Friar Richard) wrote the chronicle which covers the dates 1201–97, and the second friar wrote for the dates 1298–1346, when the chronicle ends.<sup>59</sup> He also makes a clear point that the author was

<sup>53</sup> William is reputedly the founder of Durham Hall, now University College, Oxford (*DNB*).

<sup>54</sup> Paravicini, *Early Hist. Balliol*, pp. 8, 47; D. Brooke, *Wild Men and Holy Places: St Ninian, Whithorn and the Medieval Realm of Galloway* (Edinburgh, 1994), p. 142; *Chronicle of Melrose*, p. 121. The date for the donation of William of Durham is untraceable.

<sup>55</sup> Burn, *Defence of John Balliol*, pp. 2–3; G. M. Trevelyan, *History of England* (1929), p. 175.

<sup>56</sup> Burn, *Defence of John Balliol*, p. 3.

<sup>57</sup> R. Vaughan, *Matthew Paris* (Cambridge, 1958), p. 9. Paris's date of death has been debated, although evidence strongly suggests 1259. This is probably correct since Paris's account of the Durham quarrel was never recorded.

<sup>58</sup> A. G. Little, *Franciscan Papers, Lists and Documents* (Manchester, 1943), p. 44. Little also says (p. 35) that Friar Richard was 'an enthusiastic admirer of Simon de Montfort, and a vigorous hater of the Scots'. On the authorship of the chronicle, he states that it was Franciscan, not Minorite, as J. Stevenson suggests in his 1839 edition.

<sup>59</sup> *Ibid.*, p. 46.

singularly well acquainted with the inner history of the foundation of Balliol College. He does not talk, like the Chronicle of Melrose (which he sometimes uses as an authority), of John de Balliol's love of scholars; he knows that the maintenance of scholars at Oxford was imposed on John de Balliol as part of a penance inflicted by Walter de Kirkham, Bishop of Durham.<sup>60</sup>

Indeed, as Balliol held positions in Cumberland and especially in Carlisle, it is reasonable to suggest that the Lanercost chronicler had direct knowledge of the penance and Balliol's behaviour towards the bishops. Because of this inside information about Balliol College, Little declares that Friar Richard may have been the same as Brother Richard de Slickburn, one of Dervorguilla's agents in the foundation of the college.<sup>61</sup> Brother Richard was a Friar Minor, and there is a tradition that he was Dervorguilla's confessor and urged her to found (or complete the foundations of) the college in memory of John Balliol.<sup>62</sup>

Little intimates that the reference to John Balliol's penance in 1260 was probably not written before 1282, when Balliol College was actually founded; he further writes that Friar Richard most likely began his work on the chronicle no earlier than 1280.<sup>63</sup> Yet, because the college was not genuinely established until 1282, no solid record of its existence or the process of its foundation would be readily available. In addition, the survival of any documents before this date (i.e. 1260–63) might have been uncertain. If the students at Oxford were against the powerful Balliol lord, as Burn suggests, the earliest founding documents and charters might have been destroyed in defiance.

Matthew Paris's account mentioned that peace was restored between the Prior of Tynemouth and John Balliol in 1255. This may have been in terms of homage and payment as large sums of money passed between Balliol and the church of Durham, but these were not directly from Balliol himself. In fact, two of these were merely loans that John Balliol had made to the church, though they were not repaid in his lifetime. As Burn mentions, the first was a receipt from Hugh de Eure and Stephen, rector of the church at Whiteworth, who were both executors of the will of John Balliol, and Peter de Brandon, attorney for Dervorguilla. An amount of only ten marks was received on 10 December 1273, five years after Balliol's death. The second was another receipt from Dervorguilla and the executors of John's will for 1000 marks (£667) in part of a payment of £1000, which the convent was to give Balliol. Hugh de Eure, Henry Le Spring and the Abbot of Dundrennan were among the witnesses for this as their seals are still attached.<sup>64</sup> As Burn argues, this suggests that Balliol was inclined to lend the Convent and Cathedral of Durham money as part of his homage and penance. However, before his death, Balliol had proved to be something of a moneylender, and especially after the Barons' War he could be seen lending money to former Crown enemies.<sup>65</sup>

<sup>60</sup> Ibid., p. 49. In his footnote for this Little says, 'it may be noted that the author [of the *Lanercost Chronicle*] suppresses the name of John de Balliol in this passage — perhaps to spare the feelings of surviving relatives'.

<sup>61</sup> Ibid., p. 49; *The Oxford Deeds of Balliol College*, ed. H. E. Salter, Oxford Historical Society, LXIV (1913), no. 565.

<sup>62</sup> Paravicini, *Early Hist. Balliol*, p. 69.

<sup>63</sup> Ibid., p. 47.

<sup>64</sup> DCM, Misc. Ch. 3585, 4463; Burn, *Defence of John Balliol*, p. 60.

<sup>65</sup> Earning money through his service to King Henry and various rents of his many lands, Balliol seems to have been quite a moneylender. The sum of these debts and others comes to a little less than £1500 (see below, n. 74; G. Stell, 'The Balliol Family and the Great Cause of 1291–1292', *Essays on the Nobility of Medieval Scotland*, ed. K. J. Stringer (Edinburgh, 1985), p. 157).

Burn also describes how the image of Balliol's scolding by the Bishop in front of Durham Cathedral was for the homage of the knights' fees. He supports this by giving evidence from 1327, when the Bishop of Durham, Lewis Beaumont (1318–33), sent repeated petitions to parliament asking for certain charters, because they rightly belonged to the bishops since homage was given in 1255 (they had been in the kings' hands since Edward I confiscated them from Anthony Bek in 1307).<sup>66</sup> Furthermore, when Balliol was urged to give 'competent satisfaction' to the Bishop for his brothers' attack on Bishop Walter's retinue in 1255, it is claimed that this satisfaction was in fact the homage, not the foundation of a college.

