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## *A fell coniuracioun agayn Robert the douchty king: the Soules conspiracy of 1318-1320.*

At the end of Book XVIII of *The Bruce*, John Barbour offsets the costly failure of Edward Bruce's invasion of Ireland by narrating some more of the 'Good' Sir James Douglas's chivalric exploits on the Anglo-Scottish border. But he has to begin Book XIX, with news of treason within Scotland:

Then wes the land a quile in pes,  
Bot cowatys, that can nocht ces  
To set men apon felony  
To ger thaim cum to senzowry,  
Gert lordis of full gret renoune  
Mak a fell coniuracioun  
Agayn Robert the douchty king,  
Thai thocht till bring him till ending  
And to bruk eftre his dede  
The kynrik and to ryng in his steid.  
The lord the Soullie scyr Wilzam  
Off that purches had mast defame,  
For principale thar-off was he  
Off assent of that cruelte.<sup>1</sup>

The fourteenth- and fifteenth-century chroniclers who mention this plot concur with Barbour that the regicide had been planned by William Soules, lord of Liddesdale. His alleged ambitions were believable, for he was the son of a competitor for the Scottish kingship in 1291-2 and the grand-nephew of John Soules, the Guardian of Scotland between 1301 and 1303 for the exiled King John Balliol. Several chroniclers assert that Murdoch of Menteith had returned from custody in England to betray Soules and his co-conspirators to Robert I. It is well known that this rogues' gallery included Countess Agnes of Strathearn, Sir David Brechin, Sir Roger Mowbray, the lesser knights John Logie, Gilbert Malherbe, Patrick Graham, Eustace Maxwell and Walter Barclay, and the esquires Richard Broun, Eustace Rattray and Hamelin de Troup. It is reasonably suggested that Murdoch of Menteith must himself have originally been among their number.<sup>2</sup>

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<sup>1</sup>*Barbour's Bruce*, ed. M. P. McDiarmid and J. A. C. Stevenson, 3 vols (Scottish Text Society 1981) iii, book XIX, lines 1-14; *coniuracioun*, 'sworn conspiracy'; *purches* 'plot'.

<sup>2</sup>*Ibid.*, XIX, lines 1-127; Sir Thomas Gray, *Scalacronica: the Reigns of Edward I, Edward II and*



But none of the chroniclers enlarge upon the timetable or details of the plot beyond the just, if unusually grisly, course of the judgements of the so-called 'Black Parliament' at Scone in August 1320. Pronounced guilty, Soules and the Countess were imprisoned for life. Logie, Malherbe and Broun *drawyn war ilkane / And hangyt and hedyt*. The same fate befell Sir David Brechin who, while not found guilty of supporting the plot, had known of it but had not informed the king. According to Barbour, the execution of *sa worthi and sa wicht* a knight as Brechin in turn so revolted Sir Ingelram d'Umfraville, a relative of Robert, the exiled pro-Balliol earl of Angus, that he quit Scotland after Robert I had allowed him to sell off his lands. Only Roger Mowbray seems to have had the good fortune to have died before his trial. Judgement was pronounced over his corpse in the Black Parliament where the king allowed his remains a christian burial without public mutilation. The remaining accused—Maxwell, Barclay, Graham, Rattray and Troup—were acquitted, being 'not found guilty in any way'.

From this swift, brutal crushing of a seemingly minor threat to the Bruce dynasty the chroniclers by and large move on to relate with notable brevity the remainder of the events of the kingship of 'Good King Robert.' So too have most present day historians. Due to limitations of space and different concerns in studying Robert I, both before and after Bannockburn, most scholars have been content to round up the usual suspects and to trust in the events of 1320 as consistently related by the chroniclers. Until recently, there has been little or no deeper speculation into the actual motives of the 'Soules conspiracy', or whose agenda the plot intended to forward; its timeframe and scale; and just what it reveals about the state of Robert Bruce's reign between 1314 and 1329.<sup>3</sup>

*Edward III*, trans. Sir Herbert Maxwell (Glasgow 1907) [hereafter *Scalacronica*], 59; *Johannis de Fordun Chronica Gentis Scotorum*, ed. W. F. Skene (Edinburgh 1871) [hereafter *Chron. Fordun*], 348-9; *Walter Bower's Scotichronicon*, gen. ed. D. E. R. Watt et al., 9 vols (Aberdeen/Edinburgh 1986-98) [hereafter *Chron. Bower*] vii, 3-9; Andrew Wyntoun's *Original Chronicle* makes no reference to the conspiracy in its very brief treatment of Robert Bruce's reign.

