

Intruders in the Scottish Church: Clerical Allegiance and English Clergymen in Scotland during the Second War of Scottish Independence, to 1332 to 1357\*

The fourteenth century is often considered the pivotal period in the formation of Scotland as a kingdom and nation. By the end of the thirteenth century, there was a distinct Scottish kingdom, with its own laws, customs, and Church.<sup>1</sup> Furthermore, there was a desire by kings of Scots to be recognized as sovereign, as Alexander III's (1249–1286) requests for the right of coronation reveal.<sup>2</sup> With Edward I's conquest of Scotland, Scottish expressions of sovereignty fully crystallized in response to English aggression via statements such as the Declaration of Arbroath (1320). By 1328, the English Crown recognized Scotland's sovereignty in the Treaty of Edinburgh-Northampton, and Robert I (1306–1329) received papal recognition of his kingship in 1329 with the bestowing of the anointing rite.<sup>3</sup> At each of these stages, the clergy acted as key political figures and helped craft statements of sovereignty. Yet, the allegiance of clergymen was rarely as binary as the tensions between these two kingdoms implied.

Several historians of the Anglo-Scottish border have hinted at this phenomenon by exploring conceptions of a frontier society across the Scottish and English Marches, which was cultivated through cross-border landholding interests. Few have asked what a frontier society would look like for the clergy.<sup>4</sup> After Anglo-Scottish warfare renewed in the 1330s, and Berwick and Roxburgh fell to the English in 1334, these border settlements would (mostly) remain under English administration until the end of the century and into the 1400s.<sup>5</sup> Scots in English allegiance, such as the border abbeys, were restored to their pre-existing English possessions and occasionally received patronage from English lords. However, cross-border landholding usually involved Englishmen being granted new land in Scotland, but Scots were rarely given new land grants in England.<sup>6</sup> The only endowment of English land to a Scottish religious house after 1332 was the Coupland family's grant to Kelso, but this took several years to confirm and an inquest was held to ensure the grant would not prejudice Edward's rights.<sup>7</sup> Meanwhile,

Edward installed English lay- and clergymen, many of whom were northerners, into positions of authority in his new Scottish lands to oversee his administration.<sup>8</sup>

Little attention has been paid to those clergymen residing or appointed to various roles in these territories. Instead, scholarly attention has explored cultural connections across the border through the veneration of saints' cults and the patronage of monastic houses.<sup>9</sup> The exception is Richard Oram's research into the cross-border landholding of the Scottish ecclesiastical community.<sup>10</sup> He argues that Edward III's aim in annexing southern Scotland's territories was to 'construct an Anglicized community', particularly in Berwick and Roxburgh.<sup>11</sup> By an 'Anglicized community', he refers to R.R. Davies's work on England's increasing influence across the Atlantic archipelago. Davies saw the process of 'anglicization' working in tandem with military conquests to further the English king's authority. He defined this process as the 'penetration of English peoples, institutions, norms and culture... into the outer, non-English parts of the British Isles.'<sup>12</sup> Oram emphasized and extended Davies's arguments, suggesting that Edward's aim in Berwickshire and Roxburghshire was not merely to bring these sheriffdoms under his authority, but to incorporate them into England, '[to] foster a readier identification... with England than with Scotland.'<sup>13</sup> The Church, he argued, presented a significant obstacle to the realization of Edward's vision since its members were major landowners and spiritual leaders with considerable influence in the community.<sup>14</sup> However, there is a crucial perspective missing from this discussion: that of the English clergy who lived and worked in Scotland. This paper will explore the perspectives of English clergymen, particularly in the sheriffdoms of Berwick and Roxburgh, their relationship with Edward III and their responsibilities in Scotland. Its central aim is to explore the connection between individual allegiance and collective identity, and will argue that the two were not causally linked. While the intrusion of English clerics into Scottish livings was often connected to the non-compliance of the incumbent clergy, not all Englishmen were loyal, and not all Scots were

disloyal. Similarly, the identities of clergymen, regardless of their home nation, did not always fit into the categories of 'English' or 'Scottish'. Trusted clergymen were appointed to positions of authority, regardless of their identity, because of their allegiance. Yet, Edward III and Edward Balliol's inability to maintain long-term bonds with Scottish clergymen, particularly the secular clergy, meant that the English administration was the only source of reliable clerks.<sup>15</sup> Therefore, an exploration of the English clerical presence in Scotland must begin with a discussion of Scottish ecclesiastical allegiance.

Since Edward III resigned his right to Scotland in the Treaty of Edinburgh-Northampton, his hopes of claiming overlordship of Scotland rested upon the claim of the ageing Edward Balliol, the son of the abdicated King John Balliol. When Edward joined Balliol's invasion in 1333, it was with an acknowledgement of Balliol's title as king of Scots. While there was an understanding of the two kingdoms as distinct, the English king considered Scotland part of his broader political domain and subject to his authority. After the successful siege of Berwick, in 1334 Balliol ceded the sheriffdoms of Berwick, Roxburgh, Selkirk, Peebles, Dumfries, and Edinburgh (a significant portion of southern Scotland) to Edward, and jurisdiction became more complex. Moreover, Balliol's claim to the throne was supported by both Scots and Englishmen. Members of the 'Disinherited', a group of displaced lords disinherited from their properties by Robert I, cannot be easily defined as either English or Scottish. Most of the Disinherited were also subjects of the English king, whether through their possessions south of the border or Balliol's homage to Edward. By comparison, the Bruce party, those who supported David II's kingship, was primarily composed of Scottish landowners.<sup>16</sup> David was Robert I's only surviving son and inherited the throne aged five. Because of his young age, the successful defence of his kingship for the first decade of his reign relied on the continued loyalty of his father's supporters, who were mainly Scots that had profited from the dispossession of the Disinherited. Thus, political bonds did not always fit the dichotomy

between England and Scotland described by some contemporary commentators, such as the *Anonimale Chronicle*, and presented by modern historians.<sup>17</sup> For example, Scots aligned with the English or Balliol were, quite hostilely, described as ‘Anglicati Scoti’ by Walter Bower in the *Scotichronicon*, an abbot whose church was repeatedly raided by the English in the fifteenth century.<sup>18</sup>

In 1962, Geoffrey Barrow argued that historians have ‘never been slow to acknowledge’ the critical role played by the Church in the ‘War of Independence of 1296 to 1328’.<sup>19</sup> This is not the case for the Anglo-Scottish conflict after 1332. Historians studying the Second War of Independence (1332–1357), such as Richard Oram, Michael Penman and Iain MacInnes, have begun to comment on the clergy’s role in their works, but a comprehensive study of Scottish clergy during David’s reign (1329–1371) has never been attempted.<sup>20</sup> Meanwhile, several studies of Scotland in the late medieval period have explored monastic houses, dioceses, relations with the papacy, or cult veneration, but have not commented on the clergy’s political role.<sup>21</sup>

Any investigation of the political activities of churchmen, whether Scottish or English, must tackle the complex conundrum of contemporary political allegiance. Conceptions of political allegiance have been the subject of several works exploring the Wars of Independence, but these have generally considered secular lords.<sup>22</sup> Barrow, alone in focusing on clerical allegiance, dispelled previous historiographical myths that the Scottish Church unanimously supported the so-called ‘independence cause’.<sup>23</sup> However, his discussion was limited to the Guardian’s rule of Scotland (1286 – 1292, 1296 – 1306) and Robert I’s reign (1306 – 1329). In Barrow’s words, the Church was not ‘a completely separate homogenous body... composed of like-minded individuals who were invariably churchmen first and only secondarily Scotsmen.’<sup>24</sup> The experience of a parish priest, who lived in the locality with little income, was quite different from that of an abbot of a prestigious monastery, who attended Scottish

parliament and General Chapter meetings on the continent.<sup>25</sup> Instead, Barrow explored the conflict of ‘interest and loyalty’ ecclesiastics experienced, although he focused only on clergymen ‘committed to the national cause.’<sup>26</sup> He asserted that the initiative ‘lay with those who wished above all to protect the “royal dignity” and preserve the independence of the kingdom’.<sup>27</sup> Yet, he did not question where this ‘royal dignity’ stemmed from when the Scottish king was absent.<sup>28</sup> This is a particularly pertinent question because, by Barrow’s own acknowledgement, Bishop Henry Cheyne of Aberdeen (1282–1328) did not change allegiance to the ‘independence cause’ until 1306, when Robert emerged as the new king of Scots, whom he continued to have a tense relationship with because of Cheyne’s ties to the Comyn family.<sup>29</sup> This would suggest the independence cause required a figurehead who worked within the framework of the pre-existing kingdom to be successful. It also poses questions about the clergy’s loyalty when a king was absent for protracted periods or was a minor, and therefore incapable of defending the Scottish Church as he promised to in his coronation oath.<sup>30</sup>

This further prompts the question: when did a subject form an allegiance to a kingdom and a king as its figurehead, and what did this entail? The promise of loyalty and obedience made by a subject in the oath of *fidelitas*, or fealty, alongside the performance of homage, is often seen as the initial acknowledgement of allegiance. In England, Patrick Wormald argued, allegiance was ‘underwritten’ by oaths, since, from the 1000s, every freeman above the age of twelve was expected to pledge loyalty to the king.<sup>31</sup> John Maddicott pointed to the direct link forged between King John and all the freemen of England and Wales when they swore *fidelitas* in 1209 with the Oath of Marlborough.<sup>32</sup> The custom was slightly different in Scotland. As Alice Taylor has discussed, oaths in twelfth-century Scotland were undertaken only by prelates and magnates, *ergo* the leading members of the king’s court. This custom, she argues, installed a sense of ‘the necessity of aristocratic power to the medieval Scottish state’, producing a

‘conceptually unified government’.<sup>33</sup> Scottish oaths and allegiance, therefore, were more reliant upon hierarchical structures and the relationship between magnate and monarch.

The first reference to Scottish prelates swearing an oath of *fidelitas* comes in August 1175, when William the Lion became Henry II’s vassal.<sup>34</sup> Both magnates and prelates appear to have sworn fealty to Henry, but homage was reserved for secular lords.<sup>35</sup> This practice is in keeping with Archie Duncan’s view that Scottish oaths in the twelfth century ‘followed Anglo-Norman practice’, as Norman clerks swore *fidelitas* but did not perform homage.<sup>36</sup> The Ragman Roll, which notes all Scots who swore allegiance to Edward I in 1296, contains examples of clerical oaths closer to our period.<sup>37</sup> Several written records of the oaths sent to the English Chancery, which were later enrolled on the Ragman Rolls, survive in The National Archives’ (TNA) collection of the Exchequer’s Treasury of Receipt. The first of these is the oath of James the Steward.<sup>38</sup> James swore to support Edward, ‘upon punishment of body and property’, and to ‘serve him well and loyally against all mortal men’.<sup>39</sup> He also promised to inform Edward if he became aware of ‘anything harmful’ and ‘do all in our power to obstruct it.’<sup>40</sup> To ensure he fulfilled these terms, the Steward pledged his goods and his heirs’ loyalty, swearing this oath on ‘the holy Gospels’.<sup>41</sup> This collection of oaths includes three manuscripts from 1296 that contain examples from the abbots of Jedburgh, Dryburgh, Melrose and Kelso, William Lamberton, the chancellor of Glasgow, and Peter de Champagne, a parson of Kinkell.<sup>42</sup> All three documents include the same clauses as the Steward’s, promising to support Edward ‘sur peyne des cors e de avoir’ (upon pain of body and whatever we have), to serve him ‘bien e leaument coudre tutes le gentz’ (well and loyally against all people), and to make him and his heirs aware of anything that might harm them.<sup>43</sup> These oaths, therefore, suggest that the expectations of a religious man in Edward’s allegiance, to remain loyal and support the king, were the same as those expected of a layman.