While these points carry some weight, it must be noted, of course, that the penance perhaps asked for both homage *and* the maintenance of scholars. In addition, a third condition might have called for the education of Balliol's fourth son, John (II), the future King of Scots, to take place at Durham. Indeed, John (II) was educated at their schools; given the wealth of the Balliols at this time, it seems unusual that their youngest son would leave home for school, when a private schoolmaster or chaplain could have been easily hired.<sup>67</sup>

Although Burn gives a strong argument on this apparently controversial subject, he fails (perhaps forgets) to take into consideration the fact that many medieval documents have been lost, and the *Lanercost* account may be the only surviving example of Balliol's penance. Indeed, Matthew Paris may have mentioned the episode, yet he died in 1259 before the 1260 entry of *Lanercost*. In addition, the traditional date for the foundation of Balliol College is 1263, not 1260 as the *Lanercost* chronicler states.<sup>68</sup>

At the time of the ambush of the Bishop by Balliol's brothers, John was punished further when he was ordered to hand over Carlisle Castle and the county of Cumberland to Robert Bruce. If he had made amends to the Bishop by performing homage, then this may not have been needed—the incident would have ended there. So if King Henry still demanded Carlisle Castle, then that points to the theory that Balliol did not do homage, but rather stuck to his previous refusals. Yet, this move by Henry III was likely made to reprimand Balliol for his behaviour and overweening ego at the time, and the loss of these positions finally opened Balliol's eyes to his unyielding conduct and abuse of power.

Burn further supports the idea that Balliol College was not founded as a penance by mentioning the foundation of another college in Oxford, Merton College. Walter de Merton, who was also in the loyal service of Henry III, founded the college in 1264. Merton had previously presided in the Bishop's council as temporal chancellor (under Bishop Nicholas Farnham), and later as justice itinerant. He entered Henry's service in 1247, and by 1259 he had worked his way up to the position of the King's chancellor. However the foundation was also upset by the situation in England with

<sup>66</sup> *CDS*, III, no. 898. This was the same year in which Edward Balliol was given a safe conduct to return to England; thus, the Bishop may have felt threatened by Balliol because of the prior situation between the family and the bishops.

<sup>67</sup> N. Orme, *From Childhood to Chivalry: The education of the English kings and aristocracy 1066–1530* (1984), pp. 48, 73. Despite this, clerical training was best done in a religious community (*ibid.*, p. 48).

<sup>68</sup> H. Savage, *Balliofergus, etc.* (Oxford, 1668), p. 6. Savage does not mention a penance either, but there are other mistakes in his work which could diminish its credibility.

the Barons' War — in fact Merton College was not even founded in Oxford, but rather in Surrey. It was not until 1274 that Merton transferred the community of the college to Oxford.<sup>69</sup> Just as Burn suggests that Balliol may not have been popular with the scholars of Oxford, he also suggests the same for Walter Merton. The fact that both colleges have a decade or more between their initial formation and their permanent foundation at Oxford does support Burn's theory of the hostility towards these two loyal barons of the King.

### *The Foundation*<sup>70</sup>

Balliol College, none the less, was established around 1263 and has since accepted the Lanercost chronicler's story of John's penance. Moreover, Balliol kept to his promise of maintaining the scholars at Oxford for the rest of his life, for in 1266 King Henry ordered the Mayor and bailiffs of Oxford to pay 'to John de Bailliol £20 that the K[ing] has granted him in loan for the use of the scholars whom he maintains in the said town'.<sup>71</sup>

The foundation of Balliol College, however, would not be completed in Balliol's lifetime. He died between 21 and 24 October 1268, and in observing John's will, his widow Dervorguilla endowed the college with its statutes. Interestingly, Henry Savage, a former Master of Balliol College (1651–72), once suggested

the motives, wherewith our Founder served himself to build this College. The first doubtless, was the honour of God, it being the pole upon which his own Loyalty to the King, and the Charity of Dervorgille, in pursuance of his Design, did more. The second was the good of his own Soul, as thereby purchasing the Prayers of his Beneficiaries for his good success in the service he went upon, and for the better fitting of his Soul for heavenly Mansions, by what accidents soever it should be divorced from his Body.<sup>72</sup>

In addition, the *Chronicle of Melrose* states that Balliol was a 'Lover of Scholars, and out of his love towards God, he built a house at Oxford ...', but this epithet cannot be entirely true given Savage's account.<sup>73</sup> Balliol may have enjoyed what he did after some time, but it does not seem possible that founding a college was his own idea for penance. The influence and encouragement of his pious wife, Dervorguilla, as well as suggestions from Kirkham, may have indeed led John to begin the foundation of the college.

During the time between Balliol's death and the full establishment of Balliol College, the scholars were supported by Dervorguilla and the co-executors of Balliol's will through debts owed to John Balliol by various persons. The debts go back as far

<sup>69</sup> Burn, *Defence of John Balliol*, pp. 111–12.

<sup>70</sup> The foundation of Balliol College is presented in a mural painting by Mr Gilbert Spencer, created 1934–36, in which he depicts John (I) as 'a mean character' (G. Spencer, *Memoirs of a Painter* (1974), pp. 107–15). There is also a portrait of Dervorguilla by C. E. Fremantle from about 1929, on Staircase II (J. Jones, *Balliol College: a History*, 2nd edn (Oxford, 1997), pl. c.29).

<sup>71</sup> *CDS*, I, no. 2401, dated 22 June 1266; Paravicini, *Early Hist. Balliol*, p. 47.

<sup>72</sup> Savage, *Balliofergus*, p. 8.

