

SCOTTISH GOVERNMENT

Government in Scotland was very different from today's government. Throughout the medieval period, there was no **Parliament** building because the people who governed the kingdom moved around a lot, conducting business all over the country.

From the early 12th century, government changed dramatically in Scotland. It focused more and more on the **king's authority**, but it also became a more organised system involving a larger number of people with more responsibilities. Here is a picture of what Scottish government looked like by the end of the 13th century.

The King

The government was made up of various people with different jobs to do, but at the top of everything was the king. Nearly everything that happened in the kingdom had to be authorised by him, usually through documents called **charters** with his **seal** dangling from the bottom. The king also held **assemblies** all over the country where all the major people of the kingdom would gather and he would decide laws and judge court cases.

However, medieval government was not all about the king ruling over his subjects as he pleased. The people in his kingdom recognised his authority and used it to their own benefit. We can see this very clearly in the charters, which people actually sought from the king for themselves. These charters were a record of any business that you had with the king. People would keep these charters safe so that they could use them as proof against anyone who challenged them or their rights in the future. The fact that the king had issued these documents made them a very powerful tool to have.

Royal Household

The king would travel around his country, conducting business as he went. The group of people who travelled around with him were called his **household**. This was made up of various officers with different roles.

The **chancellor** was in charge of the scribes who wrote documents for the king.

The **chamberlain** was the person in charge of the king's money, what he received from his kingdom and what he spent.

The **steward** was the person who managed the king's household servants.

Nobles

Certain families in Scotland had a very high status. These families were called the **nobility**. You could not choose to be a **noble**; you had to be born into a noble family or, if you were very lucky, be made noble by the king.

Nobles had large amounts of land which would be passed down through inheritance to their first-born sons. The people who lived on the land provided their noble lord with military service, food from the land, service in their household and money from rent.

The highest group of nobles were the **earls**, who had large areas of land called **earldoms**. Examples of important earls are the earl of Angus, Atholl, Buchan, Caithness, Carrick, Fife, Lennox, Mar, Menteith, Moray, Ross and Strathearn.

Others of a high status were **lords** of a province. They were very similar to earls as they had large areas of land. Examples are the Lord of Argyll, Lord of Galloway, Lord of Annandale and Lord of Badenoch.

Below earls and lords were **barons**, men who had smaller areas of land than those above them.

Because these titles were **hereditary**, certain families became very powerful in the kingdom as they held lots of land within their close family. Examples of powerful families in medieval Scotland are Stewart, Comyn, Bruce, Balliol and Durward. After the War of Independence some families became especially prominent, such as Campbell and Douglas.

Earls and barons helped in the government of the kingdom, but they also had to run their own lands. The king helped them do this by allowing them lots of rights over their **tenants** (the people who lived on their lands), such as maintaining the law in their own **courts**, collecting money as **rent** and ordering **military service**.

The Church

The highest-ranking leaders of the church (**bishops** and **abbots** – a class known as **prelates**) were also involved in the government of the kingdom. They would often be given responsibilities in the king's household, such as the chancellor. Bishops and abbots also had to attend the king's assemblies when he was making laws and judging court cases.

Like the nobility, churchmen also held lots of land in the kingdom. This meant that they too had rights over their tenants just like the nobility.

Law

It was also the king's responsibility to make sure that order was maintained in his kingdom through the laws that he established. He appointed officials to help him with this task. The main judges in the kingdom were officers called **justiciars**. These men would travel around the country and hear cases that people brought before them, usually for very serious crimes such as murder and theft.

Under the justiciars were the **sheriffs**. The whole kingdom was divided up into different areas called **sheriffdoms**, each with one sheriff appointed to it. Sheriffdoms are similar to Scotland's local council areas today. Examples of old sheriffdoms are Perth, Fife, Clackmannan, Lothian, and Moray. The sheriffs would hear cases from their own sheriffdoms, conduct investigations and report back to the king or justiciars.

The Guardians

The Guardians of Scotland were people who took over the government of the kingdom after the unexpected death of King Alexander III in 1286. Forty days after his death, **seven Guardians** were elected to govern until Alexander's young heir (his granddaughter, Margaret the Maid of Norway) had been brought over from Norway and was old enough to rule the kingdom. They were to run the day-to-day business of Scotland in the name of the young queen.

Seven 'Guardians of the realm of Scotland' were chosen carefully from the respected men of the kingdom. They were:

1. William Fraser, bishop of St Andrews
2. Robert Wishart, bishop of Glasgow
3. William, bishop of Dunkeld
4. Duncan, earl of Fife
5. Alexander Comyn, earl of Buchan
6. John Comyn, lord of Badenoch
7. James Stewart, steward of Scotland

Having a group of Guardians was very important: it meant there was not one person ruling the kingdom by themselves - only a king could do that.

These Scottish Guardians had their own **wax seal** for writing and authenticating important documents. The seal had an image of St Andrew (the patron saint of Scotland) on one side

and a shield of the royal Scottish arms (the lion rampant) on the other.

Throughout the War with England, until Robert the Bruce was crowned king in 1306, the title of Guardian was taken on by a number of different men:

1286: seven Guardians elected. One died shortly afterwards, and two more died in 1289. They were not replaced.

1292: a baron called **Brian fitz Alan** was made a Guardian by Edward I. Edward by then was acknowledged as overlord of Scotland.

1298: **William Wallace** became a Guardian. Wallace was then replaced by **Robert the Bruce** (the future king, but at that time earl of Carrick) and **John Comyn** (son of the original Guardian John Comyn, lord of Badenoch.)

1299: **William Lamberton** (the new bishop of St Andrews) became principal Guardian along with Bruce and Comyn.

1300: **Ingram de Umfraville** replaced Bruce as Guardian.

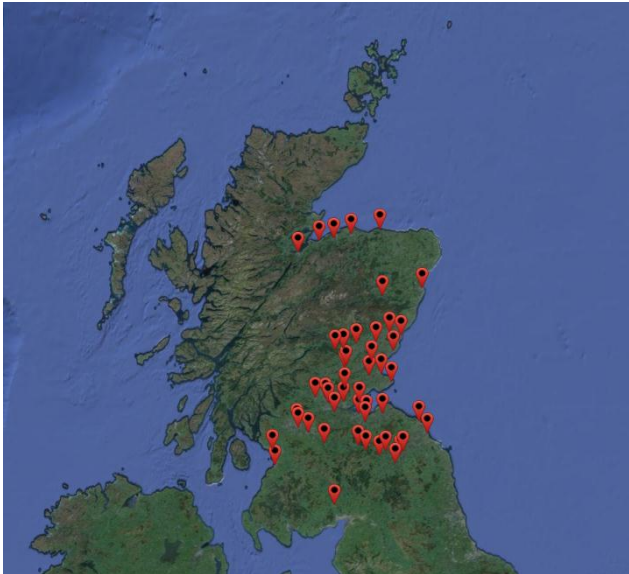
1301: **John de Soules** was appointed as Guardian.

1302: **John Comyn** led the government in the name of the absent King John Balliol from autumn 1302 until the general surrender to Edward I on 9 February 1304.

Below are some sources which show you different people ruling Scotland around the War of Independence.

Here is a list and map of places where the king had a charter written in this period. The number shows how many charters are known to have been written for the king when he was there. They show how much the king moved around to conduct his business, making himself visible among his people instead of ruling from one place.

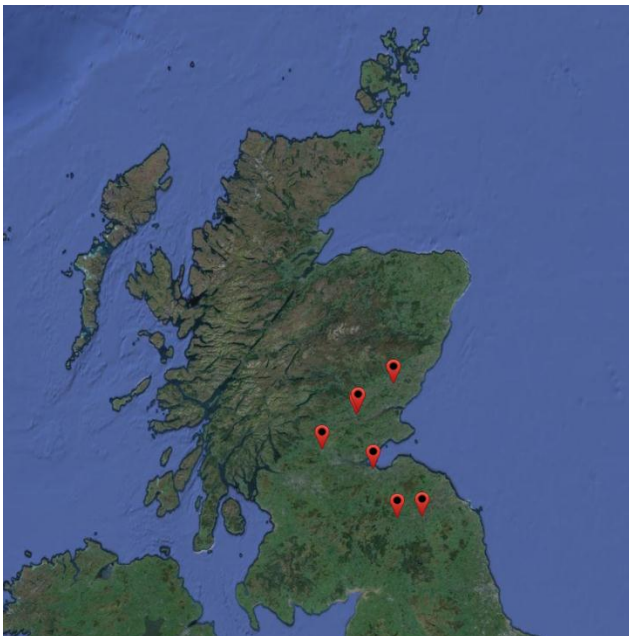
Aberdeen: 12	Dunfermline: 32	Linlithgow: 17
Aboyne: 3	Dunkeld: 1	Melrose: 7
Alyth: 10	Edinburgh: 139	Montrose: 21
Arbroath: 4	Elgin: 17	Musselburgh: 3
Ayr 7:	Forfar: 73	Nairn: 1
Berwick: 22	Forres: 4	Newbattle: 11
Brechin: 2	Glasgow: 2	Peebles: 8
Hamilton: 10	Haddington: 28	Perth: 73
Clackmannan: 19	Inverness: 3	Roxburgh: 56
Clunie (Stormont): 14	Irvine: 2	Rutherglen: 1
Coldingham: 6	Jedburgh: 27	Scone: 53
Crail: 8	Kelso: 7	Selkirk: 53
Cullen: 4	Kincardine: 11	St Andrews: 18
Cupar (Fife): 5	Kinghorn: 25	Stirling: 104
Dumfries: 4	Kinross: 18	Traquair: 32
Dundee: 7	Lanark: 19	



Map 1: Places where the king had a charter written between 1093 and 1314

The first thing to notice about this map is that it shows where people tended to settle: not in the mountains of central Scotland but on the flatter land of the coasts and in the central belt.