The 1296 oaths were a significant break from earlier tradition because members of the lesser clergy, such as Peter de Champagne, swore allegiance alongside prelates.<sup>44</sup> Yet, this change was more representative of the English king's political ambitions, which sought to coerce the allegiance of the Scottish population, rather than a development in Scottish oath-making practice. In fact, few clergymen appear on the Ragman Roll because few swore allegiance to Edward in 1296. As Barrow noted, only three Scottish bishops of a possible twelve offered Edward 'homage',<sup>45</sup> probably because the others were absent.<sup>46</sup> The written oaths of the four Scottish abbots, William Lamberton and Peter de Champagne were far from representative of the ecclesiastical community's political allegiance as a whole.

The content of a clerical oath to a Scottish king, as opposed to an English king, does not survive until the fifteenth century, when all the prelates pledged their allegiance to James II in 1445.<sup>47</sup> In this document, the prelates promised to be 'lele and trew', that they 'sall nocht heir your scaith' (shall not hear [of] your harm), and would prevent and warn James of the said harm with all their power.<sup>48</sup> The oath also included a clause to 'your consell heil that ye shaw me' (conceal your counsel that you show me) and 'best consale I can gif to you' (give the best counsel that I can give you), which was sworn upon the word of God and the 'haly ewangelis'.<sup>49</sup> While this oath was to a Scottish, rather than an English king, it has certain commonalities with the 1296 oaths: those rendering oaths promised to remain loyal, inform the king of anything that might cause him harm, and prevent said harm to the best of their ability. Similar themes appear in earlier parliamentary legislation from Robert I's 1318 parliament, whereby both clerics and laymen swore to obey and 'fideliter' (faithfully) support the king and his heirs 'contra omnes mortales cuiuscunque potencie' (against all mortals, however powerful).<sup>50</sup> This suggests either that Edward I used a Scottish form of the oath of *fidelitas* in 1296, as a slight recognition of Scotland's laws and customs, or that a broader, standardized form of oaths existed in western Christendom.

David II and Edward Balliol's coronations are not recorded in detail, so it is difficult to know when and how oaths were sworn in the ceremony. The only contemporary sources we have for David's coronation (1331) are financial accounts of items purchased for the ceremony, giving no clue as to which prelates were even present.<sup>51</sup> By 1371, when Robert II succeeded David, there is more explicit evidence of the clergy's *fidelitas* oath to the king. The *Liber Niger* describes how five bishops, the Prior of St Andrews, and five abbots 'fecerunt homagium... et juramenta fidelitatis' (made homage... and oaths of *fidelitas*), but this was held on a separate day to the coronation and outside the abbey, on the hill of Scone.<sup>52</sup> The bishop of Dunblane was an exception to 'omnes fecerunt homagium' (all who made homage) and only made an oath of *fidelitas*, possibly because his lands were not held directly from the king.<sup>53</sup> Significantly, the 1371 document implies this performance of homage and swearing of loyalty was done 'ut est moris' (as was the custom), suggesting a similar practice was used at David's elevation.<sup>54</sup> The term *fidelitas* translates to 'fidelity' or 'faithfulness', and this same term is used in surviving documents to describe a contemporary's allegiance to one monarch over another.<sup>55</sup> For instance, the Scotch Rolls usually recorded individuals as 'in nostri fidelitatem et amorem', in our faith and affection, or 'ad fidem et pacem nostri', in our faith and peace, to denote that individual's allegiance to Edward III.<sup>56</sup> The terminology of these descriptions of allegiances utilized similar language to how *fidelitas* oaths are described, hinting at the close connection between how allegiance was recorded, and the written oaths given to the king. Therefore, descriptions of allegiance in English administrative documents invoked an understanding of the subject's sworn obligations to remain a loyal and reliable counsellor.

In the initial stages of the conflict, as Ranald Nicholson argued, the Bruce party had difficulty retaining the allegiance of the 'Scottish kirk', as six bishops, including David's chancellor attended Balliol's parliament in 1333.<sup>57</sup> While the Church under Robert, he wrote, 'provided notable leaders and patriotic manifestoes', under his heir, 'it provided neither'.<sup>58</sup> For



Nicholson, David's prelates presented 'merely passive resistance' to Edward III's authority, because of their 'lack of an acknowledged leader'.<sup>59</sup> In some ways, the absence of ecclesiastical support for David was because of the absence of prelates who had been key supporters of Robert from 1306, if not before. In the eight years between Balliol's second invasion and David's return from exile, July 1333 to June 1341, four bishops died, leaving vacant the vital dioceses of St Andrews, Glasgow, and Dunkeld. During Robert's reign, the bishops of these dioceses were crucial supporters of Bruce kingship, repelling both English territorial and ecclesiastical ambitions. The various episcopal absences and vacancies in the 1330s, which this paper will now consider, left the Scottish Church vulnerable to increased English interference. English royal clerks received numerous church livings that would have otherwise been reserved for local candidates, changing the religious community's composition, particularly in the border region.<sup>60</sup>

Before the Wars of Independence, it was common for English clergymen to hold benefices or reside in Scotland's monastic institutions. The border abbeys of Kelso, Melrose, Jedburgh and Dryburgh had lands on either side of the border, were populated by monks from both kingdoms, and were tied to mother and daughter houses in England and beyond.<sup>61</sup> After the English invasion of 1296, connections between the Scottish Church and its English counterpart were either severed or met with increasing hostility. Shelagh Sneddon has highlighted the numerous English monks expelled from their communities by their Scottish brethren before 1328.<sup>62</sup> Meanwhile, the English Crown attempted to promote its clerks to Scottish benefices, possibly to increase English influence in the Scottish ruling elite or prevent their enemies from gaining greater political power. When warfare ended in 1328, some cross-border connections were restored when some Scottish religious houses regained their English lands.<sup>63</sup> In other cases, English brothers continued to be welcome in Scottish monastic communities throughout Robert and David's reigns. The priors of Coldingham continued to be Englishmen appointed from

Durham priory's community, since Coldingham was Durham's cell. However, this did not always ensure the compliance of Coldingham's prior. In February 1340, the Scotch Roll recorded that the English Prior, William l'Escheker, was punished for crimes against his house, including the murder of his fellow brother Robert de Kellawe.<sup>64</sup> William then escaped custody, 'muros dicti prioratus Dunolm' noctanter ut apostata transcendens' (he climbed over the walls of the said priory of Durham at night like a criminal), evading capture and tricking Edward into restoring his lands.<sup>65</sup> When these subsequent misdeeds were uncovered, he was replaced by another Englishman, chosen by the Durham prior and confirmed by the chapter of St Andrews.<sup>66</sup> Ties to England were not suddenly cut when warfare recommenced in 1332. On the contrary, the establishment of an administration keen to recultivate cross-border ties in southern Scotland allowed those clergymen in Balliol allegiance to enjoy better relationships with the English clergy than they had for several decades.<sup>67</sup>

Yet, the presence of English clergymen in southern Scotland was not always peaceful and was punctuated by tension with the Scottish clergy. English clerks were usually invited into Scotland to replace their disloyal colleagues who were deemed untrustworthy. While the First War had seen English monks ejected from monasteries by the Scots, the Second War saw the English king remove Scottish clergy. Edward ousted Scottish friars from their Berwick houses in 1333, friars who, according to Edward, 'sub fide sanctiatis velamine Scotos in sua tyrannide confoverent' (under the veil of false sanctity, have favoured the Scots in their tyranny), that is, suggesting the friars were preaching in favour of David.<sup>68</sup> These friars were replaced, at Edward's instigation, with Englishmen. It is not surprising that the four mendicant communities in Berwick favoured the Bruce party in the early stages of the Second War. As Michael Brown has noted, in the First War, the English Crown complained about 'false preachers' who actively promoted Robert I's kingship and were probably friars.<sup>69</sup> The Bruce kings also appear to have had a particular affinity with the mendicants. Robert maintained close

links to the friars throughout his reign, while David's court, according to Penman, included numerous mendicants, such as his confessor, Brother Walter Blantyre.<sup>70</sup>

Edward III's actions in 1333 aimed to replace the Scots in all four of Berwick's friaries, as indicated by the sending of orders to English houses on the re-education of these unruly Scots. Edward hoped to replace like for like, so letters were sent to English houses of Dominican, Austin, Carmelite and Franciscan friars, who would provide Englishmen to replace the Scots at the relevant house.<sup>71</sup> The English king wished to consolidate his authority in Berwick, as the orders expressed his hope that the English friars 'pro predicationes salutare populum instuant ac in nostri fidelitatem et dilectionem consolident necnon veram inter nationes seminent duce Domino caritatem' (can instruct the people by their salutary prayers and should consolidate them in their loyalty and love towards us. Moreover, they should spread true love towards us).<sup>72</sup> Andrea Ruddick has argued that this document assumed 'a binary opposition between the two nations', in which the Scots supported the Scots, and the English supported the English.<sup>73</sup> But she also comments that, while this document acknowledges the 'tendency for nationality to determine loyalty', it also offered the possibility for a 'separation between political and national identity'.<sup>74</sup> For Berwick's religious communities and the surrounding area in the 1330s, there is sufficient evidence to suggest this was more than a possibility: 'the Scots' were not a monolithic group that by default supported the 'Scottish' David, over the 'English' alternative. While the English king recognized these friars' influence in Berwick, his orders suggest he believed Berwick's collective allegiance could change under the right circumstances and spiritual guidance. That is, a Berwick with a new community of trustworthy friars could remain loyal to his authority. The same could also be true for the Scottish friars themselves, as Edward's plans included the 're-education' of the Scottish friars in England. His instructions for their placement in English society were exacting. He requested that the Scots be placed in houses 'ultra Trentam', which presumably refers to the English legal and administrative area

between the River Trent and the border, covering anywhere from Nottinghamshire to Northumberland.<sup>75</sup> Furthermore, he specified that they should be placed ‘singulos in singulis domibus ut cesset occasio malignandi quot sic benigne protactare facere’ (each in separate houses so that the opportunity for doing evil might cease).<sup>76</sup> The individual allegiances of these friars were, according to Edward, contingent on their ability to assemble as a collective to express their political identity and organize resistance to his authority. Without these two factors, Edward believed English communities could change the Scots’ allegiance, ‘ut fraterne caritatis ostensione devicti discant diligere quod oderunt’ (so that [they] are persuaded by the display of brotherly love [and] learn to love what they hate).<sup>77</sup>

The friars were the only religious community in Berwick to experience this wholesale expulsion of their members. The king’s letters concerning the Scots’ removal were addressed to only the English preaching orders and did not apply to the other religious communities.<sup>78</sup> When the king writes of ‘omnes confratri vestri Scoti’, he refers to the recipients’ mendicant colleagues.<sup>79</sup> Indeed, Edward explicitly refers elsewhere in his orders to ‘omnes fratres Scoti mendicantes’ (all the brothers of the Scottish mendicants).<sup>80</sup> Berwick was home to several hospitals manned by monks, and a Cistercian nunnery, but there were no similar orders to replace the resident monastic communities with English counterparts.<sup>81</sup> Instead, Edward seems to have been satisfied by the adherence of the monastic clergymen and -women.