<sup>73</sup> *Chronicle of Melrose*, p. 121; *Early Sources of Scottish History: 500–1286*, trans. A. O. Anderson (1922), pp. 663–64.

as 1251, when Maurice Akarsan owed 180 marks.<sup>74</sup> Balliol's heir, Hugh, also owed 10 marks to his father's executors in 1269 for two horses which he bought. Hugh promised to make the payment before 1289 'on pain of ecclesiastical censure'; however, he died shortly before 10 April 1271 and according to Savage's account in 1668, he 'never paid us for his two horses'.<sup>75</sup>

Dervorguilla's first statute of 1282 gave Balliol College its permanent place in history.<sup>76</sup> 'With a mother's affection', she decreed that the scholars were to be pious as well as studious. Days of worship and prayer were set and 'on other days they [would] diligently attend the Schools . . . and give heed to their studies'. The scholars were also to remember John Balliol 'our beloved husband' in their daily prayers. There were three masses each year 'for the soul of our beloved husband, Sir John de Balliol, and for the souls of our predecessors, and for all the faithful departed. And likewise for our salvation, here and hereafter'.<sup>77</sup> The patron saint of the college is St Catherine of Alexandria, a crusading saint — no doubt a pointer towards the involvement of her two eldest sons in the Holy Wars in 1270–72.<sup>78</sup>

Next, Dervorguilla provided her scholars with a permanent residence by purchasing three tenements for 80 marks situated on the present day Broad Street.<sup>79</sup> She also granted more lands to Balliol College between 1280 and 1290. These lands — Stamfordham and Heugh — previously belonged to Robert Walerand, one of Henry III's most trusted advisers, who gave the lands to Hugh de Balliol shortly after John Balliol's death. Dervorguilla's grant of the lands refers to John's will and the 'scolares de Balliolo'. The actual will no longer exists but from these various deeds it seems that it was John's wish to support the scholars at Oxford and to arrange a permanent place for them (unless Dervorguilla was more influential in this respect).<sup>80</sup> Indeed, King Edward I, 'wishing to do a special favour to Dervorguilla', further consolidated the foundation in 1285 and permitted her 'to give a messuage in the suburb of Oxford to the Master and Scholars studying in the House of Balliol there'.<sup>81</sup>

Before John (I) Balliol died in October 1268, he seems to have come closer to terms with the bishops of Durham. The only known interaction between John and Bishop

<sup>74</sup> *Oxford Balliol Deeds*, no. 592. Further payments included: 13 Feb. 1257–58, Goceline de Westwik, 747 marks (no. 593); 15 Aug. 1265, Thomas de Musgrave, among other debts, 100s. or 2 tuns of wine (no. 594); followed by 25 Aug. 1265, Thomas de Musgrave, 123 marks (no. 595); c. 1266, Baldwin Wake, 100 marks and more (no. 597); c. 1282, Alan Fitz-Count, £100 to the executors of Balliol (no. 599); 1287, Grants to Balliol College of moneys owed to the late John de Balliol (nos 567–69).

<sup>75</sup> *Oxford Balliol Deeds*, no. 598; Paravicini, *Early Hist. Balliol*, p. 83; Savage, *Balliofergus*, p. 24. Hugh's death is recorded in *CDS*, I, no. 2600.

<sup>76</sup> Dervorguilla's statutes are transcribed in *Oxford Balliol Deeds*, nos 564–591 and *National Manuscripts of Scotland*, ed. Sir H. James (Edinburgh, 1867–72), II, 4. They are translated in Paravicini, *Early Hist. Balliol*, pp. 64–69, 72–74, and Scott, *Norman Balliols*, pp. 262–65.

<sup>77</sup> Paravicini, *Early Hist. Balliol*, p. 65. These were held in the first week of Advent (Advent begins 11 Nov.), in the week of Septuagesima (ninth Sunday before Easter), and in the first week after the octave of Easter (i.e. the second week after Easter).

<sup>78</sup> A. MacQuarrie, *Scotland and the Crusades 1095–1560* (Edinburgh, 1985), pp. 59–60.

<sup>79</sup> *Oxford Balliol Deeds*, nos 8, 10; Paravicini, *Early Hist. Balliol*, p. 70.

<sup>80</sup> Balliol College Archives, E.4.1, E.4.2, E.4.3; Savage, *Balliofergus*, p. 23. Stamfordham was in the Bywell lordship. The fact that Walerand had granted these lands after Balliol could point towards the non-payment of his debts to John (I).

<sup>81</sup> *Oxford Balliol Deeds*, nos 11, 14; *CPR*, 1281–92, p. 196; Paravicini, *Early Hist. Balliol*, pp. 80–81. Inspected by John (II) Balliol.

Kirkham around the time of their famous quarrel appears to be when Balliol was a witness to one of the Bishop's charters shortly before Kirkham died in 1260; it granted the Prior and Convent of Durham land in 'Muggleswick' to use as a park.<sup>82</sup>

The Durham incidents mentioned here seem to be the only episodes of Balliol's power struggle with the bishops over rights and property. Yet it is still not known for certain whether he ever did homage for the knights' fees. It should be said, though, that the bishops of Durham were in a position to benefit from the vast property Balliol held within Northumberland and the see of Durham, should he fall out with King Henry. If Balliol had made any serious mistakes with the King, he could have been disinherited, and the bishops — as prince bishops of the land — could have claimed his lands through forfeiture. Clearly, that would have been a motive for the bishops to antagonize John Balliol or his men.<sup>83</sup> It is true, as well, that Balliol would probably have acted in the same manner had it been a secular landowner and not a powerful bishop.

Yet, the relationship between the Balliol patriarch and the bishops of Durham clearly points out this man's strong, persistent character, as well as his power; anyone else struggling with bishops for nearly thirty years would surely have been disinherited and severely fined. Because Balliol was able to hold his own against the successive bishops *and* King Henry III, one can understand the influence which Balliol enjoyed in the English government. Even so, Balliol College may have been more than the bishops of Durham had intended. Indeed, the foundation gave both John and Dervorguilla pride and respect. It was Bishop Walter's intention that John Balliol should endow the poor students with stipends and lodgings, but he may not have anticipated that this endowment would eventually become a complete foundation of a reputable college. However, that was mostly the work of Dervorguilla, who was the true organizer for the foundation and the college's endowments. Whereas Balliol did his 'penance' in helping the students in need, Dervorguilla was the one who decided to do more for them. John maintained his promise until the end of his life, but his wife made certain that his promise would be fulfilled in the future.