<sup>3</sup>Barbour in *The Bruce* devotes almost two thirds of his 13,000 lines of verse to Robert's exploits up to the end of the battle of Bannockburn; L. A. Ebin, 'John Barbour's *Bruce*: poetry, history and propaganda', *Studies in Scottish Literature* 9 (1972) 218-42, esp. 230-1. Similarly, Professor Geoffrey Barrow makes only a short reference to the 'Soules conspiracy' in his seminal *Robert the Bruce and the Community of the Realm of Scotland* (3rd edn, Edinburgh 1988), 309-10; overall he devotes almost three quarters of his work on Bruce's career up to 1314. Arguably much remains to be asked about the period 1314-29 beyond Barrow's two excellent chapters on Robert's diplomatic and domestic settlements, 'War and Peace' and 'Good King Robert', and Norman Reid's 'Crown and community under Robert I', in *Medieval Scotland: Crown, Lordship and Community: Essays presented to G. W. S. Barrow*, ed. Alexander Grant and K. J. Stringer (Edinburgh 1993), 203-22. R. Nicholson gives the chronicle account of the conspiracy in *Scotland: the Later Middle Ages*

As a result the conspiracy has been confined almost to an incidental footnote to the celebrated Declaration of Arbroath of 6 April 1320. After all, five of the 44 sealers to that document were accused just four months later of plotting to kill their king. The obvious conclusion to be drawn from this was that Robert I's support at this time did not have the wide community basis which the rhetoric of the Declaration would have the pope and Edward II believe, whoever the death of Bruce was intended to admit to the kingship. At most it has been accepted into the popular history of the reign that the conspiracy was a 'much more dangerous threat than can be deduced from the brief records that exist.'<sup>4</sup> But nonetheless it represented the 'death-throes of the long-standing feud between the Bruce and Balliol-Comyn factions—at least in the lifetime of Robert I.'<sup>5</sup> Bruce was undeniably strengthened in his position by smashing the plot so convincingly. Thus in most eyes the remainder of his kingship follows as a period of domestic strength and shrewd military and diplomatic pressure upon England. This culminated in English recognition of both Scottish independence and Bruce legitimacy through the Treaty of Edinburgh-Northampton in 1328, and the marriage of Robert I's four-year-old son, David, to Edward III's sister, Joan of the Tower.

However, in the recent work of Professor A. A. M. Duncan, the likelihood is examined that Soules and his associates had conspired to forward the return of a Balliol king, so as to oust the Bruce usurper of that line in 1306. Duncan argues that former supporters of Balliol and the Comyns who had come into Robert I's peace after 1314 were provoked into their plot by Robert I's hard-handed collection of seals and signatures to attach to the Declaration of Arbroath which reached the papacy by 29 July 1320. The validity of this theory remains uncertain.<sup>6</sup>

(Edinburgh 1974), 102-3, but does question the stability of the Bruce legacy in that work and in his *Edward III and the Scots: the Formative Years of a Military Career* (Oxford 1965). So does Alexander Grant, *Independence and Nationhood: Scotland 1306-1469* (Edinburgh 1984), 12-19, and Michael Lynch, *Scotland. A New History* (Edinburgh 1991), 126-8, although neither the latter nor W. C. Dickinson, rev. A. A. M. Duncan, *Scotland from the Earliest Times to 1603* (Oxford 1977), 166-71 mentions the 'Soules conspiracy'.

<sup>4</sup>R. McNair Scott, *Robert the Bruce, King of Scots* (London 1982), 199.

<sup>5</sup>J. A. Mackay, *Robert Bruce, King of Scots* (London 1970), 156.

<sup>6</sup>Interestingly, both Hector Boece and Adam Abell, writing in the early sixteenth century, state that Robert I's demand that the nobility show proof of their holdings in parliament in 1320 sparked armed confrontation between crown and magnates, resulting in the conspiracy to remove him. This is perhaps a conflation of inherited stories about the unpopularity of the Bruce regime's manufacture of the barons' Declaration and its land resettlement. *The Chronicles of Scotland, compiled by Hector Boece, translated by John Bellenden*, ed. E. C. Batho and H. W. Husbands (Edinburgh 1961), 281-2; I am very grateful to Miss Stephanie Thorson, who is currently working on an edition of Abell's *Roit and Quheill of Tyme* at St Andrews University, for this reference (folio 112r).