For the Scots of monastic houses and the expelled friars, their ‘national identity’ was not perceived as a barrier to them becoming Edward’s loyal subjects. A comparison could be made between Edward’s treatment of the friars and his invitation for English burgesses to move to Berwick in the 1330s. The presence of these burgesses, as J. Donnelly has argued, was prompted by a desire to aid the recovery of the town rather than for ‘ethnic cleansing’.<sup>82</sup> However, their arrival was not met with the same expulsion of Scottish burgesses. A readier comparison can be found with Edward II’s treatment of the Irish friars in Cork, Limerick,

Buttevant, and several other locations in the 1320s after the Bruce invasion of Ireland had failed, which Niav Gallagher has explored.<sup>83</sup> In these examples and at Berwick, the English kings' reactions were in response to the friars' support of the Bruces and their rebellion against English authority. Therefore, Edward III's central concern was ensuring that Berwick was made up of faithful individuals, regardless of whether they were English or Scottish, and removing disloyal subjects. In this way, his actions mirrored those of his father in Ireland.<sup>84</sup>

It is difficult to ascertain whether this approach proved successful for the English king. No surviving records describe the English administration experiencing further problems with the loyalties of these communities.<sup>85</sup> At first glance, the Berwick clergy's relationship with the Balliol Scots and English appears harmonious from this point on. Edward III and Edward Balliol continued to support various communities through a plethora of regular payments and the supply of victuals, while the English king often usurped the patronage role traditionally held by the king of Scots. In October 1335, Edward III gave the various orders of friars based in Berwick a total of 23 shillings and 4 pence in alms via the Royal Wardrobe.<sup>86</sup> The Scotch Rolls also feature payments made to the Dominican, Franciscan and Carmelite friars in March 1334, alongside a payment to St Bothans, the Cistercian nunnery, and the gift of victuals to the Trinitarian hospital.<sup>87</sup> Payments to these communities continued into the 1340s, although occasionally those paid by Balliol decreased in size, which hints at his increasing financial pressures as Edward's attention was drawn towards France.<sup>88</sup> Yet, the English king was simultaneously injecting his clerks into the various Berwick hospitals, from the time of the Siege of Berwick (1333) until peace was negotiated with David (1357), as shall be discussed below. This suggests that Edward III remained uncertain of the continuing loyalty of these communities. Similarly, it is unlikely that the promotion of royal clerks as custodians of various local hospitals endeared the English king to the local monks already appointed to the hospitals' charge, who might have become custodians without the king's interjection. Thus, despite the

various alms paid to Berwick's religious communities, it is likely that considerable tension remained between the clergy residing there and Edward, even after he removed a large proportion of the Scottish mendicant community.

Unlike their mendicant counterparts, English royal clerks appear to have been appointed to positions in Scotland as and when the need arose, rather than as a wholesale clerical invasion. Curiously, the papal registers of supplications contain no references to Edward III's promotion of these clerks during the conflict, other than to episcopal office, perhaps because he was considered the rightful patron after Edward Balliol's 1334 grant, which included the advowson of the churches.<sup>89</sup> The lack of surviving Scottish episcopal registers for the fourteenth century, particularly for the diocese of St Andrews in which Berwick was located, also limits the range of evidence available. Instead, these clerks only appear in the English records when receiving a reward for their service in the king's administration, but many clerks may have been involved in Scotland before their documented appearance. These men were usually the king's clerks with proven loyalty to the English Crown.

From the Scottish Church's perspective, Ranald Nicholson described these promotions as 'a policy of intrusion', stating that Edward 'could not resist the temptation to try to intrude Englishmen into Scottish benefices.'<sup>90</sup> Although a 'policy' in its modern sense has more formal connotations than Nicholson perhaps intended, 'intrusion' into the Scottish Church was a recurring theme in the Wars of Independence, as it was elsewhere in English conquered territories.<sup>91</sup> English kings often sought to cajole local populations into adhering to their authority through the installation of trusted advisors to benefices in volatile territory.<sup>92</sup> Intrusions had been used by Edward II to infiltrate Scottish dioceses. This was a surprising policy for a king facing extensive financial difficulties after his predecessor's costly wars. Since the Scottish ecclesiastical province had no archbishop until the fifteenth century, and therefore no metropolitan to induct a newly appointed bishop, clergymen provided to a diocese

in the 1300s would have to journey to the papal *curia* in Avignon.<sup>93</sup> The costs of the journey, accommodation while there, the papal tax owed to the pope if the cleric obtained the diocese through papal provision, and an arbitrator if litigation was required over a disputed appointment could be substantial.<sup>94</sup> Clergymen could circumvent these costs by procuring a wealthy patron, such as Edward II, to fund them.<sup>95</sup> Thus, when Richard de Pontefract was recommended to the diocese of Dunblane in January 1320 by Edward II, we can assume that the king assisted with these costs.<sup>96</sup> Such appointments were controversial and usually disputed, as Robert I likewise attempted to secure a favourable candidates to the dioceses of the Galloway, the Isles, and elsewhere.<sup>97</sup> In 1311, Edward II tried, unsuccessfully, to remove Bishop Robert Wishart of Glasgow, a prominent supporter of Robert I, and replace him with the English clerk Simon de Segrave.<sup>98</sup> Although Nicholson suggested Edward's appointments affected around 79 benefices in total, these provisions, as in the case of Segrave, were overwhelmingly unsuccessful.<sup>99</sup> The only successful appointment of an Englishman to a bishopric by Edward II was John de Eggescliffe to the Glasgow diocese in 1318, after Robert Wishart's death.<sup>100</sup> However, Eggescliffe was later removed by the pope because he was 'incapable' of entering his diocese and fulfilling his spiritual duties, and was replaced by the Scottish John de Lindsay.<sup>101</sup> Eggescliffe's disappointment in Glasgow did not change Edward's pursuit of 'intrusion' and desire to promote the clerk. However, he turned to his territories elsewhere, recommending Eggescliffe's translation to the diocese of Connor in Ireland, followed by the bishopric of Llandaff in Wales.<sup>102</sup>

As Edward II's attempts in Scotland had been ineffectual, it is surprising that Edward III returned to this 'policy' when Anglo-Scottish warfare recommenced and proposed competing candidates to David's nominations.<sup>103</sup> Yet, his intrusions were quite different from those of his father, as he provided few Englishmen to high-profile livings such as bishoprics. In several ways, his intrusions into the Scottish Church reflected the more nuanced political landscape of

the 1330s and 1340s, in which Scots and Englishmen adhered to Balliol and Edward III. Instead of Englishmen, Edward recommended favourable Scottish candidates in his allegiance to the Scottish episcopate.<sup>104</sup> For the duration of the conflict, only four appointments to episcopal sees were contested and required litigation of a possible twenty-nine promotions: two at Dunkeld, one at Argyll and one at St Andrew's. All other candidates for episcopal office appear to have been elected or provided without incident. Of the four contested appointments, one at Dunkeld was caused by a conflict between local candidates when the cathedral chapter held an election in apparent ignorance of a pre-existing papal reservation.<sup>105</sup> The three remaining contests can be linked to political tensions and the opposing candidates' conflicting allegiances. The Argyll contest, between Màrtainn de Argyll and Aonghas de Argyll in March 1342, had a distinctly political element because Edward sent letters to the pope supporting the appointment of Màrtainn, while Aonghas described himself as David's clerk in January 1343.<sup>106</sup> Similarly, the Dunkeld contest in c.1337–8 was a dispute between two Scots, probably with opposing political allegiances. Malcolm de Innerpeffray, the first candidate, was supported by Edward III via letters to the pope just as Màrtainn had been.<sup>107</sup> The second candidate, Richard de Pilmor, was probably in Bruce allegiance from 1332 until his nomination, perhaps following the loyalties of his brother, Bishop John Pilmor of Moray.<sup>108</sup> As Donald Watt suggested, he was likely the Bruce candidate against Malcolm, and may even have been in contact with David's exiled court at Château Gaillard by virtue of his academic career at the University of Paris.<sup>109</sup> This contest at Dunkeld is particularly telling because it split the Dunkeld cathedral chapter, with votes divided equally between Malcolm and Richard.<sup>110</sup> The Dunkeld chapter's indecision in the c.1337–8 election could hint at a deeper political divide in this area's religious community. Either way, Edward's promotion of 'trusted' clergymen, as these elections demonstrate, was not limited to Englishmen.



When Edward tried to appoint Englishmen in the contest at St Andrews, his attempted provisions were unsuccessful, and the vacancy lasted for nearly ten years. St Andrews fell vacant sometime in the autumn of 1332.<sup>111</sup> When Edward heard of the vacancy on 2 October 1332, only a few weeks after Balliol's invasion of Fife, he was keen to fill this influential diocese with an Englishman and quickly. The Roman Rolls, which contain enrolments of all the Crown's letters to the Roman *Curia*, include Edward's letter to Pope John XXII seeking a general reservation of the diocese for a suitable candidate.<sup>112</sup> He wrote the same day again seeking the promotion of his treasurer, Robert Aylestone, to the see.<sup>113</sup> Aylestone appears in the English administrative records from the beginning of Edward's reign.<sup>114</sup> He perhaps came to the king's attention via the patronage of the bishop of Salisbury because, in March 1330, he is described as the archdeacon of Wiltshire in the diocese of Salisbury.<sup>115</sup> On 20 December 1330, he was appointed as a baron of the Exchequer, which began his career in the king's service.<sup>116</sup> He must have made an impression upon Edward quickly, as two months later the king granted him the prebend of Caister in the diocese of Lincoln.<sup>117</sup> By 16 October 1331, he was awarded the archdeaconry of Berkshire, also in the diocese of Salisbury, which may have replaced his previous position in Wiltshire.<sup>118</sup> During this short amount of time, Aylestone proved himself to be a capable administrator because, on 29 March 1332, he was promoted again as the treasurer of the Exchequer.<sup>119</sup> He appears in this capacity several times over the rest of the year, liaising with the chancellor or acquiring loans on the king's behalf.<sup>120</sup> Aylestone, therefore, was presented to St Andrews at the height of his influence in Edward's administration. However, the pope regarded him as an inappropriate candidate, so the second time around, in 1333, Edward tried to appoint the keeper of his Wardrobe.<sup>121</sup>

This was a clerk called Robert de Tanton. Tanton's career bloomed around the same time as Aylestone's.<sup>122</sup> In 1328, when he was granted a prebend in the diocese of St David's in Wales, he is referred to as a king's clerk.<sup>123</sup> Tanton was seemingly well-connected, because he was

also presented to a living in the diocese of Ely by its bishop, although he was prevented from being inducted and was promoted to the keeper of the Wardrobe in either 1331 or early 1332.<sup>124</sup> From then until his death in 1334, Tanton was the recipient of many church livings across the king's domain: this included prebends in the cathedrals of Dublin, Wells, Salisbury and Lincoln, as well as a chapel in Hastings, the collegiate Church of Wingham, the manor of Crich in Dorset, and the archdeaconry of Durham.<sup>125</sup> The majority of these grants came from the king, so Tanton stood high in Edward's favour, with livings across the king's domain in Ireland, Wales and England. Like Aylestone, Tanton was put forward for elevation to the episcopal bench at the height of his influence in Edward's court. In the event, his provision, like Aylestone's, was dismissed for presumably the same reasons, and the bishopric remained vacant until a second Scottish candidate was recommended to the *curia* in March 1342 with the support of David II and Philip VI of France.