On a more negative side, the Durham dispute may have had a direct connection with Balliol's political career, especially in Scotland. It certainly tainted his image as a co-guardian of the young King and Queen of Scots — as well as keeping him absent from Scotland at a time when the overall influence of the guardians was already being diminished. His constant, almost rebellious, attitude could have drawn more attention to himself, undoubtedly bringing Henry's toleration of his behaviour to an abrupt end in 1255. At this stage in his political career, he certainly overestimated his influence and power, taking for granted his real role and objective as a loyal baron of Henry III. Regardless, two years later, in 1257, Balliol was able to buy his way back into royal favour by paying an impressive £500. Paris claimed that Balliol 'cautiously made peace with the king by supplying him in his necessity with money, of which he

<sup>82</sup> DCM, Cart. I, fol. 92a.; 3.13 Pont. 2d; Cart. II, fol. 94r. The grant is printed in *Feodarium Prioratus Dunelmensis*, ed. W. Greenwell, Surtees Society (1872), LVIII, 182, dated 1 Jan. 1260. Incidentally, John Balliol is the first witness on the document.

<sup>83</sup> This seems to be the case with John (II), because with his 'rebellion' in 1296, Bishop Bek gained the Balliol barony of Gainford and Barnard Castle by confiscating them as forfeiture of war (Fraser, *Speculum*, xxxi, 334).



possessed abundance'.<sup>84</sup> Balliol was quick to repay some of this fine and the King, satisfied that his vassal had appeased him so quickly, cancelled the remainder.<sup>85</sup> Later, Balliol was even granted the honour of escorting the King and pregnant Queen of Scotland to Henry some years later, proving that he had won back the King's confidence.<sup>86</sup> However, the increase in the power of Simon de Montfort and his supporters, which would later result in the Barons' War (1258–65) undoubtedly explains why Henry received Balliol back into his favour. Balliol had the wealth, ambition, and influence to assist King Henry, especially in the North, which gave him a vital role to play in the coming years.

<sup>84</sup> *Chron. Maj.*, v (1880), 507.

<sup>85</sup> *CPR*, 1247–58, p. 575 (12 Aug. 1257); *CDS*, i, no. 2091 (12 Aug.), 2092 (14 Aug.). Here he paid £100 into the Wardrobe, and would pay the remainder later. According to *CPR*, 1247–58, p. 620, and *CDS*, i, no. 2111 (both 15 Mar. 1258), he had paid 550 marks into the Wardrobe (£100 mentioned previously, and another 400 marks 'the next Friday'). This equalled only £366 of the original £500, and the remainder was cancelled.

<sup>86</sup> The Earl of Winchester and John Balliol were commanded by Henry III 'to conduct the King and Queen of Scotland in person to come 'personally' with the messengers (*CPR*, 1258–66, p. 90; *CDS*, i, no. 2198, dated 17 Aug. 1260). Balliol also swore with other barons that he would keep the King's promises concerning Queen Margaret.

# ONE FUNERAL AND A WEDDING

## *The Neglected History of Scotland's Forgotten Kings*

Amanda Beam

**J**ohn Balliol and his son Edward, although they were both Kings of Scots, have been rather neglected throughout the last seven centuries. King John ruled with very little freedom of his own to make a name for himself as his predecessors, Alexander II and Alexander III, had done; and Edward Balliol seemed to have only followed his father's example. However, they were not entirely neglected by previous historians, who were rather bewildered by two questions in particular: Where was John Balliol buried, and did Edward Balliol ever marry? These two questions were debated heavily between the 18<sup>th</sup> and 20<sup>th</sup> centuries, yet only one seems to have been answered sufficiently — the controversy surrounding John Balliol's death.

death. He appointed John Soulis as Guardian, who issued acts in Balliol's name; and King John's own documents, from his residence in France, were issued with the title, *roi d'Ecosse*. So it seems bizarre that the last years of his life should be so neglected. However, the story surrounding the death of John Balliol is one that French authors have debated for centuries, and apparently they continue so to do.

### **Where was John Balliol Buried?**

Balliol remained on his French estates, presumably in Picardy, after his release from papal custody in October 1301. René de Belleval claims that Balliol had his residence

Bailleul-Neuville, a very peaceful and quiet town. This region of France is mostly rural, even the main road did not have much traffic, except for the frequent tractor driving past as I walked to Bailleul-Neuville. Venturing off the main road, I made my way down the one-lane, half-paved road to the *centre bourg*. The area seems so remote and separated from everything else, one can even hear the sound of a nearby stream, graced with the name of 'River' Eaulne. Located in the main area of the town is a one-room schoolhouse, a small *mairie* (the mayor, Madame Guyant, lives with her family in the adjoining house), and the church. As in many communities in Northern France, there is a monument dedicated to those who died in World War II in the

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After John's reign of less than four years (November 1292- July 1296), he was taken south as a captive of Edward I and afterwards released into the custody of the pope and the king of France. Although he attempted to regain his throne with French support, he failed. Yet, despite Robert the Bruce's usurpation in 1306 and subsequent success in having the Bruce claim to the throne legally recognised by parliament in 1309, Balliol still held his title of 'King of Scots' until his death in late 1314.

Little is known of John Balliol after he was released from papal custody in 1301 to live on his French lands; apparently, his life seemed insignificant. However, he still managed to retain some recognition as King of Scots for a while until his

in Ponthieu, and stayed alternatively in the three ancestral châteaux of Bailleul-en-Vimeu, Hélicourt, and Dompierre — although, as Belleval states, he preferred Hélicourt because it was larger. Most historians have accepted the assumption that Balliol died and was buried in Picardy, where he possessed his family estates. However, it is also argued that when Balliol died, the former King of Scots was buried, allegedly, in a small church in the town of Bailleul-Neuville located not in Picardy but in Normandy, less than 15 miles from Picardy.

I recently decided to investigate this controversy and travelled to Normandy to find out for myself what was actually hidden there. Located about two miles from Londinières, in Seine-Maritime, is the village of

small, neatly polished graveyard positioned next to the church. A man building a new footpath to the church informed me that it was locked and perhaps the mayor would have the key. The mayor knew about the alleged grave of the King of Scots, although she seemed rather nonchalant, as if it were common knowledge. Yet, she did not have the key and sent me across the road to the schoolteacher, who remembered who had it. After about fifteen minutes, the woman who had the key was found and she gladly opened the door for me.