Secondly, clusters of activity show where there were lots of important things happening: most of these places were, in fact, burgh towns or places where a monastery was.



Map 2: Places with the highest number of charters

Edinburgh: 139
 Stirling: 104
 Perth: 73
 Forfar: 73
 Roxburgh: 56
 Scone: 53
 Selkirk: 53

BEFORE THE GUARDIANS

Scone: 5 February 1284

All of the major barons of the kingdom decide that Margaret, the Maid of Norway, granddaughter of Alexander III, should be heir to the throne of Scotland if the king should die.

Alexander Comyn, earl of Buchan, Justiciar of Scotia, Patrick, earl of Dunbar, Malise, earl of Strathearn, Malcolm, earl of Lennox, Robert Bruce, earl of Carrick [father of King Robert the Bruce], Donald, earl of Mar, Gilbert de Umfraville, earl of Angus, Walter Stewart, earl of Menteith, William, earl of Ross, William, earl of Sutherland, Magnus, earl of Orkney, Duncan, earl of Fife, John, earl of Atholl, Robert Bruce the father [grandfather of King Robert the Bruce], James, Steward of Scotland, John de Balliol, John Comyn, William de Soules, then justiciar of Lothian, Ingram de Guines,

William of Moray, the son, Walter of Moray, knights, Alexander de Balliol, Reginald le Chen the father, William de St Clare, Richard Siward, William of Brechin, Nicholas de la Haye, Henry of Graham, Ingram de Balliol, Alan son of the earl, Reginald le Chen the son, John of Lindsey, Patrick of Graham, Herbert of Maxwell, Simon Fraser, Alexander of Argyll, Angus son of Donald, and Alan son of Ruairidh.

We, the barons of the kingdom of Scotland, acknowledge Margaret, daughter of the daughter of our lord the king, Margaret, of good memory, late Queen of Norway by marriage to Eric, king of Norway, as the legitimate heir to the kingdom of Scotland and the Isle of Man and of all the other islands pertaining to the kingdom, in the event of King Alexander III's death.

THE SCOTTISH GUARDIANS

1. Government within Scotland

Scone: 28 April 1286

Parliament is held (40 days after Alexander III's death on 19 March) at which seven Guardians are elected (the bishop of Dunkeld dies within five months, leaving six Guardians). An embassy is sent to Edward I. Yolande, Alexander III's widow, is expecting a baby, but the pregnancy is unsuccessful. (Account from the Schøyen chronicle.)

In the year of grace 1286, fifteen days after Easter [28 April], a parliament was held at Scone where greater and lesser men were gathered together ... [blank] ... seven Guardians of the same [kingdom were chosen], namely the bishops of St Andrews, Glasgow and Dunkeld; Duncan earl of Fife, Alexander earl of Buchan, John Comyn, and James the Steward of Scotland. In that parliament envoys are organised with the intention of crossing over to the king of England (the first Edward after the Conquest). The envoys, namely the bishop of Brechin, abbot of Jedburgh and Geoffrey Moubray, set off on their journey for Gascony via France, to beg the king of England for advice on the kingdom of Scotland and for protection. In the same year the envoys crossed over on St Donatus' Day [7 August], continuing quickly each day so that they allowed themselves not a single day's rest from Newcastle to St Jean de 'Evangelé' [i.e., St-Jean d'Angély], except for a day in London. Once they found King Edward at 'Sconas' [i.e., Saintes] and explained to him the reasons for their journey there, they returned to the leading men of Scotland and came to Clackmannan with the king of England's reply on the day of St Katherine the virgin [25 November]. On that day the Guardians were gathered together there. It was said at that time that Yolande was pregnant, and all the people were expecting her to give birth. When the birth failed, the king of England returned to England from the land of Gascony.

Edinburgh: 8 December 1287

The Guardians of Scotland write to the chamberlain (the person in charge of the government's money) ordering him to pay the wages of a knight, Ingram de Umfraville, as was usually done when there was a king.

William and Robert, bishops of St Andrews and Glasgow, Duncan, earl of Fife, Alexander Comyn, earl of Buchan, constable and justiciar of Scotia, John Comyn and James Stewart of Scotland, Guardians of the realm of Scotland by common council, to Alexander de Balliol, chamberlain of Scotland: greeting.

We command and instruct that you pay to Ingram de Umfraville, a knight, his fee that he was accustomed to receive in the time of our late king.

Edinburgh: 20 November 1288

The Guardians of Scotland write to the chamberlain (the person in charge of the government's money) ordering him to pay the expenses of the royal chapel (the body that wrote all of the king's documents).

William and Robert, bishops of St Andrews and Glasgow, Duncan, earl of Fife, Alexander Comyn, earl of Buchan, constable and justiciar of Scotia, John Comyn, and James Stewart of Scotland, Guardians of the realm of Scotland by common council, to Alexander de Balliol, chamberlain of Scotland: greeting.

We command you to pay the expenses of the royal chapel.

Scone: 12 March 1290

The Guardians of the Kingdom of Scotland write to the sheriff of Roxburgh, ordering him to make sure a knight called Richard Knout appears at their court in Edinburgh to answer charges against him.

William and Robert, bishops of St Andrews and Glasgow, John Comyn of Badenoch and James Stewart, Guardians of Scotland elected by the community of the kingdom, to their sworn-man William Soules, sheriff of Roxburgh, and his bailies: greeting.

We command you to summon Richard Knout, a knight, to appear before us at Edinburgh on the Monday before Mid-Lent, to answer to complaints that, contrary to the Customs of the March [the Borders], he had been seizing the goods of various persons in England who owed him money from contracts made in Scotland.

26 March 1305

Record of Bishop Robert and the Guardians' decision to hold a parliament to discuss the state of Scotland. (Edward had conquered Scotland in 1304).

Record of the advice by the bishop of Glasgow, the earl of Carrick and John de Moubray, about arrangements to be made for a parliament to consider the state of Scotland, with King Edward's decisions about the matter.

THE SCOTTISH GUARDIANS

2. Diplomacy with England, Norway and France

Salisbury (Southern England): 6 November 1289

Known as the 'Treaty of Salisbury', these are the agreements made between messengers of Edward I and the Guardians of Scotland. The treaty was confirmed at Birgham (in the Borders) in March the following year.

On the request of the King of Norway (Margaret the Maid's father), Edward I has sent two groups of people to Salisbury to discuss Margaret's future rule over Scotland. The group from Scotland are: the bishops of St Andrews and Glasgow, Robert Bruce lord of Annandale, and John Comyn. The group from England are: the bishops of Winchester and Durham, William de Valence earl of Pembroke, and John earl of Warenne. The two groups have come to this agreement:

Margaret should be sent from Norway to Scotland or England before 1 November 1290, to be looked after by Edward I. Edward will then send Margaret to Scotland once it is safe, on the condition that the Scots will seek his advice and the approval of her father over who she should marry. The

Scots should make sure the kingdom is safe for her arrival there. The men of Scotland should go to Roxburgh on 14 March 1290 to confirm this agreement.

When Eric, king of Norway, and Margaret, his daughter, lady queen, heiress of Scotland, had asked lord Edward, King of England, by messengers that he appoint, help and advise concerning how the queen, his niece, should rule and enjoy ruling as other kings do in their kingdoms; Edward, for the good and peace of Scotland, sent a letter to the Guardians of Scotland which said that they should send certain named persons to meet him. At Edward's request, they have sent the bishops of St Andrews and Glasgow, Sir Robert Bruce, lord of Annandale, and Sir John Comyn, who came to Salisbury at the last Michaelmas [29 September] .

Edward himself has also sent to Salisbury the bishops of Winchester and Durham and William de Valence, earl of Pembroke, and John, earl of Warenne, who came to negotiate between the king of Norway's messengers and his daughter and the Guardians of Scotland. After much discussion and great debate, they have agreed the following:

The lady Margaret shall come to England or Scotland before 1 November 1290, free of all contracts of marriage. The messengers of Norway have promised in good faith to see that this happens. The King of England has promised that if the lady comes free of all contracts of marriage, when the kingdom of Scotland is in good and secure peace he will be required by the good men of Scotland to send her to the kingdom of Scotland, also free of all contracts of marriage, just as he received her, under the condition that the good people of Scotland make sufficient promises to the king of England for receiving her from Norway and that they will not marry her without his order, desire and advice, nor without the approval of the king of Norway, her father.

Those from Scotland have promised in good faith that, before she comes to Scotland, they shall secure the land and guarantee that she can come safely into her kingdom, as the true lady, queen and heiress. And they shall make all the guarantees which the messengers of Norway say they are able to make.

Moreover, the parties agree that at mid-Lent [14 March 1290], the men of Scotland shall come to Roxburgh, and the men whom the king of England shall send, at the request of those of Scotland or Norway, shall be at Wark or Carham on the same day. On that day, those of Scotland have promised in good faith to confirm and do the said things, and also secure their promises, along with the other things which concern the putting right of the kingdom of Scotland, in the presence of those who the king of England has sent there at the said day and place, so they can see that these things are carried out in good form.