Despite his candidates' failure, Edward found plenty of ways to take advantage of the vacancy. Like his English counterpart, the king of Scots enjoyed the right to administer the lands of a vacant diocese. This was a prerogative Edward now claimed in Scotland. During the Glasgow vacancy in 1336, after Bishop John de Lindsay died, Edward claimed the profits of the bishop's manors of Ancrum, Ashkirk and Lilliesleaf, which were located in Teviotdale – part of Edward's new lordship of southern Scotland.<sup>126</sup> Although this was not a confiscation of the bishop's property, that Edward was able to extract the profits of Ancrum, where one of the bishop of Glasgow's palaces was located, and distribute them to his supporters, speaks to his influence in the area surrounding Roxburgh.<sup>127</sup> He also claimed the land of 'Benneverky' from the diocese of Glasgow in November 1335.<sup>128</sup> Given the size of the diocese of St Andrews, it seems likely that Edward seized lands there as well, particularly in remotely located Berwickshire. The vacancy provided Edward with profits and gave him the ability to intrude English clerks into Scotland. This was the second way in which Edward's policy differed from

that of his father: he focused on smaller livings that would have a targeted, local impact in the Scottish territory Balliol had ceded him. By inserting his trusted advisors into these livings, Edward was extending his sphere of influence in the locality and consolidating his control of Berwick and Roxburgh, where he had established garrisons.

It is clear from the preaching of the Berwick friars, which was so offensive to Edward it warranted their exile, that low-level clergy could be political agitators. However, without the presence of a bishop, low-level clergy were without representation in the elite Scottish political community and lacked the protections the episcopate could offer the lesser clergy.<sup>129</sup> For example, ecclesiastical superiors could oppose a clerk's appointment at his induction, and this superior was usually the bishop of the see. In the diocese of Glasgow, in which the burgh of Roxburgh was located, the bishop until c.1336 was John de Lindsay, who was a Balliol adherent and attended several of Balliol's parliaments.<sup>130</sup> As a result, Edward likely faced little opposition in intruding his candidates into Glaswegian benefices, such as Simon de Sanford's appointment as custodian of Rutherford hospital that will be discussed below. When Lindsay died in 1337, he was replaced by John Wishart, a Bruce supporter, but Wishart died in 1337 on his return from France when the English captured his ship, and he refused to eat or drink 'through excessive vexation' at his captors.<sup>131</sup> Again, therefore, Edward could intrude his candidates unopposed. Wishart's successor, William Rae, did oppose English promotions and was duly labelled as the 'king's enemy' for withholding his consent.<sup>132</sup> Inductions into benefices in St Andrews diocese were reliant on cordial relations with the cathedral chapter, made up of the monastic community of St Andrews priory in the same place, while the diocese was vacant. The priory initially resisted Balliol's authority, but after the Battle of Halidon Hill (1333), generally fell into line with one notable exception in c.1335/6.<sup>133</sup> From 1342, William Landallis was installed as bishop and, like Rae, opposed English appointments into his diocese.<sup>134</sup> As Oram has demonstrated, however, the opposition of the bishops did not always

stop Edward in his tracks: the Balliol Scot, Richard de Swinehope, and Yorkshire clerk, Ralph de Malton, were granted the fruits of their prospective church livings despite the bishops of St Andrews and Glasgow refusing to induct them.<sup>135</sup>

We must, therefore, ask why the English clerks Edward patronised were considered so integral to maintaining allegiance in his new territories. All the candidates appear to have been clerks in the English administration or affiliated with Balliol, or both. Simon de Sandford, an English clerk working for Balliol, was rewarded in 1332 with the custody of Rutherford's hospital near Roxburgh for his lifetime, presumably a reward for his services.<sup>136</sup> Sandford may well have entered Balliol's service through work for the English Crown because, earlier in the year, Edward had presented him to the church of Musgrave in Carlisle.<sup>137</sup> Indeed, he appears to have had no connection to members of the Disinherited Scots or local northern landholders. Unfortunately for Sandford, the presentation was unsuccessful, as the previous incumbent was not dead, as the king believed, but was still working in Edward's administration!<sup>138</sup>

The custodies of hospitals were a standard reward for clerks in the king's service. A Northumbrian clerk and parson of Embleton, Thomas de Bamburgh, was granted the custody of the hospital of Mary Magdalene in Berwick on 15 June 1334, soon after the town surrendered.<sup>139</sup> Bamburgh was an essential player in the surrounding area, as several commissions described him as the chancellor of Berwick, and he was one of Edward's *'fideles'* picked to investigate Coldingham Priory's privileges on behalf of the king.<sup>140</sup> He put his influence with the king to use quickly: the very day he was presented to the hospital, Edward restored its fisheries of Tottingford ('Totyngford'), Lauder ('La Lawe') and Caddon ('Calet') in the River Tweed.<sup>141</sup> Edward also restored the hospital's farmlands in Berwick and the annual rent of 25 shillings that the king of Scots traditionally paid the hospital.<sup>142</sup> The English records also contain orders to pay this rent to Bamburgh again in May 1336, July 1338, and July 1339, which hints at the longevity of Bamburgh's stay in Scotland.<sup>143</sup> By 1338, he is described as the

keeper of the Great Seal.<sup>144</sup> After Bamburgh died, the hospital was awarded to another English clerk, named Robert de Burton, who received custody on 14 April 1340.<sup>145</sup> This was not Burton's first living in Scotland. In July 1338, he was given the chapel of Edenham by Edward at the expense of a Scottish clergyman when the chapel was confiscated from the dean of Glasgow, deemed the 'king's enemy'.<sup>146</sup> He may have even worked alongside Bamburgh, who presented the chapel to Burton.<sup>147</sup>

Another prominent clerk, William de Emeldon, was rewarded in 1337 with custody of a hospital, this time the hospital of Rutherford.<sup>148</sup> Emeldon's family had landed interests in Northumberland, hailing from Embleton; in January 1336, he successfully petitioned Edward for the restoration of his uncle's land in Berwick.<sup>149</sup> He was also related to the mayor of Newcastle, Richard de Emeldon. So it was perhaps because of Emeldon's connections in the March in conjunction with his trustworthiness that allowed him to reach greater prominence in the Scottish administration.<sup>150</sup> Emeldon gradually rose in Balliol's administration, becoming his chamberlain of Scotland by c.1346 (when a receipt of the Exchequer noted a payment to him in this capacity) and also overseeing Balliol's great seal.<sup>151</sup> R.C. Reid has suggested that Emeldon was an unwilling ally of Balliol because he brought a bodyguard with him to Scotland and insisted he was paid a bonus of £10 in advance of the journey. His formal agreement also stated he would not be bound to remain with Balliol if the English lords Henry Percy and Ralph Neville returned to England.<sup>152</sup> Reid's hypothesis is not born out by the trajectory of Emeldon's career, however, as the clerk was amply rewarded for his service: before 1348, the king had granted him a further five benefices, including the other Berwick hospital, the *Domus Dei*.<sup>153</sup> These grants may have worked as a way for the king to ensure Emeldon continued to have a vested interest in his continued success. Furthermore, Emeldon was still integral in Scottish affairs in 1355, when he is described as the receiver of money to pay the wages of soldiers journeying to Scotland.<sup>154</sup> In fact, his career demonstrates the longevity of Edward III's

ambitions in Scotland and the considerable rewards a royal clerk could obtain in the king's service, even beyond the confines of the English kingdom.

In conclusion, this research can offer insights into three perspectives on Anglo-Scottish war in the mid-fourteenth century: those of Edward III, the intruded clergy, and the Scottish border community. The English king expressed clear imperial ambitions in Scotland, but his aim was not to 'anglicize' the burghs of Berwick and Roxburgh. A fundamental obstacle in perceiving English action in Scotland as an anglicization policy lies in the difficulties of ascertaining the scale of clerical intrusion from the English realm. In the case of Edward's exchange of 'disloyal' Scottish friars for loyal English, in neither his letters to the English mendicants, nor an order to Henry Beaumont about the exchange of personnel, did Edward note the number of Scottish friars already in Berwick, how many Englishmen were required to replace them, or the number of English communities he asked to house the Scots.<sup>155</sup> It is also unclear how many clerks worked under Balliol's chancellor and the size of the writing office he maintained. It is, therefore, impossible to determine how many English clerks were in Scotland and their impact on the local community.

The scale of 'intrusion' into church livings is similarly difficult to determine because of the limited source material. However, many clerks were promoted to the same group of reoccurring benefices, such as the hospitals of Rutherford, near Roxburgh, and Mary Magdalene in Berwick, while the hospital of Linlithgow is mentioned only once.<sup>156</sup> Therefore, the king's sphere of influence was seemingly limited to Berwickshire and Roxburghshire. Meanwhile, Edward's ability to successfully invest royal clerks was dependent on his military successes: the king provided clerks with livings every year between 1335 and 1340, but the Scotch rolls contain no further provisions until 1346, after English victory at the Battle of Neville's Cross.<sup>157</sup> After this brief revival, Edward's recommendations were less successful, with clerks being awarded the 'fruits' of the benefice when they could not be inducted or his appointments

being ignored all together.<sup>158</sup> Therefore, the English king's impact on the patronage of church livings across the seven sheriffdoms Edward Balliol had granted him was increasingly limited as the conflict raged on. Even at the height of English appointments in Scotland, 1335 to 1340 and 1346 to 1348, it is unclear how consistently Edward's clerks resided in their Scottish benefices or if they simply collected the incomes from them.<sup>159</sup> The career of the lay John de Coupland, keeper of Roxburgh Castle in c.1348 and sheriff of Northumberland, is perhaps a cautionary tale since he was reported to have rarely been seen in Roxburgh.<sup>160</sup> Similar questions could be asked of the clerk Thomas de Bamburgh, who held lands in Scotland and Northumberland. He was granted various tenements in Berwick in May 1335 but also held the manors of Belsay and Newland in Northumberland.<sup>161</sup> In fact, he may have resided in neither Berwick nor Northumberland. In c.1338, he was named the joint keeper of Edward's Great Seal, suggesting he lived close to the Chancery in Westminster.<sup>162</sup>

Edward's intrusion of clerks must also be contextualized within the English crown's broader administrative policy, which continued to distinguish between the two realms. The English clerks who acted as chamberlains in the Scottish March were administering Scottish law, rather than English, throughout the king's Scottish lands. For example, Peter Greathead, chamberlain in 1344, argued that the English Exchequer had 'no authority to compel the men of Scotland to appear before it' when an Englishman sought restitution for the goods stolen from him by Scottish pirates while travelling to Berwick.<sup>163</sup> The distinction between the two kingdoms was also preserved in the various chancellorships of the two territories, which indicate that there was no intention to merge Berwick and Roxburgh into the English administration: William Bevercotes was described as chancellor of Scotland in December 1333 and chancellor of Berwick c.1334–5, while Thomas de Burgh was described as chancellor of the king's lands in Scotland around the same time.<sup>164</sup> Edward thus kept the administration of his Scottish lands separate from that of his lands in England, and from Balliol's administration of his estates. In

this spirit, English records continued to make distinctions between England and Scotland, even when Edward controlled both territories. The Scotch Rolls in 1362 described the Priory of Coldingham as being in the king's faith and peace, and 'in Scotia', despite the house's proximity to the border and long-standing connection with Durham Priory.<sup>165</sup> It is clear, therefore, that the Scottish communities in areas under English administrative control were never considered 'anglicized' territories even by the English administering them.