But in 1320 Patrick Dunbar, earl of March, had been a member of the embassy which carried the Declaration to the continent. However, he had turned back from France with controversial news which caused Robert I to summon an assembly at Scone, presumably the Black Parliament. Professor Duncan suggests that March had discovered a conspiracy involving the French connections of William Soules and Ingelram d'Umfraville with the Balliol lands in Picardy, at that time occupied by John Balliol's son, Edward. The inference to be drawn from this is that former Balliol/Comyn men still posed a grave threat to Bruce whose support was, as really should be expected, still more factional than national. Indeed in 1320 there was enough of a threat for Robert I to suppress all record of the specific crimes of the conspirators and any mention of Edward Balliol.<sup>7</sup>

This theory still leaves the conspiracy as a short-term blip in the progress of Robert I's reign after 1314. Yet it is possible to build on these suggestions and to argue that the shadowy 'Soules conspiracy' was not only an attempted Balliol coup, but one planned over a longer period of time than, as Duncan argues cautiously, the first half of 1320; that it had a potentially large basis of support among significant Scots and, in all probability, the backing of the English crown; and that if these elements had been able to act in concert, the Bruce regime might have been swept away. The cause and repercussions of the plot have a central place in considering the course and effectiveness of Robert I's resettlement of Scotland: that is, his redistribution of land and offices after the upheaval of two decades of war, his establishment of the authority of a legitimate Bruce kingship and dynasty in native and foreign eyes, and his attainment of a lasting diplomatic settlement with England on favourable terms. A critical look at all the achievements of Robert I is also a necessary preface to any study of the reign of David II (1329-71), for they constituted an inescapable political legacy.

A good case can be made for the roots of the conspiracy lying in late 1318, after the death in Ireland of Edward Bruce, Robert I's brother and heir. The motivation of the conspirators and their potential support would have been increasingly fuelled between then and 1320 by their resentment at the territorial and political resettlement which Robert had

<sup>7</sup>A. A. M. Duncan, 'The war of the Scots, 1306-23', *Transactions of the Royal Historical Society*, 6th series, 2 (1992) 125-51, at 129-31. This article revises Duncan's earlier conjecture that the Soules conspiracy perhaps had its roots in discussions between Edward II and 'doubtful Scots' in March 1319 in *The Nation of Scots and the Declaration of Arbroath* (Historical Association pamphlet, 1970), 28-9. Duncan's line is followed by C. McNamee, *The Wars of the Bruces: Scotland, Ireland and England, 1306-28* (East Linton 1997), 235-6. March's movements are revealed in an unpublished English document, PRO, SC1/49/70, identified by Professor Barrow.

begun to implement after Bannockburn, especially in those geographical regions of historically strong Balliol/Comyn support. Furthermore, Robert I and his lieutenants had recaptured Berwick in April 1318. But this had breached a papal truce and, with Edward II's prompting of Pope John XXII, incurred excommunication for Robert and three of his bishops by July 1318. These censures were repeated throughout 1319 and early 1320 with the Scottish king and his prelates being summonsed to appear in Avignon by 1 May 1320. Not only did this mean the threat of an interdict on Scotland but it also brought papal absolution of all Scots from their loyalty to 'Robert Bruce', a sacrilegious murderer and usurper who had refused to admit papal bulls to Scotland after 1317 because they had failed in turn to recognise his title as king of Scots.<sup>8</sup>

Thus the April 1320 Declaration of 'the barons and freeholders and the whole community of the realm of Scotland' was a direct response to this Anglo-papal bombardment. Crafted by the crown and its supporters, the Declaration echoed swelling feelings of patriotism and anti-Englishness among many Scots. Yet behind its ideology there was a crown-engineered statement of the nobility's allegiance to Robert I *in spite* of Pope John's dissolution of this loyalty. A 'ragman' collection of nobles' seals to attach to the Declaration is possibly suggested by Robert's itinerary of late 1319 to early 1320: between his stops at the chancery at Arbroath on 20 August and 20 October 1319 and on 4-6 May 1320, Robert was at Aberdeen, Dunblane, Scone, Berwick (where a council was held in December 1319 and the decision to send the Declaration perhaps made), Dundee, Berwick, Newbattle and, again, Berwick.<sup>9</sup>