In testimony of this these things, the messengers of the king of Norway and the messengers of Scotland have attached their seals to this document which is written in three pieces: two are in French and to be kept by the king of England and the men of Scotland, and the third part has been translated into Latin to be kept by the messengers of Norway. And, at the request of the messengers of Norway and Scotland, the bishops of Winchester and Durham, and the earls of Pembroke and Warenne have also attached their seals.

Dated at Salisbury, in the year of the Lord 1289.

Birgham (Borders): Tuesday 14 March 1290

A confirmation of the Treaty of Salisbury (above, 6 November 1289).

The Guardians of Scotland, plus the major churchmen (bishops, abbots, priors) and earls and barons confirm the agreements made at Salisbury (Southern England) over Scotland's heir Margaret, which were made in front of Edward I.

William, bishop of St Andrews, and Robert, bishop of Glasgow, John Comyn and James Stewart of Scotland, Guardians of the realm of Scotland, Matthew, bishop of Dunkeld, Archibald, bishop of Moray, Henry, bishop of Aberdeen, William, bishop of Dunblane, Mark, bishop of Man and the Western Isles, Henry, bishop of Galloway, William, bishop of Brechin, Alan, bishop of Caithness, Robert, bishop of Ross, and Laurence, bishop of Argyll, Malise, earl of Strathearn, Patrick, earl of Dunbar, John Comyn, earl of Buchan, Donald, earl of Mar, Gilbert, earl of Angus, John, earl of Atholl, Walter, earl of Menteith, Robert, earl of Carrick, William, earl of Sutherland, John, earl of Caithness, the abbots of Kelso, Melrose, Dunfermline, Arbroath, Holyrood, Cambuskenneth, Coupar Angus, Dryburgh, Newbattle, Paisley, Jedburgh, Lindores, Balmerino, Glenluce, Kilwinning, Inchaffray, Culross, Dundrennan, Dercongal (Holywood), Kinloss, Deer, Iona and Tongland, the priors of St Andrews, Coldingham, Lesmahagow, Pluscarden, Beaulieu, Urquhart, Whithorn, Restenneth, May, Canonbie, and Blantyre, and the barons Robert Bruce, lord of Annandale, William Murray, William Soules, Alexander of Argyll, Alexander de Balliol of Cavers, Geoffrey de Moubray, Nicholas Graham, Nicholas Biggar, Ingram de Balliol, Richard Siward, Herbert Maxwell, David Marischal, Ingram de Guines, Thomas Randolph, William Comyn of Kirkintilloch, Simon Fraser, Reginald Cheyne, the father, Reginald Cheyne, the son, Andrew Murray, John Soules, Nicholas de Haya, William de Haya of Borthwick, Robert Cameron of Baledgarno, William Sinclair, Patrick Graham, John of Stirling of the Carse, John of Callander, John Melville, John Stewart, John of Glenesk, Alexander of Bunkle, Bertram of Cardoness, Donald MacCan, Magnus of Fothering, Robert the Fleming, William Murray of Drumsargard, David of Betun, William Douglas, Alexander Lindsay, Alexander of Menteith, Alexander Menzies, William Mowat, Thomas de Somerville, John of Inchmartin, John de Vaux, John Murray, Malcolm of Fendraught, and John of Garioch.

We make it known that we have confirmed those things negotiated and agreed at Salisbury concerning the settlement of the estate of our dear lady Margaret, queen and heiress of Scotland, and of her realm, in the presence of our lord Edward, king of England.

For greater security and stability, we have attached our seals.

Birgham (Borders): Friday 17 March 1290

The Guardians of Scotland write to Eric, king of Norway, to tell him that the Pope has granted an approval (a 'dispensation') over the marriage of his daughter Margaret, queen of Scotland, and Edward, the king of England's son.

William and Robert, bishops of St Andrews and Glasgow, John Comyn and James Stewart of Scotland, Guardians of the kingdom, and the community of the same kingdom, to lord Eric, king of Norway: greeting.

We note that the pope has granted a dispensation that the son and heir of the king of England may take your daughter, our lady, in marriage. We have agreed with this and request that you make arrangements for her to come to England with haste in order that she arrives by 1 November.

Birgham (Borders): Friday 17 March 1290

The Guardians of Scotland, plus the major churchmen (bishops, abbots, priors) and earls and barons write to Edward I telling him that the Pope has granted an approval ('dispensation') over the marriage of Margaret, queen of Scotland, and Edward, his son, despite them being too closely related by blood to be married under church rules normally. They ask that Edward confirms this marriage approval from the Pope.

William, bishop of St Andrews, and Robert, bishop of Glasgow, John Comyn and James Stewart of Scotland, Guardians of the realm of Scotland, Matthew, bishop of Dunkeld, Archibald, bishop of Moray, Henry, bishop of Aberdeen, William, bishop of Dunblane, Mark, bishop of Man and the Isles, Henry, bishop of Galloway, William, bishop of Brechin, Alan, bishop of Caithness, Robert, bishop of Ross, and Laurence, bishop of Argyll, Malise, earl of Strathearn, Patrick, earl of Dunbar, John Comyn, earl of Buchan, Donald, earl of Mar, Gilbert de Umfraville, earl of Angus, John, earl of Atholl, Walter, earl of Menteith, Robert Bruce, earl of Carrick [father of King Robert the Bruce], William, earl of Ross, Malcolm, earl of Lennox, William, earl of Sutherland, John, earl of Caithness, the abbots of Kelso, Melrose, Dunfermline, Arbroath, Holyrood, Cambuskenneth, Coupar Angus, Dryburgh, Newbattle, Paisley, Jedburgh, Lindores, Balmerino, Glenluce, Kilwinning, Inchaffray, Culross, Dundrennan, Dercongal (Holywood), Kinloss, Deer, Iona and Tongland, the priors of St Andrews, Coldingham, Lesmahagow, Pluscarden, Beaulieu, Urquhart, Whithorn, Restenneth, May, Canonbie, and Blantyre, and the barons Robert Bruce, lord of Annandale, William Murray, William Soulis, Alexander of Argyll, Alexander de Balliol of Cavers, Geoffrey de Moubray, Nicholas Graham, Nicholas Biggar, Ingram de Balliol, Richard Siward, Herbert Maxwell, David Marischal, Ingram de Guines, Thomas Randolph, William Comyn lord of Kirkintilloch, Simon Fraser, Reginald Cheyne, the father, Reginald Cheyne, the son, Andrew Murray, John Soulis, Nicholas de Haya, William de Haya, Robert Cameron, William Sinclair, Patrick Graham, John of Stirling, John of Callander, John Melville, John Stewart, John of Glenesk, Alexander of Bunkle, Bertram of Cardoness, Donald MacCan, Magnus of Fothering, Robert the Fleming, William Murray of Drumsargard, David of Betun, William Douglas, Alexander Lindsay, Alexander of Menteith, Alexander Menzies, William Mowat, Thomas de Somerville, John of Inchmartin, John de Vaux, John Murray, Malcolm of Fendraght, and John of Garioch.

We write to you, Edward, king of England, lord of Ireland and duke of Aquitaine, sending our greetings and all the honours for your good fame and the rights that you do to everyone and for the good neighbourhood and profit that the kingdom of Scotland has received from you, your father and your ancestors.

We are happy that the pope has made a dispensation that the marriage may take place between our lord Edward, your son, and Lady Margaret, queen of Scotland, our most dear lady, despite their nearness of blood. We pray that you will confirm this because if the dispensation is granted, you may give us consent for the marriage and you may do for us the things that our messengers, sent to your parliament, displayed to you on our behalf. We shall send people of the realm to your Easter parliament at London.

Northampton: Monday 28 August 1290

Known as the 'Treaty of Birgham-Northampton'. It was not really a treaty, however, but a written undertaking by Edward I (below is a summary of the main clauses, not the full original text).

Edward I agrees how Scotland will be governed after the marriage of Margaret and his son, Edward. (This led to a written recognition of Scottish independence.) These points had been agreed by Scottish leaders who had met Edward I's negotiators at Birgham on 18 July 1290.

- 1 In connection with the marriage arranged between the Lord Edward, son and heir of King Edward I and the Lady Margaret, queen of Scotland, the Scots ask King Edward to confirm all the rights, liberties and customs of both the church and laity of Scotland.
- 2 King Edward confirms the preservation of Scotland's rights, laws, liberties and customs, reserving the rights which he and others have or might have in the future.
- 3 If the Lord Edward or the Lady Margaret or both of them should die without living children, at a time when the realm is in the hands of King Edward or his heirs, then the kingdom of Scotland shall be returned to its nearest heirs whole, free, quit and without any subjection.
- 4 A similar arrangement should be made for Scotland if the Lady Margaret should die while in the power of King Edward or his heirs.
- 5 When the Lady Margaret is married to the Lord Edward she shall receive lands in England as a dowry.
- 6 King Edward promises that Scotland shall remain separated and divided and free in itself without subjection to England, reserving the rights which he and others have or might have in the future.
- 7 King Edward rejects the request from the Scots that no new castles or lesser forts shall be built on the border. This would impose a restriction on him and his men which had not been imposed on their predecessors, and would subject them themselves to a restriction not imposed on them and their predecessors.
- 8 King Edward agrees that the chapters of certain churches will not have to go outside of Scotland to ask for permission to hold their elections, present those whom they have elected or swear fealty to the king of Scotland.
- 9 No-one who holds land in Scotland will have to go outside the kingdom to do homage, swear loyalty or pay money for inheriting land. The same is granted to widows in asking for and receiving their dowers [land and income], and the distressed in seeking justice. Someone in Scotland shall be assigned to receive or do these things in the name of the Lady Margaret, queen of the realm, and the Lord Edward, except for the homage which requires to be performed in the presence of the king himself.
- 10 Nor shall anyone from Scotland be obliged to answer outside that kingdom for contracts entered into there or for offences committed there, contrary to the laws and customs of the kingdom as observed until now.
- 11 The seal of the kingdom used since the death of King Alexander III shall continue to be used until the Lady Margaret has come into her kingdom and performed to God and the Church and community of the kingdom whatever is to be done according to the laws and customs of the kingdom. After that has

been done, a new seal shall be made bearing the customary arms and title of the king of Scotland, which shall remain in the custody of the chancellor of the said kingdom.