Importantly, too, the modern identification of Edward's intruded clerks as English also needs to be moderated. Given that southern Scotland was already a predominately English-speaking area, with long-established ties of patronage linking noble families and monasteries across the border, 'anglicization' was not a necessary course for Edward in the 1330s. Similarly, that Edward chose to promote Scots in Balliol allegiance alongside Englishmen demonstrates that 'anglicization' would in any case be a misnomer in this context. Even in his treatment of the Berwick friars, Edward's actions could be seen as a preventative measure against future political agitation and violence rather than an attempt at 'anglicization', which paralleled Edward II's papally-backed replacement of mendicant personnel in Ireland during the 1320s after years of violence.<sup>166</sup>

Moreover, if we return to the clergy's perspective, the backgrounds of several 'English' clerks suggest that they did not comprise an English enclave north of the border in the way that Oram envisages. J.A. Tuck argued that the fourteenth century saw the cultivation of a northern English identity: the gradual conversion of temporary offices and fortifications into permanent features of the English March, because of long-term warfare, gave men in the Marches increased opportunities for promotion and patronage.<sup>167</sup> Notably, William de Emeldon and other clerks intruded into Scotland were from northern England and retained familial links with the English March. It is possible that this can be explained simply by the fact that northern clerks may have been recruited into the king's service more regularly between 1333 and 1337



because of the relocation of the English Chancery and Exchequer to York.<sup>168</sup> Significantly, however, Emeldon's northern identity may have meant he would have perceived his 'Englishness' and its relationship to the Scots in different terms to Robert Aylestone, who was from Leicestershire, or Balliol's clerk Simon de Sandford, who may have been from Devon.<sup>169</sup> To label all of these clerks indeterminately as 'English' is thus misleading, and the assumption that their influence on their adopted community would be one of 'anglicization' reductive.

The pattern that emerges from studying these clerks' careers is that they were placed in offices of significant authority because of their reliability, rather than their English national identity. Each clerk forged his career at the heart of the administration and thus claimed a demonstrable history of administrative acumen and loyal service to the king. To suggest their national identity was the key criterion for their promotion thus does them a disservice and tells us more about modern historians' assumptions than it does about contemporary attitudes to clerical career paths. It was each clerk's trustworthiness and personal connections that made them suitable alternates for the Scots they replaced, who were potential supporters of David II. Likewise, the national identity of certain Scots in Edward's allegiance did not present a barrier to episcopal promotion, providing they remained loyal.

The injection of English clergymen into offices and church livings in Scotland after 1332, therefore, had less to do with the intention to reshape the identity of communities than with a desire to ensure the continuing loyalty of Edward's newly conquered lands. The English king attempted to establish his own lordship within the pre-existing boundaries of the Scottish kingdom through the promotion of trusted agents. These agents were sometimes royal clerks and sometimes local Scottish supporters, lay or ecclesiastic, who were bound to Edward's ambitions through oaths of allegiance. The potential impact of their intrusion on the relationship between the religious communities of the border and Edward must also be considered alongside the agency of these communities in committing their allegiance to the

English king. The allegiance of individuals and communities in Scotland continued to be governed by practical concerns, such as their fear of military incursions, the potential loss of income from confiscations, and the promise of future rewards in Edward's service. In the short term, any feelings of 'national identity' did little to overcome these interests. Therefore, the characterization of English imperial ambitions and policy across the Atlantic archipelago must be tempered by an appreciation of the personnel involved and a more nuanced understanding of both their agency and identity.

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\* I am most grateful to Dr Sophie Ambler, Dr Andy King, Professor Michael Brown and Dr Iain MacInnes for commenting on drafts of this article. A version of this paper was given at the Institute of Historical Research's Late Medieval Seminar on 19 March 2021 and this article has benefitted from the feedback I received.

<sup>1</sup> Dauvit Broun, *Scottish Independence and the Idea of Britain: From the Picts to Alexander III* (Edinburgh, 2007); A.A.M Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975); Hector L. MacQueen, "'Regiam Majestatem'", Scots Law, and National Identity', *The Scottish Historical Review*, lxxiv (1995), 1–25.

<sup>2</sup> Broun, *Scottish Independence*, p.2.

<sup>3</sup> Sonja Cameron and Alasdair Ross, 'The Treaty of Edinburgh and the Disinherited (1328-1332)', *History*, lxxxiv (1999), 237–56.

<sup>4</sup> Andy King, 'Best of Enemies: Were the 14th-Century Anglo-Scottish Marches a "Frontier Society"?' in *England and Scotland in the 14th Century: New Perspectives*, ed. Andy King and Michael Penman (2007), pp. 116–35; Cameron and Ross, 'The Treaty of Edinburgh', 237-56; Richard D. Oram, 'Dividing the Spoils: War, Schism and Religious Patronage on the Anglo-Scottish Border, c.1332-c.1400', in *England and Scotland in the 14th Century: New Perspectives*, ed. Andy King and Michael Penman (2007), pp. 136–56; Shelagh Sneddon, 'A Tale of Two Abbots: Petitions for the Recovery of Churches in England by the Abbots of Jedburgh and Arbroath in 1328', in *Petitions and Strategies of Persuasion in the Middle Ages: The English Crown and the Church, c.1200-c.1550*, ed. Thomas W. Smith and Helen Killick (2018), pp.126-147; Tom Turpie, *Kind Neighbours: Scottish Saints and Society in the Later Middle Ages* (Leiden, 2015); Emilia Jamrozak, *Survival and Success on Medieval Borders: Cistercian Houses in Medieval Scotland and Pomerania from the Twelfth to Late Fourteenth Century* (Turnhout, 2011).

<sup>5</sup> King, 'Best of Enemies', p.120; Anthony Goodman, 'Religion and Warfare in the Anglo-Scottish Marches', in *Medieval Frontier Societies*, ed. Robert Bartlett and Angus McKay (1989), pp.245-266.

<sup>6</sup> King, 'Best of Enemies', p.123.

<sup>7</sup> *Calendar of Documents Relating to Scotland (CDS)*, ed. Joseph Bain (4 vols., 1881-1888), iii. 30. This process was fairly standardized and was not an exception because the house was Scottish.

<sup>8</sup> King, 'Best of Enemies', pp.120-3.

<sup>9</sup> Keith Stringer, 'Identities in Thirteenth-Century England: Frontier Society in the Far North', in *Social and Political Identities in Western History*, ed. Claus Bjørn, Alexander Grant and Keith J. Stringer (Copenhagen, 1994), pp.28-66 (see Map D in the Appendix in particular); Turpie, 'Scottish and British? The Scottish Authorities, Richard III and the Cult of St Ninian in Late Medieval Scotland and Northern England', in *Medieval and Early Modern Representations of Authority in Scotland and The British Isles*, ed. M. Penman, K. Buchanan and L. Dean (Abingdon, 2016), pp.124-140; Turpie, 'A Monk from Melrose? St Cuthbert and the Scots in the later middle ages, c.1371-1560', *The Innes Review* lxii (2011), pp.47-69; Jamrozak, *Survival and Success*, pp.113-140.

<sup>10</sup> Oram, 'Dividing the Spoils', pp.136-56.

<sup>11</sup> Oram, 'Dividing the Spoils', p.138.

<sup>12</sup> R.R. Davies, *The First English Empire: Power and Identities in the British Isles 1093-1343* (Oxford, 2002), p.143.

<sup>13</sup> Oram, 'Dividing the Spoils', p.138.

<sup>14</sup> Oram, 'Dividing the Spoils', p.138.

<sup>15</sup> As Oram has shown, Balliol and Edward III had fruitful relationships with the four border abbeys (Oram, 'Dividing the Spoils', pp. 139-140). Beyond this group, Balliol had few long-lasting bonds with Scottish clergymen. Even Bishop William Sinclair of Dunkeld who crowned Balliol in 1332 had returned to Bruce allegiance by 1336 (*CDS*, iii, p.335, p.339).

<sup>16</sup> There were also a few rare exceptions, such as a cleric named William Bullock who supported the Bruce forces during the Siege of Perth, after the fall of the castle of Cupar, which was in his custody. It is unclear whether Bullock was an Englishman or a Scot, but the modern editors of the *Scotichronicon* have suggested that he was perhaps an Englishman in Bruce allegiance. (Walter Bower, *Scotichronicon*, ed. A.B Scott and D.E.R. Watt (9 vols., 1987-1998), vii, p.246)

<sup>17</sup> 'In [1333] when the king of England heard how the Scots had committed arson, robbery and murder in his land despite the form of peace between them...' In this quotation, the chronicler indicates the two opposing sides are 'the English' and 'the Scots' and mentions nothing of Edward Balliol and the Disinherited. (*The Anonimale Chronicle, 1307-1344*, ed. Wendy R. Childs and John Taylor (Cambridge, 2013), pp.158-9.

<sup>18</sup> 'Anglicized Scots' (Michael Brown, 'Scoti Anglicati: Scots in Plantagenet Allegiance during the 14<sup>th</sup> Century', in *England and Scotland in the 14th Century: New Perspectives*, ed. Andy King and Michael Penman (2007), pp. 94–115, at p.96).

<sup>19</sup> G.W.S Barrow, 'The Scottish Clergy in the War of Independence', *The Scottish Historical Review*, 41 (1962), 1–22, at p.1.

<sup>20</sup> Oram, 'Dividing the Spoils', pp.138-9; Iain MacInnes, "To be Annexed Forever to the English Crown": The English Occupation of Southern Scotland, c.1344-37', in *England and Scotland at War, c.1296-c.1513: New Perspectives*, ed. Andy King and David Simpkin (2012), pp.183-202, at pp.195-202; Michael Penman, *David II* (Edinburgh, 2004); Penman, 'Christian days and knights: the religious devotions and court of David II of Scotland 1329-71', *Historical Research*, lxxv (2002), 249-272..

<sup>21</sup> A. D. M. Barrell, *The Papacy, Scotland and Northern England, 1342-1378* (Cambridge, 1995); Barrell, 'Papal Provisions in Scotland in the 14th and Early 15th Centuries', in *Church, Chronicle and Learning in Medieval and Renaissance Scotland: Essays Presented to Donald Watt on the Occasion of the Completion of the Publication of Bower's 'Scotichronicon'*, ed. Barbara Crawford (1999); Barrell, 'Royal Presentations to Ecclesiastical Benefices in Late Medieval Scotland', *The Innes Review*, lv (2004), 181–204; Iain G. MacDonald, *Clerics and Clansmen: The Diocese of Argyll between the 12th and 16th Centuries*, The Northern World (Leiden, 2013); Emilia Jamrozak, *Survival and Success on Medieval Borders: Cistercian Houses in Medieval Scotland and Pomerania from the 12th to the Late 14th Century*, Medieval Texts and Cultures of Northern Europe (Turnhout, 2011).