The church is dedicated to Saint-Waast, a saint who lived in the 6<sup>th</sup> century. The present building is of Romanesque construction dating from the 11<sup>th</sup> century, revised and remodelled several times in the 12<sup>th</sup>





**John Balliol surrendering the crown of  
Scotland in 1296 to Edward I. (Hulton Getty)**





John Balliol and Edward I from the mural frieze at the Scottish National Portrait Gallery.

and 14<sup>th</sup> centuries. Judging from its structure, it appears that it is now smaller than it was originally, and has had continual repairs. This charming church is very attractive inside, with a statue of St Genevieve and one of St Waast, an enamelled tile of an ancient manor house in Bailleul, beautiful chandeliers and stained-glass windows, and a curious tombstone. One stained-glass window depicts St Andrew, the patron saint of Scotland and on whose feast day John Balliol was made king in 1292. There are other French churches (even some English) dedicated to Saint Waast, but this one in Bailleul-Neuville claims — by long tradition, and supported by some French sources — to hold the remains of King John and his wife, Isabelle de Warenne, daughter of John de Warenne, earl of Surrey. During the 18<sup>th</sup> and 19<sup>th</sup> centuries, many French authors debated whether this tomb of 'Jean de Bailleul' was, in fact that of King John Balliol.

### Tomb of 'Jean de Bailleul'

Today, all that exists of the tomb of 'Jean de Bailleul,' though, is the graveslab which probably covered the tomb. It is now embedded in the south wall of the nave, and could be easily overlooked when entering the church. A small plaque placed near the grave attributes it to Jean de Bailleul and (incorrectly) to Marguerite of England, his wife. Originally situated in the middle of the choir (probably flush with the floor because of the amount of wear on its surface), it was relocated to the north side of the church in 1721. However, it was moved back to the choir in 1808, and finally, around 1850, the stone was embedded in the south wall. The gravestone is of black schist, with an inlay of alabaster or white marble, and shows the effigies of a man and a woman. The face and body of the man is severely rubbed away, but that of his wife is better preserved, although the details of the clothing are almost impossible to distinguish. Her head is almost veiled, and is the only thing clearly visible on the stone today. One French author recorded during the 19<sup>th</sup> Century that her hands were joined in prayer at her breast, and on her dress, there was a badge that appeared to be the Cross of St Andrew. Today, there is a shield beside the wife's head, possibly representing her family arms, but the middle of the shield seems to have been rubbed away or destroyed by other means to the point that no markings are noticeable. In the late 19<sup>th</sup> century the engraving was only partly legible and there is the possibility that the interpreters made some errors in their decoding.

### Engraved inscriptions

Below is the deciphered engraved inscription from about 1820 (in French and English):

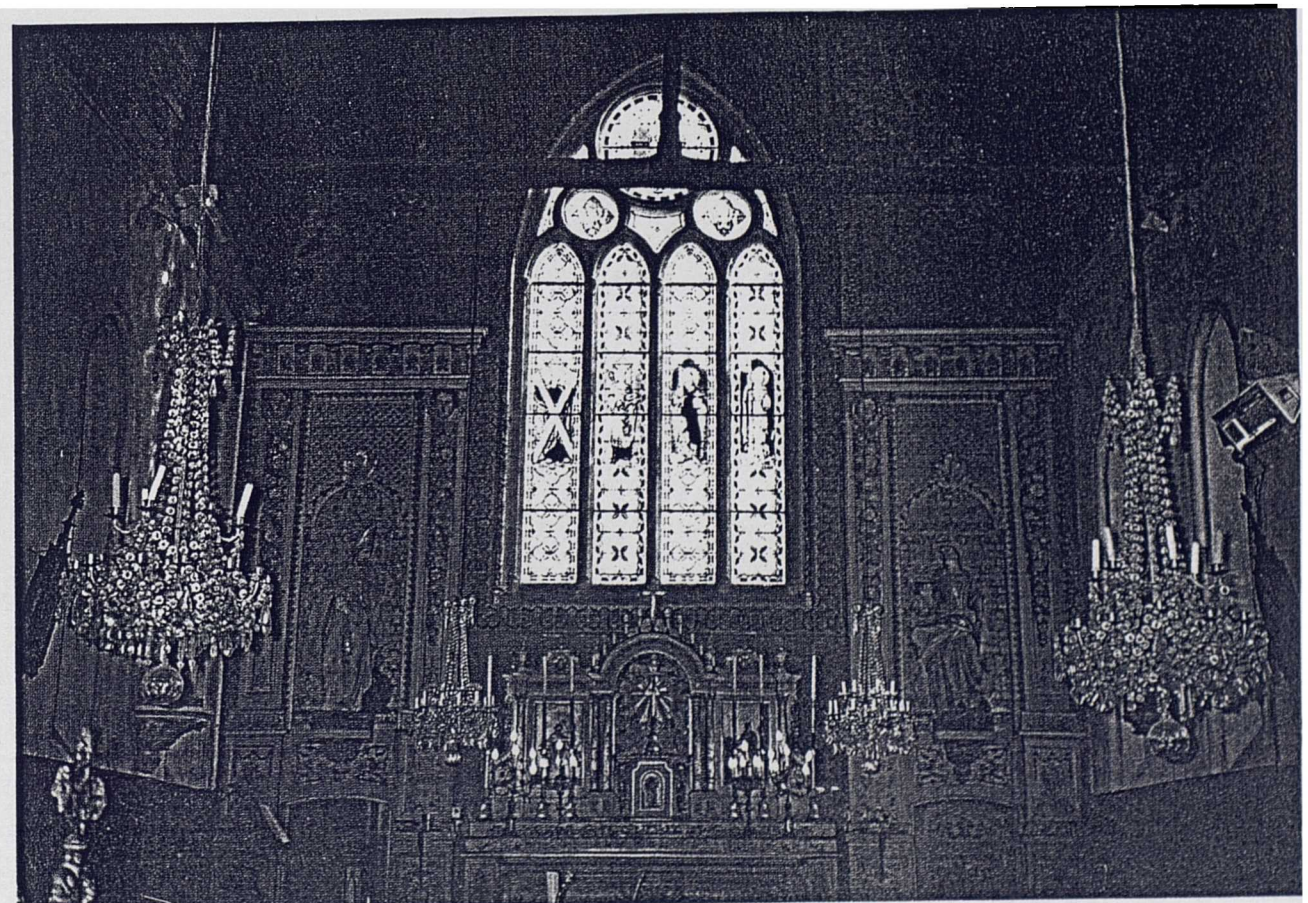
"CI-GIST MONSEINGNEVR IOHAN IADIS SEINGNEVR DE BAILEVL... (ici six mots effacés)... QVI TRESPASSA L'AN DE GRACE MIL. CCCXXI. (or XXIX) SAMEDI X. IOVR AVRIL PRIES POVR AME DE LVY. + CI-GIST MADAME IOHAN... OVLT (ou EVL)... SEVR DV ROY EDEVAER IADIS FAME MONSE-