- 12 And there shall be a chancellor of Scotland living within the kingdom to perform the duties of that job. And the same shall apply for the chamberlain, the clerk of the rolls of the king's chapel [his writing office], the justiciars and other officers of the kingdom. And letters containing rights or special graces must be issued by the chancery.
- 13 The relics, charters, privileges and other documents relating to the royal dignity and the kingdom of Scotland shall be put in a safe place within the kingdom of Scotland under strong guard and under the seals and oversight of the leading Scottish magnates until the queen has come to Scotland and has given birth to a live child. And the said documents shall be preserved in full force. Likewise, there will be no subjection, alienation or obligation of the royal dignity of the kingdom of Scotland until the queen has come to Scotland and has given birth to a live child.
- 14 The sons and heirs of earls, barons and other nobles shall in no way be put down by the king, who shall have the rights of care and marriage following the death of their predecessors.
- 15 Parliaments dealing with matters which concern the kingdom of Scotland or its borders or the status of its inhabitants shall not be held outside of the kingdom. No taxes, aids or military service shall be demanded from the kingdom or its people except to meet the common needs of the kingdom, or in circumstances where the kings of Scotland are used to demanding them.
- 16 All of the above points shall be interpreted in such a way that nothing shall be added to or taken away from the rights of either kingdom or king so that they might not freely enjoy their status and position.

Northampton: Monday 28 August 1290

Some of the Guardians of Scotland and the messengers of the others note that some messengers from King Edward have demanded control over the castles of Scotland. The Guardians say that Edward has postponed this demand until Margaret has been brought over from Norway. Once she has been safely transported they will hand over the castles to Margaret and Edward, son of King Edward.

Robert, bishop of Glasgow, and John Comyn, Guardians of the realm of Scotland, and Alan, bishop of Caithness, messengers and representatives of the other guardians and of the bishops, abbots, priors, earls and barons of the community of Scotland, note that Antony, bishop of Durham and Ralph, bishop of Carlisle, and John, earl of Warenne and Henry, earl of Lincoln, Sir William de Vescy and Master Henry of Newark, dean of York, messengers of Sir Edward, king of England, have demanded of us the custody of castles and of fortresses of the kingdom of Scotland. And they do not wish to withdraw their demand, except on the order of their lord king Edward.

We and others came before King Edward who, at our request, granted us a delay of this demand until the arrival of our Lady, which will be at All Saints coming. Therefore we, along with each of the guardians of the castles (that is Sir William Sinclair, Patrick Graham and John de Soules) and with the community of the realm

firmly promise that whenever the Lady comes to England or Scotland, as agreed, we shall deliver the castles and fortresses to our Lady and to lord Edward, son of the king of England under certain named conditions.

Torwood (near Stirling): 13 November 1299

The Guardians write to Edward I telling him that Philip, king of France, has told them that Edward will not trouble them for some time, on Philip's request. The Guardians agree to not cause trouble to the English during this time either, or interfere with the war between England and France.

William, bishop of St Andrews, Robert Bruce, earl of Carrick, and John Comyn, the son, Guardians of the realm of Scotland, in the name of lord John, king of Scotland, established by the community of the realm of Scotland, to lord Edward, king of England: greeting.

The Lord Philip, king of France has told us by his letter that, at his bidding, you will cease and desist from all hostilities against us and the realm of Scotland for a certain time. Lord John, duke of Brittany, messenger of the lord king of France, now in England, has told us this by his letter.

We shall also desist from aggressive hostilities against you and your realm. We shall also desist from interfering with hostilities between you and King Philip.

We have appended our seal, sending this letter with the messenger and signify that we wish Edward to reply to them through the same messenger.

Scone: 23 February 1302

John de Soules (as the only Guardian of the realm) with the community of the realm, writes to Philip, king of France, to tell him that they will respect the alliance between him and Edward, king of England.

John de Soules, Guardian of the realm of Scotland, and the prelates, earls, barons and all the community of the realm, to lord Philip, king of France: greeting.

We note the return of William, bishop of St Andrews, from an expedition of our business. We promise to observe the alliance between you and the king of England.

KING EDWARD I

Leuchars (Fife): 7 October 1290

William Fraser, bishop of St Andrews, writes to King Edward to tell him that a rumour was spread at an assembly of Scots in Perth that Margaret the Maid had died on her way to Orkney. On hearing this news, Robert Bruce came to the assembly with his following and the earls of Mar and Atholl gathered their armies. William waits to hear the news from knights who have been sent to Orkney to find out if the rumour is true. William advises Edward to be careful if John Balliol comes to talk to him so that Edward can keep his upper-hand. If Margaret has died, he asks that Edward comes to the border of Scotland to prevent fighting between the Scots.

To the lord Edward, king of England, lord of Ireland and duke of Aquitaine, your devoted chaplain, William, the bishop of St Andrews in Scotland.

I note that, after the assembly of the Scots at Perth on 1 October your messengers prepared to travel to Orkney to meet Norwegian messengers and to receive their lady, the queen. But a rumour resounded through the people of the

assembly that their lady was dead, on account of which the kingdom of Scotland is in turmoil and the community in despair.

When this rumour was heard and spread, Sir Robert Bruce, who earlier had not intended to come to the assembly, came there with a great following in order to hinder certain persons.

The earls of Mar and Atholl have gathered their armies already and there is fear of civil war unless God provides a swift remedy through your industry and service. The bishop of Durham, the earl of Warenne and I have heard that our lady Margaret [the Maid of Norway] has recovered from her illness but is still weak, and so we have agreed to remain near Perth until we hear definite news from knights who have been sent to Orkney. And, as soon as we have good news, which is expected daily, we will set out for those parts for the business committed to us.

If Sir John Balliol shall come to your presence, I advise that in every outcome you take care in dealing with him so that your honour and advantage are preserved.

If it happens that their lady has indeed died, we ask you to please approach the border to the consolation of the Scottish people and to prevent the spilling of blood so that the true men of the kingdom can maintain their oath unbroken and set up him who by law should inherit the throne, if so be it that he is willing to abide by Edward's advice.

Norham: Tuesday 5 June 1291

Many potential claimants to the crown of Scotland recognise the right of Edward I to judge who is the lawful heir to the crown.

Florence, count of Holland, Robert Bruce, lord of Annandale, John Balliol, lord of Galloway, John Hastings, lord of Abergavenny, John Comyn, lord of Badenoch, Patrick of Dunbar, earl of March, John de Vescy (on behalf of his father), Nicholas de Soules and William de Ros:

Each of us considers that we possess a right in the realm of Scotland and are entitled to demonstrate, claim and urge this right before the person who has the most power and reason to try their case. Lord Edward, king of England, has shown us that the overlordship of the realm along with the right to hear, try and determine our right belong to him. Therefore, by our own free will, we do desire and allow that we should receive justice before him, as lord superior of the realm. We are willing to uphold and maintain his decision without dispute.

Edinburgh: 23 August 1291

A number of documents which were important for governing Scotland have been taken by Edward I from Edinburgh where they were kept and moved to Berwick.

Inventory of important documents taken from within the Treasury of Edinburgh to be kept instead at Berwick, by the King of England's command. This was done in the presence of the abbots of Dunfermline and Holyrood, John de Lythgreynes, William of Lincoln, Thomas of Fishburn, and William of Dumfries, keeper of the Rolls of Scotland. The abbots and others attach their seals to this inventory.

Berwick: Monday 17 November 1292

Edward I's decision about who should be king of Scotland was made in the hall of Berwick castle, in front of Edward, bishops, earls and 80 people who had been elected to hear the claims of people to the throne. Some of the claimants have withdrawn or not pushed their claims. Robert Bruce and John Balliol both claimed they were the closest relation to the royal line. Edward decided that John Balliol was the closer relation. He makes John the king of Scotland with all the rights that go with it. Edward states the dates when John is to swear his loyalty to him.

On 17 November 1292, at Berwick, in the hall of the castle before the king of England, lord superior of Scotland, and in the presence of John, archbishop of Dublin, John, bishop of Winchester, Antony, bishop of Durham, William, bishop of Ely, John, bishop of Carlisle, William, bishop of St Andrews, Robert, bishop of Glasgow, Matthew, bishop of Dunkeld, Robert, bishop of Ross, and Mark, bishop of Man and the Isles, and of Henry de Lacy, earl of Lincoln, Humphrey, earl of Hereford, John, earl of Buchan, Gilbert, earl of Angus, Malise, earl of Strathearn, and in the presence of eighty elected persons of Scotland, all the claimants to the throne were called and publicly summoned.