<sup>22</sup> Jonathan Gledhill, 'Locality and Allegiance: English Lothian, 1296-1318', *Scotland and England at War, c.1296-c.1513*, ed. King and Simpkin, pp.157-182; Stuart McCulloch, 'Personal Allegiance in South West Scotland: 1286-1356', *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, lxxxiv (2010), 57-73; Michael Brown, *The Wars of Scotland* (Edinburgh, 2004); Brown, 'Scots in Plantagenet Allegiance during the Fourteenth Century', pp. 94–115; Brown, 'War, Allegiance, and Community in the Anglo-Scottish Marches: Teviotdale in the 14th Century', *Northern History*, xxi (2004), 219–38; Cynthia J. Neville, 'The Political Allegiance of the Earls of Strathearn during the War of Independence', *SHR*, lxxv (1986), 133-153.

<sup>23</sup> Barrow, 'The Scottish Clergy', p.3.

<sup>24</sup> Barrow, 'The Scottish Clergy', p.3.

<sup>25</sup> Similarly, the experience of clergymen in the Gaelic parts of Scotland, along the western Isles and Highlands, would have been different to that of a lowland clergyman in the Borders. While the experience of religious women, such as the nuns of Haddington, must have been markedly different to that of religious men because of their gender.

<sup>26</sup> Barrow, 'The Scottish Clergy', p.218. Barrow added to these arguments in *Robert Bruce and the Community of the Realm* (Edinburgh, 1965), but focused primarily on the clergy's relationship to Robert.

<sup>27</sup> Barrow, 'The Scottish Clergy', p.218.

<sup>28</sup> Barrow, 'The Scottish Clergy', p.216

<sup>29</sup> Barrow, 'The Scottish Clergy', pp.218-9. Similarly, in his monograph on Robert I he is dismissive of Bishop Robert Wishart of Glasgow's change of allegiance to the English side in 1296 ('Wishart of Glasgow, it is true, had been compelled to do homage. It is doubtful if he set much store by this...', *Robert Bruce and the Community of the Realm*, p.131).

<sup>30</sup> Lucinda Dean, 'Crowns, Wedding Rings, and Processions: Continuity and Change in the Representations of Scottish Royal Authority in State Ceremony, c.1214-c.1603' (unpublished PhD, University of Stirling, 2013), p.121.

- <sup>31</sup> Patrick Wormald, 'Engla Lond: The Making of an Allegiance', *Journal of Historical Sociology*, vii (1994), 1–24, at p.119.
- <sup>32</sup> J.R. Maddicott, 'The Oath of Marlborough, 1209: Fear, Government and Popular Allegiance in the Reign of King John', *The English Historical Review*, cxxvi (2011), 281–318.
- <sup>33</sup> Alice Taylor, *The Shape of State in Medieval Scotland, 1124-1290* (Oxford, 2016), p.446.
- <sup>34</sup> Broun, *Scottish Independence*, p.107; Duncan, *The Making of the Kingdom*, p.231.
- <sup>35</sup> Duncan, *The Making of the Kingdom*, p.231.
- <sup>36</sup> Duncan, *The Making of the Kingdom*, p.140; Alice Taylor, 'Homage in the Latin Chronicles of 11th- and 12th-Century Normandy', in *People, Texts and Artefacts: Cultural Transmission in the Medieval Norman Worlds*, ed. David Bates, Edoardo D'Angelo, and Elisabeth van Houts, IHR Conference Series (2018), pp.231-252, at p.236.
- <sup>37</sup> The swearing of oaths in 1296 was one of the methods Edward I employed to attempt to conquer Scotland. The Ragman oaths break with tradition because lesser clergy also swore oaths alongside prelates, and it appears to have also been the first recorded instance of the clergy doing homage. Whether clerical homage predates this or was introduced in 1296 is unclear from the scarcity of source material for clerical oaths.
- <sup>38</sup> This document was translated by John Reuben Davies as part of the AHRC-funded Breaking of Britain project (The National Archives of the UK, E39/3/9); John Reuben Davies, 'The Making of the Ragman Roll: the texts', *The Breaking of Britain*, <http://www.breakingofbritain.ac.uk/blogs/feature-of-the-month/december-2011-the-texts-of-the-ragman-roll/index.html> [accessed 08/02/2021].
- <sup>39</sup> Davies, 'The Making of the Ragman Roll: the texts'.
- <sup>40</sup> Davies, 'The Making of the Ragman Roll: the texts'.
- <sup>41</sup> Davies, 'The Making of the Ragman Roll: the texts'.
- <sup>42</sup> T.N.A., E39/99/7 (the four abbots), E39/3/49, E39/99/22.
- <sup>43</sup> T.N.A., E39/99/7, E39/3/49, E39/99/22.
- <sup>44</sup> The Ragman oaths appears to have also been the first recorded instance of the clergy doing homage. Whether clerical homage predates this or was introduced in 1296 is unclear from the scarcity of source material for clerical oaths.
- <sup>45</sup> It is unclear whether they did in fact perform homage, or Barrow simply meant an oath of fealty (Barrow, 'The Scottish Clergy', p.8).
- <sup>46</sup> Barrow, 'The Scottish Clergy', p.8
- <sup>47</sup> National Library of Scotland (N.L.S.), Advocates MS 25.5.6, f.203v-205r; *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds, 1445/4, [www.rps.ac.uk/trans/1445/4](http://www.rps.ac.uk/trans/1445/4) [accessed 1 March 2021] (Hereafter referred to as *RPS*, 1445/4)
- <sup>48</sup> *RPS*, 1445/4 [accessed 1 March 2021].
- <sup>49</sup> *RPS*, 1445/4 [accessed 1 March 2021].
- <sup>50</sup> *RPS*, 1318/30 [accessed 12/07/2021]; British Library, MS Harley 4694, f.31v-34v; NLS Adv. 34.3.11, f.31r-v.
- <sup>51</sup> Dean, 'Crowns, Wedding Rings, and Processions', p.125.
- <sup>52</sup> National Records of Scotland (N.R.S.), Liber Niger, PA5/4, f.58r-v; *RPS*, A1371/2 [accessed 1 March 2021].
- <sup>53</sup> *RPS*, A1371/2 [accessed 1 March 2021].
- <sup>54</sup> *RPS*, A1371/2 [accessed 1 March 2021].
- <sup>55</sup> A slight linguistic problem is caused the absence of a word for loyalty in Latin. Words such as fideliter, faithfully, and fidelitas, faithfulness, were often used instead. This problem was overcome easily in the oral tradition of swearing oaths, recorded in the 1296 documents, because oaths were usually made in French or Anglo-Norman that used the term 'leaute', loyalty, and 'leauement', loyally (TNA, E39/99/7).
- <sup>56</sup> *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, ed. D. Macpherson, J. Caley, and W. Illingworth, (2 vols., 1881-1829), i. 258,385, 592, 690-1, 699, 862, 894, 924.
- <sup>57</sup> Ranald Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), p.141; *RPS*, A1334/5 [accessed 1 March 2021].
- <sup>58</sup> Nicholson, *Scotland: The Later Middle Ages*, p.141. By comparison, Michael Penman's biography of David II has argued the reverse: 'But as before 1329 it was to be Scotland's churchmen who provided much of the administrative and diplomatic backbone for the survival of the independent kingdom over the next twenty years.' (Penman, *David II*, pp.38). However, as Penman has himself pointed out, many of the prominent clergymen attached to David's administration left with the young king for Château Gaillard in 1333, so we must question how many leading ecclesiastical figures remained in the kingdom (p.53). Furthermore, Penman's cites George Burnett's introduction to the Exchequer Rolls from 1878 as his evidence for these ecclesiastics' presence at Gaillard, but Garnett misidentified the bishop of Glasgow as John Lindsay who had probably died in 1336 when the bishopric is described as *sede vacante* (*Registrum Episcopatus Glasguensis, Munimenta Ecclesie*

*Metropolitane Glasguensis a sede restaurata seculo ineunte xii ad reformatam religionem*, ed. Cosmo Innes, (1 vol., 1843), i, 249-50). Therefore, a reappraisal of this evidence is needed.

<sup>59</sup> Nicholson, *Scotland: The Later Middle Ages*, p.142.

<sup>60</sup> Similar attempts to intrude English royal clerks into Scotland in the First War of Independence during the high watermark of Edward I's campaign (Roger Kingston to an archdeaconry in St Andrews in 1299 and Peter of Dunwich to a rectory of Kinghorn in 1296. Barrow, 'The Clergy in the Wars of Independence', p.222). The Church in the 1290s was in a similar situation to its predicament in the 1330s because many of the prelates and the king of Scots were absent/non-existent.

<sup>61</sup> Sneddon, 'A Tale of Two Abbots', p.128; Jamroziak, *Survival and Success on Medieval Borders*, p.113-140.

<sup>62</sup> Sneddon, 'A Tale of Two Abbots', pp.132-33.

<sup>63</sup> Cameron and Ross, 'The Treaty of Edinburgh and the Disinherited', pp.244-5; Sneddon, 'A Tale of Two Abbots', pp.126-147.

<sup>64</sup> *Rot. Scot.*, pp.580-1.

<sup>65</sup> *Rot. Scot.*, pp.580-1; Durham, Durham Cathedral Archives, Miscellaneous Charter 874.

<sup>66</sup> Durham Cath. Arch., Misc. Ch. 874. After 1340, this allegiance would prove problematic for Coldingham as the Bruce forces rallied and retook much of Scotland: at some point after 1346, the priory was even occupied by the Earl of March on Robert Stewart's orders (T.N.A., SC8/107/5312). The allegiance of the priory of St Andrews is also unclear c.1340. It seems likely that the priory changed allegiance back to the Bruce Scots before 1340 because of the Bruces' series of victories in the surrounding area, but evidence of this renewed loyalty to the Bruces does not appear until 1341/2. Yet, the nearby castle of St Andrews was retaken and destroyed by the Bruces in 1337, so it may be that the priory was in Bruce allegiance much earlier (MacInnes, *Scotland's Second War of Independence* (Woodbridge, 2016), p.126). If the two houses were of opposing allegiances in 1340, it poses questions about why the St Andrews chapter confirmed an English candidate at Coldingham. As a bishop of St Andrews was not appointed until March 1342, perhaps the chapter felt they were unable to object to such appointments without the support of a leading prelate.

<sup>67</sup> R.B. Dobson, for example, notes that under the careful guidance of the Durham Prior, John Fossour, the houses of Durham and Coldingham retained some stability between 1340 and 1378, in comparison to their experience of the First War of Independence (R.B. Dobson, 'The Last English Monks on Scottish Soil: The Severance of Coldingham Priory from the Monastery of Durham 1461-78', *The Scottish Historical Review*, 46(1967), 1-25, at p.3.)

<sup>68</sup> *Rot. Scot.*, p.258.

<sup>69</sup> Brown, *Disunited Kingdoms: Peoples and Politics in the British Isles 1280-1460* (Abingdon, 2013), p.143.