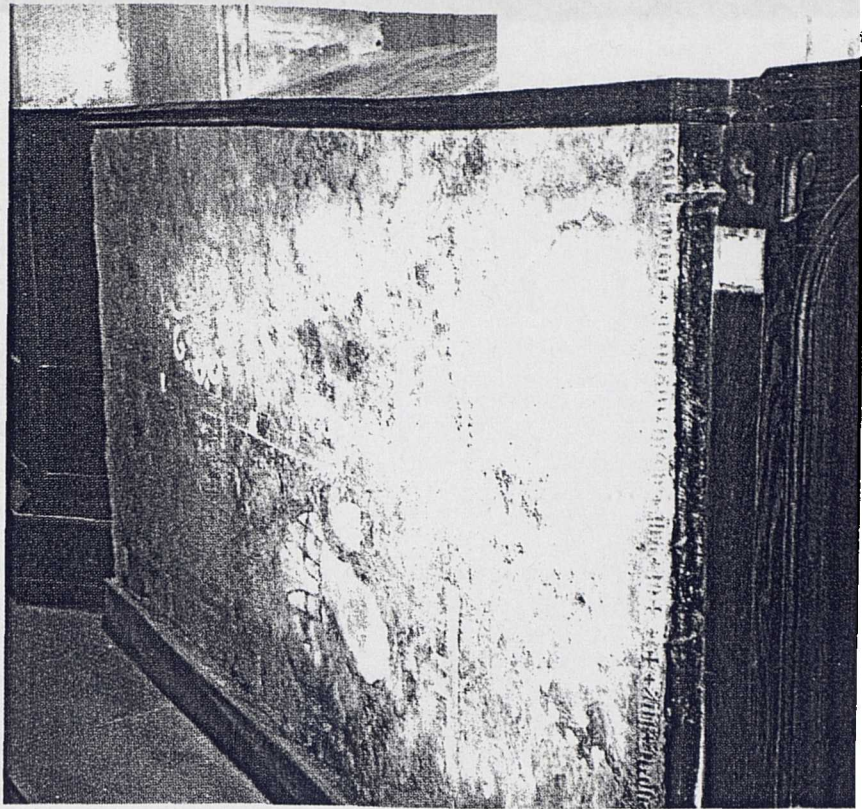


**Church of St Waast.**

**Interior of Church. St Waast on left and St Genevieve on right of stained glass. St Andrew on far left of window.**





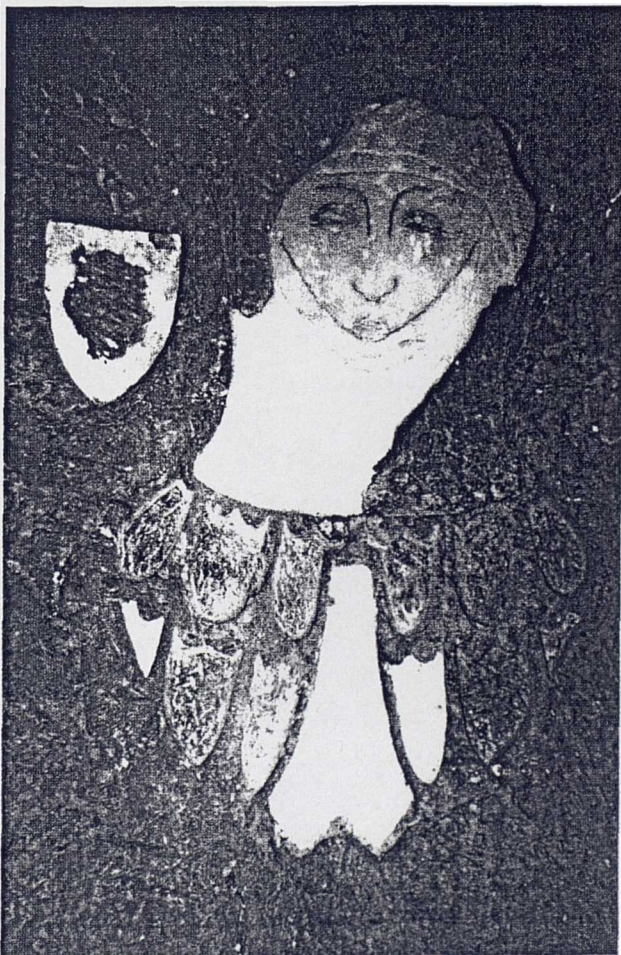


(above) Tomb stone of 'Jean de Balleul' and wife.

(below left)

Face of wife on tomb with family arms on left (defaced)

(below right) Inscription from the tomb



SEUR + DIEU + EDWARD

INGNEVR IOHAN DE  
BAILEVL QVI TRESPASSA  
L'AN DE GRACE MIL. CCC.  
ET III. LE IIe IOVR DEVANT  
LA CHANDELEVR. PRIES  
POVR LVY."