And the king, by the mouth of his judge Roger Brabazon, had his judgment pronounced in this manner:

"You all know that King Eric of Norway, Florence, count of Holland, John Balliol, Robert Bruce, John Hastings, Patrick, earl of March, William de Ros, William de Vesci, John Comyn, Robert de Pinkeny, Nicholas de Soules, Patrick Golightly and Roger de Mandeville, have placed before the eighty persons chosen from Scotland and the twenty-four nominated by the king of England, the lord superior of the realm of Scotland, their claims for the realm of Scotland, and the arguments on which they based their claim. Of these claimants, Robert de Pinkeny, Patrick, earl of March, Nicholas de Soules, Patrick Golightly, William de Ros, William de Vesci and Florence, count of Holland, have withdrawn their petitions.

Since King Eric of Norway, John Comyn and Roger de Mandeville have not pursued their petitions, the king says that they shall gain nothing of what they ask.

You all also know that Robert Bruce claimed the whole realm by reason of his closeness in relationship, and John Balliol likewise claimed the whole kingdom because he was descended from Margaret, the eldest daughter of Earl David. It was declared to Robert Bruce that there was no justification for his petition.

You all also know that John Hastings claimed, as a descendant of the third daughter, Ada, of Earl David, a third of the whole inheritance which descended to Margaret, daughter of the king of Norway, by the death of Alexander, last king of Scotland. Likewise Robert Bruce, as a descendant of the second daughter of Earl David, claimed his third of the realm of Scotland.

The king, as lord superior of the realm of Scotland, after hearing and noting the demands and arguments of John Hastings and Robert Bruce, who were asking for their shares [one third of the kingdom], and examining them carefully, declares as a matter of law and by way of judgment that the realm of Scotland cannot be split, and that the acquisitions of the kings of Scotland cannot be split either. But the lands outside the realm of Scotland should be dealt with according to the laws and customs of the realms of where they are. Therefore the king declares by way of judgement that you, John Hastings and Robert Bruce, shall receive nothing of the shares which you demand.

But to you, John Balliol, as nearest heir of Margaret, daughter of the king of Norway, lady of Scotland, and grand-daughter of the late Alexander, king of Scotland, by right of succession to the realm of Scotland as determined before the king, the king hands over the realm and possession of it, with all the privileges of the kingdom and those things which have come into the hands of the king as lord superior since the death of Margaret, except the right in Scotland of the king and his heirs when they wish to raise the point.

The king appoints the date of 20 November for swearing fealty to him, and Christmas day for doing homage to him for the realm of Scotland.”

Newcastle: 5 January 1293

Edward I commands King John Balliol to cancel his agreement with Isabella that allowed John to decide who Isabella married.

King Edward of England to John, king of Scotland: greeting.

I have approved the marriage of Isabella Comyn, widow of William Comyn, to my faithful subject Edmund of Hastings. The marriage happened while I held the kingdom of Scotland as overlord. I command you to absolve Isabella from an oath you took from her not to marry without his permission.

Westminster: 1 October 1294

King Edward I commands the warden of the county of Fife to give the land of Calder in Fife to Bishop Robert of Glasgow.

Edward, king of England, lord of Ireland, duke of Aquitaine, and sovereign lord of the realm of Scotland, to Walter of Cambo, warden of the county of Fife: greeting.

My dear friend, the bishop of Glasgow, has asked me to grant him the land of Calder in Fife. I therefore command you to hand over that land to him at its true value, taking from him a sufficient deposit to pay the rent at the accustomed times. Do not fail to do this!

Between 1296 and 1297

King Edward makes a rule that nothing can enter or leave Scotland without a stamp which shows that customs have been paid on the goods. In particular, no one is allowed to bring letters from elsewhere which may harm the king or his kingdom.

I, King Edward, along with my council, announce that no wool, hides, messengers or merchants are allowed to enter the realm of Scotland except in places where there are cocket-seals [a stamp to show that customs have been paid on imports and exports] or at Kirkcudbright. Before they leave Kirkcudbright, a cocket-seal must be sent there by the earl of Warenne and by my council in Scotland.

In each place, two of my most honest and loyal men must be appointed to keep the port so closely that no messenger carrying letters from abroad can pass through without a special warrant from me myself. Any person carrying closed letters or other suspicious things may be taken and kept in prison.

All the sailors who shall pass though must be examined. Merchants shall be free from examination because of their oath that they will carry no letters which might bring mischief to me or to my realm and that they will bring nothing from abroad by deed or word which may be hurtful to me.

Furthermore no merchant of Lombardy shall pass anywhere in the realm.

This order is to be announced and published throughout the kingdom in the chief

places and towns so that no man may excuse himself by ignorance. In the same manner to John, earl of Warenne, guardian of the realm and land of Scotland, must make sure this order is kept and firmly observed.

Westminster: 23 October 1297

King Edward orders one of his men to assemble an army.

King Edward to William of Ormsby: greeting.

I command you to raise an army of foot soldiers to suppress the insurrection in Scotland.

Anagni (Italy): 27 June 1299

This document is often called 'Scimus fili' ('We know, my son').

It was given to Edward I in August 1300, more than a year after it was written. Two replies were sent to the Pope: one by the barons of England (12 Feb. 1301) and the other by Edward himself (17 May 1301).

The Pope (Boniface VIII) writes to Edward I telling him that he has no right over Scotland, for these reasons:

- 1. Scotland has always belonged to the Catholic Church, and not to kings of England.**
- 2. In the 1260s, Henry III (king of England) had received help from Alexander III (king of Scots) but only as a favour, not because Henry was able to command Alexander as his overlord.**
- 3. Alexander III came to Edward I's coronation only because he was Edward's brother-in-law.**
- 4. Alexander III only promised to give Edward I service (homage) for the lands that he held in England, not for Scotland.**
- 5. After Alexander III's death, Edward I did not take control of the country as overlord, but instead nobles of Scotland were elected as Guardians of the kingdom.**
- 6. When making arrangements for the marriage of Margaret and Edward, Edward I wrote to the nobles of Scotland to promise that Scotland would always be free.**
- 7. When Margaret died and Scotland had no king, the nobles were worried about the safety of their kingdom, and so they only came to talk to Edward I after he recognised that they were only coming to him for help and advice, not because he was their overlord.**

The Pope then commands Edward to release the bishops of Glasgow and the Western Isles who he has imprisoned. He also commands Edward to report any claim he has over Scotland to the Pope within 6 months.

Pope Boniface to Edward, king of England: greeting.

We note that from ancient times the realm of Scotland has belonged rightfully, and is still known to belong, to the Roman church. It was not, and is not, feudally subject to your predecessors, the kings of England, or to you yourself.

Likewise, Henry, king of England, your father, in the time of the conflict between himself and Simon de Montfort and his accomplices [in the 1260s], sought help from Alexander III, king of Scotland and Henry's son-in-law. But in Henry's letter to the king of Scotland, he distinctly admitted that he had received this help only as an act of special grace.

Further, because you wanted to have the king of Scotland, your brother-in-law

[Alexander III], at your coronation, you were careful to protect his interests by declaring in your letters that Alexander's presence at the ceremony was not of right, but only by grace.

When Alexander appeared in person to offer you the oath of loyalty which was usual for the lands of Tynedale and Penrith, he publicly declared that he offered that fealty only for those lands in England and not as king of Scotland.

Also, when the same king of Scotland had died, the late Margaret was left as his heir, a girl who was your niece and a minor. And the Guardianship of the kingdom did not fall upon you as lord, but to certain leading nobles who were elected to maintain the kingdom.

After a dispensation was granted by the previous Pope for the marriage between Edward, your son, and Margaret, you are known to have safeguarded the interests of the Scottish nobles by writing that the realm should remain forever free and subject to nobody.

Further, when Margaret died, the nobles of the realm feared that they would compromise their status and so they would not come to your presence outside of Scotland unless you gave them letters saying that they did this only as a special favour, and not because they had to.

We also note how you have seized and committed into prison Robert, bishop of Glasgow, and Mark, bishop of the Western Isles, and we request that these bishops be restored to their liberty and that you recall all of your officials from Scotland.

You should send to us any claim of rights you have over the realm of Scotland within six months of this letter.

Before February 1304

Letter from the countess of Lennox to King Edward, asking him to help the people in her lands who have sworn loyalty to him because John Comyn has sent an army to destroy them.

Margaret, countess of Lennox, to Sir Edward, king of England, lord of Ireland and duke of Aquitaine: greetings.

My liege, I note that Sir John Comyn has sent part of his army across the Forth into Lennox to destroy and ruin those people who have come into your peace. I pray that you send your counsel with aid for the rescue, governance and support of those who have come to your peace. It is said that the army has come with a hundred mounted men and a thousand foot soldiers, and they reached Drymen in Lennox on the Sunday after Michaelmas [29 September].

Kinghorn (Fife): 3 March 1304

Edward I tells Sir Alexander Abernethy that he should not offer any words of peace to William Wallace or any of his men.

King Edward to Sir Alexander of Abernethy: greeting.

I have carefully read your letter in which you told me that you are remaining in Scotland to watch over the fords of the River Forth. I order you to employ all of your efforts in the matter, and to find William Bisset, the sheriff of Clackmannan, to assist in the watch if necessary. I wish that you do not leave Scotland until you have sent further news to me.