<sup>70</sup> Robert's patronage of the Franciscans in particular, was possibly in penance for his murder of John Comyn in a Franciscan church in Dumfries. W.M. Bryce, *The Scottish Grey Friars* (London, 1909), p.11-12, at p.25; Penman, *David II*, p.39; Niav Gallagher, 'The Franciscans and the Scottish War of Independence: an Irish Perspective', *Journal of Medieval History* xxxii (2006), pp.3-17, at p.4. Gallagher's work also demonstrates how friars in Ireland also supported the 'Gaelic' or 'native' cause against English invaders, preaching against the evils of the English, which offers an interesting comparison to Scotland.

<sup>71</sup> See bottom of enrolment, *Rot. Scot.*, p.258.

<sup>72</sup> *Rot. Scot.*, p.258.

<sup>73</sup> Andrea Ruddick, 'National and Political Identity in Anglo-Scottish Relations, c.1286-1377: A Governmental Perspective', in *England and Scotland in the 14th Century: New Perspectives*, ed. King and Penman (Woodbridge, 2007), pp. 196-215, at p.203.

<sup>74</sup> Ruddick, 'National and Political Identity', p.203.

<sup>75</sup> *Rot. Scot.*, p.258. It is possible that 'ultra Trentam' could be from the Scottish perspective, meaning south of the Trent. However, this seems unlikely as the document was written by the English Chancery and would have referred to English administrative jurisdictions.

<sup>76</sup> *Rot. Scot.*, p.258.

<sup>77</sup> *Rot. Scot.*, p.258.

<sup>78</sup> Ruddick implied that Edward expelled Berwick's monastic community, as she misinterpreted 'confratri' as monks (Ruddick, 'National and Political Identity', p.203).

<sup>79</sup> *Rot. Scot.*, p.258.

<sup>80</sup> *Rot. Scot.*, p.258.

<sup>81</sup> Ian B. Cowan and David E. Easson, *Medieval Religious Houses Scotland*, 2nd edn (London, 1976), p.108 & 145.

<sup>82</sup> J. Donnelly, 'An Open Port: The Berwick Export Trade, 1311-1373', *Scottish Historical Review* lxxviii (1999), 145-169, 162.

<sup>83</sup> Gallagher, 'The Franciscans and Scottish Wars of Independence', pp.16-17.

<sup>84</sup> The appointment of these trusted religious men worked in tandem with Edward's resettling of the burgh community in Berwick with English merchants. (Brown, *Wars of Scotland*, p.308)

<sup>85</sup> The 15th-century chronicler Walter Bower suggests, however, that the Scottish friars were able to withhold some of their possession from their English colleagues for their expulsion. After the arrival of the English friars, Bower recounts, several Scottish friars distracted the new brothers, while their colleagues 'broke open the wardrobe, collected all the books, chalices and vestments... and carried them off, declaring that all these had been gifts from my lord Earl Patrick [Dunbar].'<sup>85</sup> There is no corroborating evidence for this, so Bower may have merely been supplying his Scottish audience with a triumphant ending to the friars' fate, or he had heard a similar story and elaborated on the friars' actions. (Bower, pp.282-3).

<sup>86</sup> Brit. Libr., Cotton MS Nero C VIII, f.203r.

<sup>87</sup> *Rot. Scot.*, p.236 & 265.

<sup>88</sup> *Rot Scot.*, p.399, 486, 561, 596, 597, 608. It is often difficult to tell whether this patronage stemmed from Edward Balliol or Edward III, as the Scotch Rolls refer rather sporadically to those given by Edward Balliol. Balliol only appears as a patron in the Scotch Rolls from 1335 when 40 marks were given to the Dominican friars 'per nobilem virum Dominum Edwardum regum Scocie' (*Rot. Scot.*, p.318). He appears to have paid the majority of the annual rents for Berwick's religious communities – most of these were paid to the Dominican and Franciscan friars, or the local nunnery (*Rot. Scot.*, p.416, 486, 526-7, 561, 596-7, 608, 639). Yet payments to the hospital of Mary Magdalene and other monastic communities were paid by Edward III (*Rot. Scot.*, p.426, 265, 266, 426, 538,570, 609, 659, 673, 734, 742). Similarly, victuals or the restitution of land always seem to come directly from the English king, not through Balliol. (*Rot. Scot.*, p.263, 264, 272, 399). After Balliol abdicated the throne, Edward III continued his patronage of the local community into the 1360s.

<sup>89</sup> It could be further suggested that Edward III and Edward Balliol avoided deferring to papal authority on such matters because the pope had not acknowledged Balliol's kingship. Instead, the papal registers continued to refer to David II as 'king of Scots' during the 1330s, even during his period in exile in France (*Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Papal Letters 1198-1513*, ed. W.H. Bliss et al. (19 vols., 1893-1913), ii, p.510, p.511). However, further work into Scoto-Papal relations during the Second War of Independence is required.

<sup>90</sup> Nicholson, *Scotland: The Late Middle Ages*, p.142.

<sup>91</sup> Davies, *The First English Empire*, p.163.

<sup>92</sup> For a discussion of English clerks in Ireland, see Colmán Ó Clabaigh, 'The Church, 1050-1450', *The Cambridge History of Ireland* (4 vols., 2018), i, pp.355-384; Gallagher, 'The Franciscans and the Scottish Wars of Independence', p.11; For a brief discussion of the intrusion of English clerks in Wales, see R.R. Davies, 'Colonial Wales', *Past & Present*, 65, 1974, 3–23; *CDS*, iii, no.480 (in 1316, Edward II asked the Pope to appoint 'no Irishmen to the see of Cashel).

<sup>93</sup> There are two exceptions to this rule: the bishopric of Galloway was part of the English province and beholden to the archbishop of York, while the diocese of the Isles (sometimes called Sodor) was part of the Norwegian archbishopric of Nidaros (Trondheim) and sought consecration from its archbishop. As the Orkney and Shetland islands remained part of the kingdom of Norway until the 1400s, it was also subject to the archbishop of Nidaros.

<sup>94</sup> Katherine Harvey, *Episcopal Appointments in England, c.1214-1344* (London, 2016); A. D. M. Barrell, 'Papal Provisions in Scotland in the 14th and Early 15th Centuries', p.216.

<sup>95</sup> Barrell, 'Papal Provisions in Scotland', p.216.

<sup>96</sup> *CDS*, iii., no.689.

<sup>97</sup> Penman, *Robert the Bruce: King of the Scots* (London, 2014), p.210, p.273, p.316, p.320. G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (London, 1965), pp.371-80.

<sup>98</sup> *CDS*, iii., no.207.

<sup>99</sup> Nicholson, *Scotland: The Later Middle Ages*, p.99; Barrow, *Scotland and Its Neighbours in the Middle Ages* (London, 1992), p.191.

<sup>100</sup> *CPR*, ii, 173 & 426; Sarah Layfield, 'The Pope, the Scots, and their "Self-Styled" King: John XXII's Anglo-Scottish Policy, 1316-1334', *England and Scotland in the 14th Century: New Perspectives*, ed. King and Penman, pp.157-171, at p.166.

<sup>101</sup> *Fasti Ecclesiae Scoticanæ Medii Aevi Ad Annum 1638*, ed. by D. E. R. Watt and A. L. Murray, Revised Edition (Edinburgh: The Scottish Record Society, 2003), p.190; Layfield, 'The Pope, the Scots, and Their "Self-Styled" King: John XXII's Anglo-Scottish Policy, 1316-1334', pp.166-7.

<sup>102</sup> John Dowden, *The Bishops of Scotland* (Glasgow, 1912), p.310; Barrow, *Robert Bruce*, p.378.

<sup>103</sup> Penman's *David II* includes a brief exploration of David's preferment of royal clerks and ecclesiastics connected to his household to episcopal office (Penman, *David II*, p.53).

<sup>104</sup> This approach was previously employed by Edward I in 1306, after Robert's murder of John Comyn, when Edward I sought to make allies out of Comyn's kin. Edward attempted to promote William Comyn, the brother of the Earl of Buchan, to St Andrews and Geoffrey de Moubray, brother to Sir John de Moubray, to Glasgow. However, these two nominations were atypical because they sort to replace sitting bishops, William Lamberton and Robert Wishart, who had been imprisoned by Edward. The king was unsuccessful on both counts (*CDS*, v, 446 & 456; *Fasti Ecclesiae Scotiae*, p.190 & p.381).

<sup>105</sup> *Fasti Ecclesiae Scotiae*, p.126.

<sup>106</sup> MacDonald, *Clerics and Clansmen*, pp.47-8.

<sup>107</sup> Barrell, *The Papacy, Scotland and Northern England*, p.197. Curiously, Malcolm may have been the 'local man' and Pilmor the 'outsider' to the chapter, as Malcom's name suggests he was associated with the Innerpeffray family, who were tenants of the Earl of Strathearn. Malise, earl of Strathearn, became an adherent of Balliol c.1332, so Malcolm may have been recommended by Edward III on his suggestion. The earldom of Strathearn was a focal point for other political and military problems, after Malise surrendered his earldom to Balliol and the English. Malise would later be tried for treason twice for this, in 1339 by Robert Stewart (acting as Guardian) and 1344 by David (upon his return to Scotland), but he was twice pardoned. (Penman, *David II*, p.49 & pp.106-7).

<sup>108</sup> D. E. R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), pp.450-1.

<sup>109</sup> Watt, *Biographical Dictionary*, p.452.

<sup>110</sup> *Fasti Ecclesiae Scotiae*, pp.125-6.

<sup>111</sup> According to Walter Bower, Bishop James Ben fled Fife in the aftermath of Balliol's invasion for Bruges and resigned his role as bishop before he left in September. The chapter of the cathedral then elected William Bell to the bishopric. In the papal records, however, the diocese is only described as *sede vacante* in October and names James Ben's death in a monastery in Bruges as the reason for the vacancy. It is, therefore, quite possible that the papacy did not consider Bell's election valid because it was held before the diocese was officially vacant. (Bower, *Scotichronicon*, p.83; Watt, *Biographical Dictionary*, p.38.)

<sup>112</sup> T.N.A., C70/12, m.3; *CDS*, iii, 1059.

<sup>113</sup> T.N.A., C81/194/5860; C70/12, m.3; *CDS*, 1061, 1064.

<sup>114</sup> In February 1327, he acquired a safe conduct from the king, (*Calendar of Patent Rolls: Edward III*, ed. H.C. Maxwell Lyte (16 vols., 1891-1916), i, p.10. Hereafter referred to as *CPR*).

<sup>115</sup> *CPR*, i, p.498; *Fasti Ecclesiae Anglicanae 1300-1541*, vol.3, Salisbury Diocese, pp.13-14.

<https://www.british-history.ac.uk/fasti-ecclesiae/1300-1541/vol3/pp13-14> [accessed 1 March 2021].

<sup>116</sup> *CPR*, ii, p.30.

<sup>117</sup> *CPR*, ii, p.77.

<sup>118</sup> *CPR*, ii, p.181.

<sup>119</sup> *CPR*, ii, p.266.

<sup>120</sup> T.N.A., SC1/50/132; SC1/50/139; SC1/45/224; *CPR*, ii, p.275.