However, a similar test of loyalty had surely already been engineered by the crown in December 1318, when an act of succession

<sup>8</sup>*Calendar of Documents Relating to Scotland*, ed. J. Bain [hereafter CDS], vol. iii, 1307-1357 (Edinburgh 1887), nos 593-4; *Foedera*, ed. T. Rymer (London 1793-4) ii, 362-3, 390, 397, 407-8. The papal censures of 1319-20 gave some Scots supportive of the Soules conspiracy a pretext to return to Edward II's service: on 17 November 1320 Edward II wrote to David Strathbogie, the exiled earl of Atholl, that '[he] understands that some of the Scots who are against the King [Edward II] in war desire to come to his peace, because their conscience is hurt by the sentence of excommunication in which they are involved by papal authority and by other causes...': *Calendar of Close Rolls: Edward II 1318-23* (London 1895) [hereafter CCR], 280.

<sup>9</sup>G. G. Simpson, 'The Declaration of Arbroath revitalised', *SHR* 56 (1977) 11-33; A. A. M. Duncan, 'The making of the Declaration of Arbroath', in *The Study of Medieval Records: Essays presented to Kathleen Major*, ed. D. A. Bullough and R. L. Storey (Oxford 1971), 174-88; *Regesta Regum Scottorum, V: The Acts of Robert I, King of Scots 1306-29*, ed. A. A. M. Duncan (Edinburgh 1988) [hereafter RRS V], nos 153 to 168. The introduction and notes to this work are invaluable; note Duncan's argument that Robert's chancery worked out of Arbroath while Robert himself may not actually have gone there to issue acts.



was passed in a parliament at Scone, summoned after Edward Bruce had fallen at Dundalk on 14 October. At one stroke Robert I had lost both his plan to use Ireland as a Bruce-controlled ally against England, and the vigorous (and, admittedly, ambitious) adult heir presumptive to his kingship—recognised as such by a similar succession act of 1315.<sup>10</sup> Although Robert's policy of raiding northern England was surely popular and profitable, it had not yet forced Edward II to recognise Scottish independence. Moreover, Robert had no direct male heir of his own at this time. Thus childless and excommunicated, Bruce and his supporters, and their enemies, must have sensed a degree of vulnerability in his kingship in late 1318 unequalled since before Bannockburn. Significantly, Edward II's temporary solution of his own political problems with Thomas, earl of Lancaster, in a parliament at York in November 1318, coincides roughly with Robert I's own political response to the death of Edward Bruce. This suggests, in part, that both monarchs saw the opportunity for revolution in Scotland and the need for internal stability in their respective realms.<sup>11</sup>

Realistically, only a very little of Robert I's vulnerability at this juncture would have been offset by the presence of his infant nephew, Robert Stewart (born in 1316), recognised as heir presumptive to the kingship by the December 1318 act. Greater comfort would have come in September 1319, with the failure of Edward II's siege to recover Berwick, as his compromise with Lancaster broke down in the face of Robert I's shrewd counter-raid into Yorkshire. Nevertheless, the details of Robert's political stop-gap in December 1318 are instructive as to the degree of danger he must have sensed from the Anglo-Balliol camp. For the 1318 succession act—unlike that of 1315—opened with a promise to punish as traitors anyone violating the allegiance of Robert and his designated heirs.<sup>12</sup> This was in part a response to the papacy's reaction to recent events. Yet there were surely also rumours current at this time of plots to overthrow Robert I in favour of Edward Balliol. For among the several statutes enacted at the 1318 parliament was one to ensure that 'no-one be a conspirator nor inventor of tales or rumours through which

<sup>10</sup>There has been much recent work on the Bruces in Ireland: see R. Frame, 'The Bruces in Ireland 1315-8' in *Irish Historical Studies*, 19 (1974) 3-37; S. Duffy, 'The Bruce Brothers and the Irish Sea World 1306-29' in *Cambridge Medieval Celtic Studies*, 21 (1991) 55-86; McNamee, *The Wars of the Bruces*.

<sup>11</sup>J. R. S. Phillips, *Aymer de Valence, Earl of Pembroke 1307-24: Baronial Politics in the Reign of Edward II* (Oxford 1972), 148-96.