Your letter also asked whether it is my wish that you should extend any words of peace to William Wallace. I tell you now that it is not by any means my pleasure that you should give any word of peace either to William or to any other men of his

company, unless they place themselves absolutely and in all things at our will, without any exception whatsoever.

KING JOHN BALLIOL

Norham (Northumberland): Thursday 20 November 1292

King John Balliol does homage (promises to be faithful and provide service) to King Edward I.

I, John, king of Scots, let it be known that I have made an oath and sworn to my liege-lord, Edward, king of England and overlord of the realm of Scotland, at Norham, on Thursday, the feast-day of St Edmund, king and martyr, in the year 1292, and in the 21st year of the reign of King Edward, in the presence of William, bishop of St Andrews, Robert, bishop of Glasgow, John, earl of Buchan, William, earl of Ross, Patrick, earl of March, Walter, earl of Menteith, James, steward of Scotland, Alexander of Argyll, Alexander Balliol, lord of Cavers, Patrick Graham, and William Sinclair, in this manner:

“My lord, Edward, king of England, overlord of the realm of Scotland, I, John Balliol, king of Scots, give fealty to you for the realm of Scotland, which I hold and claim to hold from you; I bring to you faith and fealty of life, limb and earthly honour, against all men, and faithfully recognising and giving to you the service which is owed from the realm of Scotland, as God may favour me and these Holy Gospels.”

Scone: 9 February 1293

King John Balliol holds a parliament. John appoints certain people to be the sheriffs in the western parts of Scotland (where there were not sheriffs before) in order to keep peace there. The earl of Ross becomes the sheriff of Skye; Alexander MacDougall becomes the sheriff of Lorn; and James the Steward of Scotland becomes the sheriff of Kintyre. Each is to have £100 a year as wages [about £54,000 today].

The lord king, for keeping the peace and stability of the kingdom established and ordained that there shall be sheriffs of these lands:

The lands of the earldom of Ross in the west, the king's land of Skye and Lewis, the lands of Eigg and Rum, Uist and Barra with the very small isles. And William, earl of Ross, should be called the sheriff of Skye.

The lands of Morvern, Ardnamurchan, Locheil, and the lands of various lords in Argyll. And Alexander MacDougall, lord of Argyll and Lorn, should be called the sheriff of Lorn.

The lands of Kintyre, the Isle of Bute and the lands of various lords in Cowal. And James the Steward of Scotland should be called the sheriff of Kintyre.

Each of them shall take £100 sterling each year for his duties and for answering faithfully. And each of these sheriffs should have a letter of the lord king which should contain all of the lands which are assigned to him, and all of the men dwelling in the lands.

14 June 1294

Record that a court case between King John Balliol, Simon, and King Edward has been postponed. Simon (a subject of John Balliol's) had complained to Edward that John had not treated him fairly in his court case in Scotland.

Record that King Edward sent a letter to the sheriff of Northumberland, commanding him to summon John, king of Scotland, to appear in the king's court to answer Simon, heir of John of Restalrig. Simon had complained to King Edward that King John did not do him justice in his court case against Patrick Graham. The case concerned lands in Restalrig, which should have been transferred to Simon but they were in King John's keeping because of the mental impairment of John of Restalrig.

The sheriff reported that he delivered the summons to King John Balliol at Lanark on 9 February, in front of John Comyn, Alexander Balliol, Hugh de Eure and Walter of Cambo.

Both King John and Simon turned up to the king's court on the day appointed, but because King Edward was busy with other difficult business, the court case has been postponed until the next Easter parliament.

20 June 1294

Record that King John Balliol had failed to turn up to a court case in England. The court case was brought by Reading Abbey who said that John did not treat them fairly in their court case in Scotland. The sheriff of Northumberland reported that he had summoned John at his Parliament with a letter from Edward I. John has not appeared now after 2 letters, so he is being summoned for a third time and told he must give a reason for not turning up before.

Record that the sheriff of Northumberland was ordered by King Edward to present a letter to John, king of Scotland, summoning him before Edward to answer a complaint by the representatives of Reading Abbey. They were complaining that John denied them justice in their court case to regain their ownership of the Priory of May and its properties.

John did not turn up, and so the sheriff showed that he had delivered the summons at Lanark on 10 February before these witnesses: John Comyn, Alexander Balliol, Hugh de Eure and Walter of Cambo.

The sheriff was ordered to summon John for a third time, telling him to appear a month after the next Easter. John was also ordered to show at that time why he had ignored two previous summonses, and to bring with him any records relevant to the case so that it could be settled.

Stirling: 5 July 1295

King John sends messengers to Philip, king of France, to discuss the possible marriage of Edward Balliol (John's son and heir) to one of Philip's relations.

To the most excellent prince his lord and, if it pleases him, his friend, the Lord Philip by the grace of God illustrious king of France, from John by the same grace king of Scots: greeting.

Your royal highness shall know that we make by this letter our beloved and faithful venerable fathers William Fraser, bishop of St Andrews and Matthew de Crambeth, bishop of Dunkeld, and the knights John de Soules and Ingram de Umfraville our special messengers to discuss, if it pleases you, the marriage of a serene young lady who is your descendent or kinswoman to Edward, our firstborn son and heir.

I have given these messengers full power to agree and complete the engagement as far as possible, and to do all other things needed for the contract.

Whatever our messengers shall command to be done in the discussing will be upheld by us now and in the future.

In testimony of this we have attached our seal to this letter.

This letter was given at Stirling on 5 July in the year of our Lord, 1295.

Paris: 23 October 1295

Treaty of Scotland and France (full text can be found online at www.rps.ac.uk, under John Balliol's reign, Dunfermline assembly, 23 February 1296).

Philip king of France agrees to an alliance between the king of Scots and him.

Philip writes: the most important thing for a king and kingdom to win praise, peace, happiness and prosperity is the bond of love with other kings and kingdoms. Kings should display this love in order to keep justice and suppress wicked people. By helping each other, kings will help peace to grow.

Because of this love, Philip agreed that they should create an alliance of family bonds so that their friendship may flourish.

The messengers and Philip agreed the following:

- 1. Edward Balliol, heir to the throne of Scotland, should marry Jeanne, Philip's niece (daughter of Charles, count of Valois and Anjou).**
- 2. The king of France will pay 25,000 French coins towards the marriage.**
- 3. The king of Scots must give Jeanne £1,500 a year as her dowry (a gift given to the bride). He must do this by giving her rent from certain lands in France and England.**
- 4. The king of Scots promises to help stop the king of England attacking France by providing military assistance and advice to the king of France.**
- 5. The king of Scots will invade England to distract Edward from the war with France.**
- 6. The king of Scots promises to make sure his subjects treat all of the French as friends and help to fight the king of England (in particular the Scottish churchmen, nobles, barons and townspeople).**
- 7. If the king of England attacks Scotland, the king of France will help by distracting Edward elsewhere and sending help to Scotland.**
- 8. If the king of England leaves his kingdom at any time, or sends lots of knights out of the kingdom, the king of Scots should invade England.**
- 9. Neither the king of France nor the king of Scots is to make a truce (an agreement of peace) with the king of England without including the other in the agreement.**

Philip by the grace of God king of the French, to all who shall see this letter: greeting.

Of all the ways in which rulers and kingdoms attain their praise, and win the good quality of peace and tranquillity, and ensure the happiness and prosperity of its subjects, this is the most important: that the bonds of love, unity and faithful friendship are nurtured among kings and kingdoms. Thus kings and princes should display, when it is necessary, feelings of loving devotion to each other for the sake of their zeal for justice, and to repel injustices, and to suppress the disrespectful acts of the wicked, and to put down attacks by enemies. A king or prince in prosperous circumstances should gladly help another so that no king or prince struggles alone in hardships. And through the act of defending each other, the harmful attacks of those who hate peace will be put down, so that the sweet quality of the peace long hoped

for may prevail. And by the beauty of this peace they, as devoted sons of peace, may serve more devotedly.

Therefore the renowned prince John, illustrious king of Scotland and our special friend, carefully paying attention to these advantages and useful benefits, has specially sent to us the venerable fathers William Fraser, bishop of St Andrews and Matthew de Crambeth, bishop of Dunkeld, and the knights John de Soules and Ingram de Umfraville as his messengers, specially appointed for this purpose to agree alliances and bonds of friendship for the future. We graciously agree with the wishes of the king in this matter, in order that the family bond of this alliance and the faithful coming together of friendship may flourish all the more and endure with greater stability.

Therefore a harmonious settlement has been reached between us, with the good will and consent of our beloved and faithful brother Charles count of Valois and Anjou, and the messengers acting in the name of the king of Scots, that a marriage should be contracted between Edward (the king of Scots' firstborn son and future king of Scotland who, according to the agreement made with the messengers, is to succeed the king of Scots in the kingdom of Scotland and all his other lands) and Jeanne (the firstborn daughter of our brother, Charles).

We promise that we and our successors will give 25,000 *petits livres Tournois* [French coins] towards the marriage with Jeanne. Likewise the king of Scots must give Jeanne £1,500 a year as her dowry [about £800,000 today]. £1,000 of this should be yearly revenue in the following lands: Bailleul, Dampierre, Helicourt and Hornoï in the kingdom of France, and Lanark, Cadzow [Hamilton], Mauldslee, Cunningham, Haddington and Dundee Castle in the kingdom of Scotland. However, if the revenue from all of these places exceeds £1,000 a year, the excess money should be given to the king of Scots. And if there is a shortfall in the revenue, the king will be responsible for making up the total from his other revenues. Or, he can assign two times a year when the £1,500 will be given to her. And he will give her a guarantee for this dowry. And if in the course of time the king wishes to pass to a second marriage, he will have to ask our permission on the matter of the dowry.