<sup>121</sup> T.N.A., C70/13, m.3; *CDS*, iii, 1080; By February 1334, Aylestone was also replaced by the bishop of Durham as treasurer of the Exchequer, possibly because of his death but the dates are a little vague, (*CPR*, ii, p.511; T.N.A., SC8/8/2611).

<sup>122</sup> He first appears in a list of safe conducts in 1327 (*CPR*, i, p.5.).

<sup>123</sup> *CPR*, i, p.302.

<sup>124</sup> T.N.A., SC8/145/7207; T.N.A., E361/2, rot.34. The patent rolls refer to him in this role from February 1332 (*CPR*, ii, p.255).

<sup>125</sup> *CPR*, ii, p.275, p.306, p.402, p.420, p.477, p.483, p.491, p.538; *CPR*, iii, p.7.

<sup>126</sup> *CDS*, iii, p.322

<sup>127</sup> *CDS*, iii, p.322; Barrow, 'The Scottish Clergy', p.10.

<sup>128</sup> *CDS*, iii, p.318.

<sup>129</sup> In the event of a vacancy, the running of a diocese seems to have fallen to the dean and chapter. During the Glasgow vacancy in 1335, the monastery of Holmcultram in Cumbria sent letters addressed to the dean and chapter in the bishop's absence. (*Registrum Episcopatus Glasguensis: Munimenta Ecclesie Metropolitanae Glasguensis a sede restaurata seculo ineunte xii ad reformatam religionem*, ed. James Ewing (Edinburgh, 1843), p.249-50). According to Barrow, this was also the case at Dunkeld between 1295 and 1304 (Barrow, 'The Clergy in the War of Independence', p.226). At St Andrews, the role of dean was fulfilled by the Prior of St Andrews (see *Rot. Scot.*, p580-1.), but at other dioceses it is less clear. In Glasgow, for example, the role of dean was fulfilled by secular clergymen who rarely held the office for more than a few years. For example, Robert de Bardis was dean until c.July 1336, when the role was briefly held by the future bishop, William Rae. It then passed on again, presumably because of Rae's episcopal promotion and Richard de Ratho, who is described as the English king's enemy in 1338, remains in the role until c.1342. Other notable deans of Glasgow

during this period include the future papal tax collector, William de Greenlaw. (*Fasti Ecclesiae Scoticanæ*, p.198-9; *CDS*, iii, 1278).

<sup>130</sup> The allegiance of Lindsay and the wider episcopate after 1332 may have been more nuanced, as interpretations have often been based on a small corpus of sources. However, there is insufficient room to discuss this here.

<sup>131</sup> *The Chronicle of Lanercost, 1272-1346*, ed. Herbert Maxwell (Glasgow, 1913), p.305.

<sup>132</sup> *CDS*, iii, 1558

<sup>133</sup> There was a brief period in c.1336, when the priory rebelled against the king's authority, for which some of their lands were confiscated by Edward III. (MacInnes, 'To Be Annexed Forever to the English Crown': The English Occupation of Southern Scotland', pp. 183–201); in 1339 Edward took advantage of the vacancy to appoint Richard de Houghton to St Andrews' church of Hoton in Leicestershire. The church is described as in the hand of the king because of the vacancy (*Rot. Scot.*, p.563).

<sup>134</sup> Oram, 'Dividing the Spoils', p.141; *Rot. Scot.*, p.734b, p.737b.

<sup>135</sup> Oram, 'Dividing the Spoils', p.141.

<sup>136</sup> *Rot. Scot.*, p.327.

<sup>137</sup> *CPR*, ii, p.230.

<sup>138</sup> *CPR*, ii, p.230. Sandford was presented to this living again in May, four months later, when the incumbent (Robert Doneham) died.

<sup>139</sup> *Rot. Scot.*, p.272b; Edward Bateson, *A History of Northumberland, Vol. II: The Parishes of Embleton, Ellingham, Howick, Long Houghton and Lesbury* (Newcastle, 1895), ii, pp.58-9.

<sup>140</sup> T.N.A., C47/14/3/4, 5 & 6; *Rot. Scot.*, p.265.

<sup>141</sup> T.N.A., SC8/311/15513; *Rot. Scot.*, p.272. It seems likely that 'Calet' relates to the place name Caddon. As \*calet survives in Welsh as 'caled' meaning 'hard' (Alan G. James, *Brittonic Language in the Old North: A Guide to the Place-Name Evidence*, 3 vols (2001-2012), ii, 11). Calet is probably, therefore, the modern-day Caddonfoot or Cadon Water, near to Melrose, which appears to have a history connected to fishing the Tweed (National Records of Scotland (NRS), OS1/30/4/18, 20 &40). 'La Lawe' is possibly related to \*lawedr or 'Lauder' meaning a lather or foam river. Lauder appears to have had a relationship to the river-name Leader, a connection which James describes as 'extremely perplexing' (James, 'The Brittonic Language', p.189). It is probable then that La Lawe relates to both the parish of Lauder and the River Leader (located in Berwickshire), which is said to have been a royal burgh during Robert I's reign (N.R.S., OS1/5/14/10, OS1/5/28/78, OS1/5/29/8). However, I could find no reference to a 'Tottingford' or 'Totyngford'.

<sup>142</sup> T.N.A., SC8/311/15513; *Rot. Scot.*, p.272.

<sup>143</sup> *Rot. Scot.*, p.426, p.538, p.570.

<sup>144</sup> *CDS*, iii,1278.

<sup>145</sup> *Rot. Scot.*, p.587.

<sup>146</sup> *CDS*, iii, 1278.

<sup>147</sup> *CDS*, iii, 1278.

<sup>148</sup> *Rot. Scot.*, p.512, p.522, p.708. This is the same benefice Simon de Sandford, mentioned above, had previously held.

<sup>149</sup> T.N.A., SC8/227/11310.

<sup>150</sup> Durham Cath. Arch., Specialia, 1.1.Spec. 99, 103, 107; TNA, C421/101/97. He is described as Richard's co-executor in 1348 (*CDS*, iii, 1117 & 1131). Emeldon may have also known Robert Burton, because his annual pensions in Berwick were often paid at the same time as Burton's (*Rot. Scot.*, p.609).

<sup>151</sup> TNA, E213/156; *CDS*, iii, 1492.

<sup>152</sup> R.C. Reid, 'Edward Balliol', *TDGNHAS*, xxxv (1956-7), 38-63, at p.49. The payment and the presence of a bodyguard are perhaps not as indicative of Emeldon's feelings towards Balliol as Reid suggests. Payments of *regard* were a routine feature of contracts for recruiting troops to Scotland. It was also common for both lay- and clergymen, Scottish and English, to take retinues of men-at-arms or 'bodyguards' with them for protection of the other side of the border. The sheriffs of Northumberland frequently did this during the First War of Independence. So too did the bishops of Brechin and Moray in 1348 when travelling to England to treat with Edward. The clause specifying that Emeldon would not have to stay in the absence of Percy and Neville was also customary as there are instances when nobles were not required to stay in Scotland once the English king had left. (*Calendar of Close Rolls, Edward III: Volume 8, 1346-1349*, ed. H.C. Maxwell Lyte (London, 1905), p.250; Andrew Ayton, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III* (Woodbridge, 1994), pp.110-27; *CCR, Edward II: 1313-18*, p.252 (sheriffs in 1315); T.N.A., E101/378/4, f.26v. (sheriffs 1319-20); *Rot. Scot.*, p.709; Andy King, 'A Good Chance for the Scots? The Recruitment of English Armies for Scotland and the Marches, 1337-47', in *England and Scotland at War, c.1296-c.1513*, ed. King and Simpkin, pp.119-158).



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<sup>153</sup> *CDS*, iii, 1532.

<sup>154</sup> T.N.A., E101/26/33. The paying of wages was a common task for royal clerks. Andy King has pointed to a somewhat bizarre occurrence in 1341 when one clerk, William Edington, ended up paying his own wages because he was simultaneously a captain of the king's army and, from 25 November, the keeper of the Wardrobe. (King, 'A Good Chance for the Scots?', p.135).

<sup>155</sup> *Rot. Scot.*, p.258.

<sup>156</sup> *Rot. Scot.*, p.512, pp.516-7, p.522, p.587, p.699, p.708, p. 774, p.794, p.852, p.857.

<sup>157</sup> *Rot. Scot.*, p.587, p.677. The revival of the Bruce Scots began in c.1334-5, with a notable victory at the Battle of Culblean. Edward's lordship enjoyed a brief revival in 1346/7, after the defeat and capture of David and his forces at the Battle of Neville's Cross. One of the few English recommendations Bishop William Landallis approved was from November 1346, whereby the church of Dunbar was presented to Philip de Weston, which was perhaps used as a bargaining tool to open negotiations for David's release (*Rot. Scot.*, p.677).

<sup>158</sup> The notional use of benefices is hinted at in the Scotch Rolls, in which Edward recommends several candidates to the same prebend in Glasgow cathedral, called 'Old Roxburgh', from c.1348 until 1369. Edward's recommendations to the prebend were entirely ignored by both the bishop and the dean, to whom he addressed his letters. (*Rot. Scot.*, p.709, 852, 857, 865, 935). In several cases, we can see the king granting clerks the 'fruits' of a benefice when induction could not be obtained. (*Rot. Scot.*, p.734, p.737)

<sup>159</sup> After the appointment of William Rae and William Landallis to Glasgow and St Andrews, we know that certain clerks were only able to do the latter because they were never inducted into the livings. To what extent they were able to perform their duties before this must have been determined by their continued presence in Scotland, and whether the relevant territory was controlled by forces favourable to their appointment. These two factors no doubt changed over the course of the war, as territories were invaded and then retaken by the various Bruce and Balliol forces.

<sup>160</sup> King, 'Were the Marches a "Frontier Society"?', p123 & p.126.

<sup>161</sup> *CDS*, iii, 1155 & 1183.

<sup>162</sup> *CDS*, iii, 1278. The English Chancery and Exchequer returned to London in c.1337 (Ormrod, *Edward III*, p.154).

<sup>163</sup> Cynthia Neville, *Violence, Custom and Law: The Anglo-Scottish Border Lands in the Later Middle Ages* (Edinburgh, 1998), p.36..

<sup>164</sup> *CDS*, iii, 1103, 1104, 1148, 1194.

<sup>165</sup> *Rot. Scot.*, p.862.

<sup>166</sup> Gallagher, 'The Franciscans and the Scottish Wars of Independence', p.16.

<sup>167</sup> J.A. Tuck, 'Northumbrian Society in the 14th Century', *Northern History* 6 (1971), 22-39, at p.35; Tuck, 'The Emergence of a Northern Nobility, 1250-1400', *Northern History* xxii (1986), 1-7.

<sup>168</sup> W.M. Ormrod, *Edward III* (New Haven CT, 2012), p.154. The abbot of a Benedictine house in York, for example, became the temporary treasurer in spring 1333. Also, as J.L. Grassi and several others before him have pointed out, there was a preponderance of northern men, particularly from Yorkshire, in the king's administration from roughly the reign of Edward I until the end of Richard II's. (J.L. Grassi, 'Royal Clerks from the Archdiocese of York in the 14th Century', *Northern History*, v (1950), pp.12-33).

<sup>169</sup> He is possibly the same Simon Sandford mentioned in TNA, C241/50/305 (from 1306) and C241/69/160 (1310).