<sup>12</sup>*Acts of the Parliaments of Scotland*, ed. T. Thomson and C. Innes (Edinburgh 1884) [hereafter *APS*] i, 465-6; *RRS V*, no. 301 with discussion; *CDS* iii, nos 663, 664, 668.

matter of discord may spring between the lord king and his people.'<sup>13</sup>

But Robert I went further in countering a Balliol threat to his kingship at this time. After October 1318 he offered patronage and compensation to former Balliol men. Among the acts of the 1318 parliament were statutes extending the scope of the *briefes of dissassine* and *mortancestry* to help those claiming back family lands lost by previous generations or their own.<sup>14</sup> This was consistent with Robert's lenient enforcement of the general act of forfeiture which had been issued at the Cambuskenneth parliament of November 1314. Under the terms of this 'enabling act' Robert had only forfeited those intractable Anglo-Scots who refused to come into his peace.<sup>15</sup> However, that four years after Bannockburn Robert I still needed further support and was prepared to pardon Scots for their adherence to Balliol or England as long as they recognised Bruce as king, is a fact underlined by the return from England of Murdoch of Menteith (and, perhaps briefly, Donald, earl of Mar) sometime between 1318 and 1320. In the December 1318 parliament Robert had also pardoned Henry Cheyne, bishop of Aberdeen, the diocese closest to the former Comyn earldom of Buchan, for his support of Edwards I and II. Moreover, sometime after 16 December 1318 Robert also appointed William Soules himself as royal Butler, an office hereditary in the Soules' family in the thirteenth century and one which might unwittingly have given the conspirators easy access to the king if assassination had been their goal.<sup>16</sup>

Furthermore, in December 1318 parliament made practical provisions for the upkeep of military equipment in the host and its annual maintenance by sheriffs at 'wappinschawings'.<sup>17</sup> This improvement of Scottish arms must be related to Robert's particular concern from the outset of his reign to grant out lands to supporters in return for specified military services, chiefly knight, archer and—in the west and

<sup>13</sup>Duncan, 'War of the Scots', 129; N. H. Reid, 'The Political Role of the Monarchy in Scotland 1249-1329', unpublished Ph.D. dissertation (University of Edinburgh, 1984), 415, 451n.

<sup>14</sup>*APS* i, 470-3; H. L. MacQueen, *Common Law and Feudal Society in Medieval Scotland* (Edinburgh 1993), 146-53, 169-70.

<sup>15</sup>For the 1314 forfeiture act see Barrow, *Robert Bruce*, 270, 275, 269-92; as Barrow notes, most of the lands Robert siezed came from the forfeiture of six intractable individuals (though all men with large affinities).

<sup>16</sup>*RRS V*, no. 140; for Murdoch of Menteith's return see Duncan's discussion of *RRS V*, no. 72. Donald, earl of Mar, received a safe-conduct to Scotland in July 1319 but whether he used it remains to be seen as he does not appear as a royal or baronial charter witness in Scotland in this period: *Rotuli Scotiae in Turri Londinensi...*, ed. D. MacPherson et al. (London 1814-1900) [hereafter *Rot. Scot.*] i, 201. For Soules' appointment see *RRS V*, no. 166.

<sup>17</sup>*APS* i, 466 and *RRS V*, no. 139, section xii: freeholders to maintain weapons in proportion to their wealth.



Isles—galley service. This was not just Bruce's policy during the crisis war years before Bannockburn when he made such sweeping grants as the earldom of Moray to Thomas Randolph for ten knights' service, or that of the earldom of Carrick and later the lordship of Galloway to Edward Bruce, presumably for a similar return in manpower. Rather, it can be shown that Robert continued seeking military support until the end of his reign on a scale greater than that of his immediate predecessors, and in localities which suggest he recognised a strong military threat and/or Bruce weakness in obvious quarters.<sup>18</sup>

But such grants form only part of Robert I's resettlement of the balance of power within the various regions of Scotland. A detailed examination of Robert's extant grants reveals a remarkable programme of, really, colonisation using crown supporters in these various regions, almost akin to that undertaken by the Scottish kings of the twelfth and thirteenth centuries. This was not achieved in the space of a few years after Bannockburn. Instead it was a piecemeal process, characterised by important regional variations, with the majority of grants made after 1320. In the context of questioning the motives for the 'Soules conspiracy', this Bruce resettlement is of the utmost relevance. For, along with the other forms of political control exercised by Bruce and his supporters between 1318 and 1320, the redistribution of land, offices and resources in the localities seems to have secured some areas to Bruce control but to have potentially destabilised others. As Dr Alexander Grant has argued, 'the Soules conspiracy itself may have derived from dissatisfaction at the redistribution of the lands forfeited after 1314' with the majority going to the core of Bruce's key loyalist knights and councillors. Indeed, in the December 1318 parliament, vague legislation against disputes amongst magnates, similar to those which had occurred after the death of Alexander III, may reflect territorial conflicts which had arisen as a result of the war and Bruce's resettlement.<sup>19</sup>