The king of Scots, because of his love of justice and his affection towards us, our house, our throne and the inhabitants of our kingdom, is angry at the wrongs, hostile invasions and unjust aggressions which the king of England has put on us and our faithful subjects, by land and sea up to the present. The king of England has violated the duty of loyalty by which he is bound to us and continually attempts to offend us. Therefore the king of Scots, in order that he may bind us and our successors more closely to him and his successors with the affection of mutual love, proposes to give us effective and powerful help, out of pure feelings of affection, to end these wrongs, assaults and acts of aggression. He has entrusted this power to his messengers. These messengers have promised us that the king of Scots, in the present war which we are waging against the king of England and his supporters (both the king of Germany and any other of his supporters), will publicly and openly assist us in England if a war of this kind comes to them, using all of his resources both by land and sea. And they will provide counsel and help as quickly as possible.

In order for the wrongful attacks of the king of England to be stopped, and for him to be forced to give up his wicked invasions and hostile acts, he must be preoccupied elsewhere. Thus the king of Scots will endeavour to initiate and continue war against the king of England at his own expense with all his might and that of his subjects, as often as is needed for him to make war while we are fighting the war begun by us against the king of England.

The messengers also promise that their king will make sure that his prelates (as far as it is lawfully possible for them), earls, barons, other nobles, and communities of his towns will conduct themselves towards us and our successors during the war in the manner that is written above, and they will make war on the king of England with all their resources as well. And they promise that these people will send us a letter to show their approval, with their seals attached, as quickly as possible.

It was agreed between us and the messengers that if the king of England should gather together his forces and attack the kingdom of Scotland (either personally or acting through someone else) after the war has begun by the king of Scotland at our request ... we will help him by keeping the king of England occupied in other parts so that he is distracted from the invasion in other directions, provided that we have been given enough of a warning by the king of Scots himself, and we will send him appropriate help into Scotland at our expense.

If the king of England leaves England in person, or removes a notable number of armed knights or foot soldiers from the land for the war between us and him, the messengers promise that the king of Scotland will attempt to enter the land of England with all his forces, as wide and as deep as possible, making war there and pitched battles, besieging and laying waste the land, using every means he can at his own expense.

It was further agreed between us and the messengers that, if war is begun by the king of Scots on our behalf against the king of England or if the king of England shall make war against the king of Scots, we shall not settle our own war or enter into a truce unless the Scots are included in the truce which we make concerning all the wars. And similarly, the king of Scots shall not be able to make a truce concerning all the wars without us.

For the holding, implementing and observing of all those things written above we bind ourselves, our heirs and successors and all our subjects, present and future, to the king of Scotland and his successors. The king of Scotland must approve and renew the treaty in his name, and send us a letter of approval, authenticated by his seal, as soon as possible.

In testimony of this, we have attached our seal to this letter.

This was done at Paris on 23 October in the year of our Lord, 1295.

Dunfermline: 23 February 1296

Confirmation of the Franco-Scottish treaty (full text can be found online at www.rps.ac.uk, under John Balliol's reign, Dunfermline assembly, 23 February 1296).

King John approves of the agreement made between Philip king of France and his messengers.

John desires that the love and affection which exists between the two kingdoms should grow more. So, he sent messengers to France to negotiate a marriage between the two kingdoms and to discuss other matters relating to the kingdom. The messengers and Philip agreed over the marriage and to creating a bond of friendship between the two kingdoms.

John attaches his seal to the letter as proof that he agrees with the treaty. Certain other people of the kingdom also agree and so attach their seals as proof (bishops, abbots, earls, barons and burghs).

John, by the grace of God king of Scots, to all who shall see this letter: greeting.

We desire with all our heart to continue and increase for the future the inward love and affection which our ancestors and the whole community of our kingdom have

particularly felt towards the most excellent kings of France until now. The love conceived over such a long period of time should not lie concealed any longer, but should rather continue into the future on an ever-more solid basis.

In order for this to be more clearly revealed, we have recently sent across to France the venerable fathers William Fraser bishop of St Andrews and Matthew de Crambeth bishop of Dunkeld and the knights John de Soules and Ingram de Umfraville, our beloved and faithful subjects, as our special messengers to the most excellent prince and lord Philip, by the grace of God illustrious king of the French, in order to arrange an engagement and marriage between Edward Balliol, our first born son and, what is more, the future heir to Scotland, and any female descendent or kinswoman of the lord king of France. And also to discuss all pieces of business which relate to us, Edward our firstborn son, our kingdom and its inhabitants.

Our messengers negotiated with the king of France, both on the subject of the wedding and on entering into mutual bonds of friendship. They agreed according to a fixed manner and formula.

We approve of this treaty, and so we confirm and renew it by this letter, reinforcing it by attaching our seal. And because the prelates of our kingdom (as far as law allows them) and the earls, barons, other nobles and communities of the towns approve and promise themselves to observe the treaty, their seals have been attached to this letter as well in proof of their consent and approval. The following seals are attached.

Bishops: William Fraser bishop of St Andrews, Robert Wishart bishop of Glasgow, Matthew de Crambeth bishop of Dunkeld and Henry Cheyne bishop of Aberdeen.

Abbots: the abbots of Arbroath, Dunfermline, Holyrood, Kelso and St Andrews.

Earls: John Comyn earl of Buchan, Donald earl of Mar, Malise earl of Strathearn and John earl of Atholl.

Barons: John Comyn, James the steward of Scotland, Alexander Balliol, Geoffrey Moubray, Richard Siward, Herbert Maxwell, Patrick Graham, Nicholas Hay, Nicholas Graham, Alexander Comyn of Buchan and Alexander Bonkle.

Towns: Aberdeen, Perth, Stirling, Edinburgh, Roxburgh and Berwick.

This letter was given at Dunfermline on 23 February, in the year of our Lord, 1296.

Berwick: 5 April 1296

John Balliol writes to Edward I to tell him that he is tired of Edward harassing his kingdom and people. Therefore John cancels any loyalty he or his subjects have promised to Edward.

John, king of Scotland, to lord Edward, king of England: greeting.

I note that you and others of your realm – to your knowledge, for surely you should not be ignorant of what they do – have inflicted, by naked force, grievous and intolerable injuries, slights, and wrongs upon me and the inhabitants of my realm. And indeed you have caused harm beyond measure to my liberties and those of my kingdom in a manner which offends God and is against justice.

For instance by summoning me outside my realm at the mere beck and call of anybody, as your own whim dictates, and by harassing me unjustifiably; by seizing my castles, lands and possessions and those of my people unjustly and without any fault on my part; by taking away to your realm, both by land and by sea, my possessions and those of my subjects; by slaying merchants and other inhabitants of my realm; and by forcibly seizing the men of my realm, taking them into your own, and keeping and imprisoning them there.

I have often sent my messengers to you to try and change these things. Yet the

injuries have not only persisted as they were, but more offences have been committed which are worse than the first, by you and your subjects. For now you have come to the frontiers of my realm in a warlike manner, with a vast number of soldiers and an army openly assembled, to disinherit me and the inhabitants of my realm. And you have crossed beyond into my realm and brutally committed acts of slaughter and burning, as well as aggression and acts of violence both by land and by sea.

I cannot any longer endure these injuries, insults, and grievous wrongs, nor these hostile attacks, nor can I remain in your fealty and homage (which, it must be said, were taken under extreme coercion from you) and I desire to assert myself against you, for my own defence and that of my realm, to whose defence and safekeeping I am tied by the bond of an oath.

And so by this letter I renounce the fealty and homage which I have done to you, and which any other person among my faithful subjects has done to you either for the lands which they hold in your kingdom or for their membership of your household or retinue. This I do in my own name and in the name of each and all of the men.

Stracathro Churhyard (Angus): 7 July 1296

John Balliol cancels of the treaty between Scotland and France.

On 7 July 1296, in the presence of the witnesses recorded below, the lord John, king of Scotland, in his full and free royal power, publicly and by his free will recognised by his own voice that, having been led astray by evil advice by his messengers sent to France, he entered into certain agreements, contracts and illicit peaces, in the name of Edward, his son, and the inhabitants of his realm, with the lord Philip, king of France, and others of the realm of France, against his lord, Edward, king of England, and against the loyalty owed for his kingdom of Scotland made previously to the said king and his men.

He had approved and confirmed this treaty by his letter with a seal. He now claims to be reconciled to his lord, the king of England, and wishes from now on to be faithful to him in everything. He has renounced and annulled the treaty with France.

Done in the cemetery of Stracathro in the presence of Antony, bishop of Durham and the noble men, Sir Humphrey, earl of Hereford, Sir John Comyn, earl of Buchan, Sir Hugh Despenser, and Sir John Comyn of Badenoch, senior, knights, who were called as special witnesses.

Brechin Castle: 10 July 1296

John Balliol resigns his kingdom to Edward I, king of England.

On 10 July 1296, John, king of Scotland, returning to the goodwill of Edward, king of England, not by force but of his own accord, in the presence of witnesses specially summoned for the purpose, submitted himself and his kingdom of Scotland, and the whole right that he had in it, and the people of his kingdom, and all his goods, to the will of the lord king of England. And he gave up his kingdom, along with the homages, other rights, royal dignity, royal honour, and all his lands and possessions to his lord, the lord king of England, with a grateful spirit. And he returned by free will clearly and absolutely. And he openly stated all this with his own tongue.