"Here lies Monseigneur Johan one time Lord of Bailleul... (six words missing)...who died the year of Grace One Thousand Three Hundred Twenty-One (or Twenty-Nine). Saturday 10 April. Pray for his soul. Here lies Madam Johan.....-ouit (or eul)...sister of the King Edward long ago wife of Monseigneur Johan of Bailleul who died the year of Grace One Thousand Three Hundred and Three the second day before Candelmas [31 January]. Pray for her."

Despite the inscription's vagueness, various scholars agreed that this Jean de Bailleul was really King John Balliol. Yet, in 1878, the Viscount d'Estaintot revealed that he had found, at the Library of Rouen, different sheets of manuscripts (the Bigot manuscripts) coming from a *charrier* of the Masquerels, who became lords of Bailleul and barons of Bosc-Geffroy. In their papers was, reportedly, the full original text of the inscription, as follows:

"CY GIST MONSEIGNEUR  
JEAN, JADIS SEIGNEUR DE  
BAILLEUL (LE PREUD-  
HOMME QUI A FAICT  
BASTIR CESTE ESGLISE)  
QUI TRESPASSA, L'AN DE  
GRACE 1316, LE SAMEDI  
15 AVRIL. PRIEZ (DIEU)  
POUR L'AME DE LUY + CY  
GIST MADAME JEANE (DE  
HARCOURT) SEUR DU  
BON CHEVALIER, FEMME  
DE MONSEIGNEUR JEAN  
SEIGNEUR DE BAILLEUL  
QUI TRESPASSA L'AN DE  
GRACE MIL CCC ET III LE  
IIe JOUR DEVANT LA  
CHANDELEUR."

"Here lies Monseigneur Jean, one time lord of Bailleul (the *preudhomme* who had built this church) who died, the year of grace 1316, Saturday 15 April. Pray for his soul. + Here lies Madame Jeane (of Harcourt) sister of the good knight, wife of Monseigneur Jean lord of Bailleul who died the year



of grace one thousand three hundred and three the second day before Candlemas.”

This second inscription implies that the surname of the wife was d’Harcourt and not de Bailleul, and it also seems as though the previous inscription only contained the illusion of some royalty, since instead of “soeur du roi Edouard,” it must have read “soeur du bon chevalier.” Many believed that because of the mention of King Edward (I of England), this grave was one of great importance internationally as well as in France. Yet d’Estaintot’s interpretation clearly rules out the tomb as being that of King John.

Regardless of this, though, the controversy continued. After d’Estaintot made his interpretation of the inscription, he went to the church in Bailleul to verify its state, in order to understand the errors possibly made by Mathon. According to d’Estaintot, the *c* was taken for an *e*, the *h* for a *d*, and the syllable *li* transformed into the vowel *u*. D’Estaintot affirmed that there should be no doubt; and “if one reads the words *Roy Edeuauer* in the print from 1866, it is because the contours of the letters were afterwards modified involuntarily, and later accepted as accurate.” In addition to this misinterpretation in the inscription, there are some differences between Jean/Johan and Baileul/ Bailleul, as well as the last line of the first decoding—*PRIES POVR LVY*—which does not appear in the second.

Nonetheless, because the gravestone is now embedded in the wall, it is very difficult to determine the exact inscription — in fact, it is virtually impossible. There are only the upper and lower sides visible enough to see the inscription; the sides are covered with cement and wood in the wall — inconveniently blocking out the important words. All that is legible is:

CI-GIST MONSEIGNEUR  
 JOHAN JADIS.....  
 PRIES POUR L'AME DE  
 LUY..... CI-GIST  
 MADAME JOHAN..... LA  
 CHANDELEUR PRIES  
 POUR LUY.

There is yet another problem with the inscription, because there are at



(above) Unknown tomb, which might belong to Pierre de Bailleul with red enamelled tile. (below) the red enamelled shield matches the shield on the tomb stone of ‘Jean de Bailleul’ and wife.

least two men named “Jean de Bailleul” for this period. According to Michel Coffin, author of *Promenade Géographique, Historique, et Touristique en Pays de Bray* (1977), there is one suggestion that could be the solution to the debate. The tomb may belong to a certain “Jean de Bailleul, chamberlain of King Philippe IV le Bel, and his wife, who was the sister of Jean II, lord of Harcourt, marshal and admiral of France; she died in 1302.” D’Estaintot argued firstly that it is this Jean de Bailleul, lord of Bailleul-sur-Eaulne, baron Escotigny and Bosc-Geffroy who “built the church dedicated to him where his tomb of marble ele-

vated three feet and a half is in the choir. He died Saturday 15 April 1316. He married in 1287 Jeanne daughter of the lord of Harcourt, who died the second day before Candlemas 1303. She is here with her husband and their effigies with their [coats of] arms are also there.”

René de Belleval also argues that the gravestone does not belong to King John Balliol, and gives convincing reasons for why not. Firstly, the church is not located in any of Balliol’s lordships in Picardy and as of 4 March 1314, Balliol was still styling himself ‘King of Scotland and Lord of Bailleul-en-Vimeu,’ so his possessions in Picardy had not



changed. If Balliol still used the title of king, it would be assumed that his gravestone would have the same titles. Secondly, as mentioned above, John had his residence in Ponthieu and at his ancestral estates, not in Normandy or in the lordship of Bailleul-sur-Eaulne. Thirdly, Balliol passed various acts within the municipality of Abbeville and with the Abbot Séry, at Ponthieu, therefore it was “incontestable” that he must have lived there, so why would he choose to be buried in another lordship (which did not apparently belong to him), in another region, where he possessed nothing? Belleval lastly mentions that when a baron or a noblewoman chose to have a burial place inside a church, it was bought by donations, and thus Belleval asks where are the acts passed by John or his son Edward for this?

Interestingly, located in the sacristy at the back of the church is an unidentified effigy, positioned awkwardly between two cabinets, in a recessed wall. Directly above the effigy, there is an enamelled tile of an ancient manor house of Bailleul (from the 13<sup>th</sup> or 14<sup>th</sup> centuries). This could be identified with a number of Bailleul families from this period; as Belleval mentions, there were nineteen different families of that name in Northern France at this time. Judging by the condition, this effigy probably dates later than the gravestone in the church. It is, however, a definite indication that the church had an important connection with a Bailleul family.