Done in the Castle of Brechin on the day and month stated above, in the presence of Antony, bishop of Durham, and the noble men Sir John Comyn of Badenoch, senior, Sir Brian fitz Alan (both knights), and Master Alexander Kenney, clerk of the said king of Scotland, and then chancellor.

WILLIAM WALLACE

Haddington: 11 October 1297

Andrew Murray and William Wallace write to the mayors and people of Lübeck and Hamburg (Northern Germany) to thank them for helping the Scots and their merchants. They also tell them that their merchants will be able to trade safely with Scotland because the Scottish army has defeated the English.

Andrew Murray and William Wallace, leaders of the army of the kingdom of Scotland and the community of the kingdom, to their friends the mayors and citizens of Lübeck and Hamburg: greeting.

We have been told by trustworthy merchants of the kingdom of Scotland that you are giving advice, help and favour in all causes and business concerning us and our merchants, for which we thank you. We ask that you tell your merchants that they can have safe access to all the ports in the kingdom of Scotland, since Scotland (thanks be to God) has been rescued from the power of the English by force of arms.

Farewell.

Torphichen (West Lothain): 29 March 1298

William Wallace, as a knight, Guardian of Scotland and leader of the army, gives to Alexander Scrymgeour land in Dundee and the post of keeper of Dundee Castle. The gift is given in the name of John Balliol, king of Scots, and with the approval of the whole kingdom.

William Wallace, knight, Guardian of the kingdom of Scotland and leader of the army of Scotland, in the name of the lord John Balliol, king of Scots, by the consent of the community of the kingdom state that I, by the consent of the magnates of the kingdom, have given to Alexander Scrymgeour lands in the territory of Dundee: namely the land called Great Field, with the acres in the field to the west which belonged to the king, and the meadow of the king in the territory of Dundee.

And in addition, I give him the office of constable of Dundee castle, for homage to be made to the king and his heirs, and faithful service and aid to the kingdom. And he is to carry the banner of the king in the army from the time of the present agreement.

THE CLERGY

24 February 1310

This document is also known as 'the Declaration of the clergy'. See 'Propaganda' for more analysis.

The major churchmen of Scotland state that when Edward I made John Balliol king during the succession crisis, they always supported his opponent, Robert Bruce. Once Balliol had been taken away, they agreed to make Robert the Bruce king of Scots.

We, the bishops, abbots, priors, and other clergy of the realm of Scotland, make known that when a dispute arose between John Balliol, lately installed as king of Scotland de facto by the king of England, and the late Robert Bruce, the grandfather of Robert who is now king, concerning which of them had the better title, by right of birth, to inherit the rule over the people of Scotland, the faithful people always believed that Robert, the grandfather, was the true heir after the death of King Alexander and of his granddaughter, the daughter of the king of Norway.

The whole people of the realm of Scotland were wearied by the stings of many sufferings: their King John had been captured by the king of England and imprisoned and deprived of his realm and people, the kingdom had been betrayed and reduced to slavery by John and laid waste by much plundering, the people were filled with the distress of constant sorrow, they were exposed to every danger and given over to the occupier (Edward), and tortured by war, and made captive, and oppressed, overthrown and enslaved by the slaughter of many innocent people and by continual burnings. The people were near to eternal ruin unless speedy repair was brought by divine counsel to fix such a disfigured and desolated kingdom and its governance.

The people were unable to bear any longer such numerous, great and heavy injuries more bitter than death, often coming to them because they had no captain and faithful leader. And so, by the guidance of God, under whose authority kings rule and princes govern, the people agreed on Lord Robert, who now is king, the rights of his father and his grandfather to the kingdom. And with their knowledge and approval he was received as king so that he might reform the defects of the realm and correct things needing to be corrected and steer those that lacked guidance. By their authority he was set over the realm, and formally established as king of Scots. The faithful people of the kingdom wish to live and die with Robert who, by the right of his blood and other cardinal virtues, is fit to govern and is worthy of the name of king because he has repaired such a damaged and forsaken kingdom by repelling injury with the sword, just as many previous princes and kings of Scots had done by the sword in former times.

If anyone claims that he has right to the kingdom by producing sealed letters from the past, which record the consent of the whole people, you should know that all this arose by force and violence which nobody could then resist, and amid numerous fears, tortures of bodies and various terrors which could well have disturbed the senses and minds of perfect men and destroyed the most committed people.

We therefore have sworn fealty to Lord Robert, our king of Scotland, and his successors, being compelled not by force or deceit but by pure wish. And in sign of our testimony and approval of all these things we attach our seals to this writing.

ROBERT THE BRUCE

Arbroath: 26 April 1309

Charter by Robert Bruce giving the Bishop of Glasgow all of his churches and properties and money as a reward for supporting him. These things are to be given over to the chancellor and the chamberlain and anyone else nominated by the bishop (Bishop Robert being a prisoner in England at this time).

Robert, king of Scots, to my justiciars, sheriffs, grieves and bailies: greeting.

Since Robert, bishop of Glasgow, has consistently and patiently supported my work as king, I grant him by this charter all of his churches, lands, property, revenues, possessions, and goods.

I command that, from now on, you should all make sure that the churches, lands, property, revenues, possessions, and all of the bishop's goods which are in your jurisdiction, are released to my chancellor and chamberlain, or to the bishop's appointed representatives.

I also forbid you from troubling Bishop Robert. Anyone who goes against my wishes will face a large fine.

Kildrum (in Cumbernauld): 1 October 1310

Robert writes to Edward II, passionately appealing for peace between their peoples. Edward must stop persecuting Robert and devastating his kingdom. Robert and the Scots are ready to do anything in their power to achieve peace.

To the most serene prince the Lord Edward by God's grace illustrious king of England, Robert by the same grace king of Scots, greeting in Him by whom the thrones of those who rule are governed.

When the minds of the faithful find rest under the sweetness of peace, the life of Christians, and the whole of Holy Mother Church, is adorned with good conduct because the affairs of all kingdoms are everywhere arranged more favourably.

Our humility has led us, now and at other times, to beseech your highness more earnestly so that, having God and public decency in sight, you would take pains to cease from the persecution of us and the disturbance of the people of our kingdom so that there may be from now on an end to devastation and the spilling of Christian blood.

Certainly, everything which we and our people will be able to do by bodily service or to bear by giving freely of our wealth for the redemption of good peace and for the grace of your good will for all time (which must be earned), we are prepared and shall be prepared to accomplish in a suitable and honest way, with a pure heart. And if it should be agreeable to your will to hold negotiations with us on these matters, may your royal eminence send word in writing to us, by the bearer of this letter.

Written at Kildrum in Lennox, 1 October in the fifth year of our reign [1310].

Dumfries: 14 July 1312

An English spy writes to Edward II telling him about Robert the Bruce's Parliament at Ayr and plans to attack England and castles.

My lord, since I left you at York, Sir Robert Bruce has held a Parliament at Ayr and intends to send Sir Edward, his brother, with the greater part of his forces, into England, while he himself attacks the castles of Dumfries, Buittle and Caerlaverock, remaining there and sending his light troops to plunder the North for their support.

Between April and October 1312

Charter by Robert the Bruce, giving Thomas Randolph the earldom of Moray in return for his loyalty and service to Bruce. Everyone in the earldom should obey Thomas, who is now their lord.

As king, Bruce keeps Inverness for himself, and control over high-ranking churchmen in the earldom.

During battle, men from the earldom must fight for the king under Thomas's banner. In return for the title of heir, Thomas must give the king 8 knights to fight for him.

Many important men witnessed the charter being made.

Robert, king of Scots, to all the men of his kingdom: greeting.

You should know that I have given Thomas Randolph, knight, my beloved nephew, for his homage and service to me, all of my lands in Moray as they were held by Alexander III, king of Scotland, my late predecessor. In addition I give him all the other neighbouring lands, within specified boundaries, including the northern borderlands of Argyll that belong to the earl of Ross.

I order my sheriffs of Inverness and his officials from the burgh to help the earl

and answer to him and his heirs. And they should intervene on his behalf without needing any other special order from me.

I also grant that all the men of the earldom who hold land directly from me should do homage, swear loyalty, attend court and perform all other services to Thomas and his heirs, except the four crimes of the crown which I keep for my own courts (that is murder, rape, arson and theft).

I keep for myself the burgh of Inverness, with its castle and the lands belonging to the burgh, with the fishing rights in the River Ness and with the burgh's mill. I also keep for myself the fealty of the bishops, abbots, priors and other high-ranking clergy in Moray, and the right to make appointments of priests to churches.

The men who can be mustered by me for the defence of my kingdom should come to battle under the banner of Earl Thomas and his heirs, along with the others who formerly used to follow the banner of the earl of Moray.

In return for the earldom, Earl Thomas and his heirs are to provide me and my heirs with 8 knights to serve in my army, and Scottish service and aid as owed by custom from every davoch.

Witnesses: William, bishop of St Andrews; William, bishop of Dunkeld; Henry, bishop of Aberdeen; Bernard, abbot of Arbroath and the king's chancellor; Malcolm, earl of Lennox; Gilbert Hay, knight; Robert of Keith, marshal of Scotland; Alexander Menzies, knight; Henry Sinclair, knight.