One can completely rule out the tomb as being that of King John Balliol, although it was much debated in the previous centuries. The evidence supporting it seems to be more of mere local tradition, and not concrete facts and documents. The evidence against it, however, seems more persuasive. It is very interesting, in spite of the controversy, because whether or not this information is accurate, it definitely opens up the legend of the king of Scotland. It is apparent from this mystery that John



Edward Balliol from the mural frieze by William Hole at the Scottish National Portrait Gallery

Balliol was the centre of historical debate in France, long after Scottish historians had forgotten about him.

#### Edward Balliol

Edward Balliol's marital status, unlike the question of his father's burial, is

something that has not yet been solved (insofar as we can say that John was *not* buried in Bailleul-Neuville). Edward Balliol has also become a forgotten character in Scottish history, just like his father, possibly even more so. After John's death, Edward became more of a presence in English government and was involved with the French and, possibly, the Italian monarchies. His early connections with the French came from the Franco-Scottish treaty of 1295, in which Edward was to marry Jeanne de Valois, niece of King Philip IV of France. This treaty sealed the defensive/offensive alliance between France and Scotland and in the long term, gave the Balliol dynasty a greater chance of surviving after King John. However, the defeat and exile of the Balliols in 1296 dissolved the future marriage contract between Edward Balliol and Jeanne de Valois. Edward is traditionally reported as having never married and the dynasty ended with him in 1364.

#### Reference in *The Decameron*

Yet, because Balliol's arranged marriage with Jeanne de Valois did not occur it does not mean that he never married at all. It seems to be a possibility—and almost accepted fact in earlier sources—that Edward did in fact marry an Italian noblewoman, only to annul the marriage shortly afterwards when he returned to Scotland to claim the throne in 1332. A footnote in the 1995 edition of Giovanni Boccaccio's *The Decameron*, refers to “the marriage of a later Scottish king, Edward de Balliol, to a niece of King Robert of Naples around 1331.” Around 1329, Boccaccio was moving in Angevin courtly

circles in Naples and it would be possible for him to know of this marriage. Although Boccaccio wrote fictional stories and this point is by the editor, G. H. McWilliam, it has opened a new door into the life of Edward Balliol. In various secondary sources, Edward is listed as a spouse to



Margherita of Taranto (born about 1294), daughter of Philip, Prince of Taranto who was the son of King Charles II of Naples, nicknamed 'the Lame.' Philip was a younger son, the elder being Robert, later King of Naples. Most interesting is the next bit of information. Philip also had a sister, Margaret, Princess of Sicily, who in 1290 married Charles, Count of Valois, brother of King Philippe IV of France. They had at least two children: a son, who later became King Philippe VI, and a daughter Jeanne. This is the same Jeanne de Valois to whom Edward Balliol was betrothed according to the Treaty of 1295. Therefore, Margherita and Jeanne were first cousins!

Nonetheless, if the marriage did occur, it did not endure very long, which could be why it is never mentioned, because about the same time (c.1330-31), Edward Balliol was preparing to return to Scotland to claim the throne, which probably led to the annulment of his marriage, shortly afterwards. (It is also implied, though, that Balliol married after he resigned the throne in 1356.) There was also a plan, with papal influence, which called for the divorce of David Bruce and Joan (sister of Edward III); Edward Balliol was then to marry Joan conveniently in time to invade Scotland and claim the throne. This plan supports the theory that Balliol annulled his marriage to Margherita

king as his father was, the only difference being that Balliol chose this status. Fordun claims, "He gave away nothing from himself, in as much as he had no right, from the very first; and, if haply he had had any, he then resigned it into another's hands."

It is clear that the Balliols held considerable power and wealth throughout Europe, and with their ties to European royal houses, one would suspect that they would have had more success than they did, instead of two failed kingships. They lost everything and because of the ensuing pro-Bruce propaganda, their reputations were blackened. Since then, their name has become almost synonymous with weakness and fail-

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This raises a huge question concerning the position of Edward and his situation at that time. He was attempting to seize the Scottish throne and if things were to go his way, he would need a suitable bride. It is perhaps because Jeanne was already married to William of Hainault that Edward was offered another noblewoman for his wife. It is interesting that he would choose another European dynasty—an Italian family closely related to the treaty's original French desires. It might be somewhat possible that Jeanne's brother, who now reigned as Philippe VI, had chosen his cousin, Margherita, as suitable for Edward. Yet, at this time, tensions were high between England, Scotland, and France. Philippe VI supported David Bruce, who was the son and successor to Robert the Bruce, whereas Edward III, although not committed to Edward Balliol, considered himself Balliol's liege lord. Philippe also mistrusted Edward III because Edward had tried to claim the French throne through right of his mother, Isabelle, daughter of Philippe IV. Therefore, it could be that Edward III had arranged this marriage, because, interestingly enough, Edward III was married to Philippa, a daughter of Jeanne de Valois and her husband, William of Hainault.

soon before invading Scotland. As for Margherita, she later married Francisco II del Balzo, Duke of Andria.

Edward appears to have been influential enough in his position to allegedly secure a marriage to an Italian noblewoman. Yet like his father, he was unable to hold his power long enough to secure the legacy of the Balliol dynasty. Regardless of his marital status, Edward Balliol still failed to produce an heir and when he died in 1364, the dynasty also died. His only brother, Henry, had died in December 1332 at Annan, fighting for the Balliol cause. Edward had spent half of his life in exile and the other half trying desperately to gain a kingdom that once had belonged to his father. Balliol's kingship consisted of much financial and military support from the English crown, and he proved to be just as much a vassal

ure. However, John and Edward Balliol ruled to the best of their abilities, both pressured with difficult demands by rigid English kings. One cannot overlook their achievements in English and European relations, as well as their impact on medieval politics, which certainly deserves to be further investigated and re-evaluated.

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