There is insufficient space here to discuss all of Robert I's resettlement. But it is necessary to look in some detail at his intervention

<sup>18</sup>See *RRS V*, no. 389 for Moray and pp. 48-54 and Barrow, *Robert Bruce*, 286-9, for discussions of Robert I's strong revival of military feudal services.

<sup>19</sup>As part of my study of the reign of David II, 1329-71, I have examined the resettlement of Scotland undertaken by Robert I, region by region, using both Robert's collected extant acts and those lost but recorded in William Robertson's seventeenth-century transcript of medieval rolls in *Registrum Magni Regum Scotorum* [hereafter *RMS*] i, 1306-1424, ed. J. Thomson (Edinburgh 1984), Appendix II. *The Exchequer Rolls of Scotland* (Edinburgh 1878-1908) [hereafter *ER*] i, 1289-1359, is also valuable as a source for royal gifts and annuities; Grant, *Independence and Nationhood*, 15-16; Duncan, 'War of the Scots', 128-9; *APS* i, 462; see also Barrow, *Robert Bruce*, 269-92, for an excellent discussion of Robert's patronage to his main supporters.

## THE SOULES CONSPIRACY

in south-west Scotland and the marches. For the evidence suggests that whilst Robert was able to make both small and larger grants to laymen, religious institutions and burghs in most regions of Scotland between ca 1310 and 1318 (or at least after 1314), in the south-west the situation was far more problematic. Dr Richard Oram has recently identified Robert's personal 'failure to establish a sound political structure in what had been the heartland of John Balliol's Scottish lands'; that is, in Galloway and Dumfriesshire centred upon Buittle, Balliol's inheritance from his mother, Dervorguilla (d. 1290), the daughter of Alan of Galloway (d. 1234).<sup>20</sup> But it is clear that Robert I was very much aware of the importance of settling the south-west in his favour, and of controlling the western approaches to Scotland in general. The south-west, after all, was the heartland of Bruce's own family lands as well as that of his key lieutenants, the 'Good' Sir James Douglas (part of the growing family of that name with lands scattered from Lanarkshire down to Dumfriesshire) and Walter the Steward (whose lordships were centered on Renfrewshire and the Clyde valley, from where his family had faced the Western Isles in the service of the crown).<sup>21</sup>

With the presence of the Comyns also planted firmly in the south-west by the 1290s in the sheriffdom of Wigtown (with John Comyn, earl of Buchan (d. 1308), serving as justiciar of Galloway in the late thirteenth century), this region was bound to see some of the fiercest fighting of the Bruce-Balliol civil war. Indeed, the first blood in this struggle was spilt as early as 1286 when the Bruces, Stewarts and their followings attacked the Balliol lands around Buittle. But all that this conflict would involve was inevitably compounded by the intervention of England. The armies of Edward I (who forfeited the Balliol lands to himself in 1296) and his son and lieutenants launched campaigns across the border into this region on several occasions and attempted to control it with an occupation regime.<sup>22</sup>

The confluence of these major political players' interests in the south-west meant that here there was an unmatched degree of wartime

<sup>20</sup>R. D. Oram, 'Bruce, Balliol and the lordship of Galloway: the south-west and the wars of independence', in *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society* [hereafter *TDGNHAS*] 67 (1992) 29; Daphne Brooke, *Wild Men and Holy-Places: St Ninian, Whithorn and the Medieval Realm of Galloway* (Edinburgh 1994), 140-9. For Balliol's other lands see Barrow, *Robert Bruce*, 279-80.

<sup>21</sup>G. W. S. Barrow, *The Kingdom of the Scots: Government, Church and Society from the Eleventh Century to the Fourteenth Century* (London 1973), 322, 329, 331, 337-61, 377, 383.

<sup>22</sup>Oram, 'Bruce, Balliol and the lordship of Galloway', 30-1, 35-8; McNamee, *The Wars of the Bruces*; Barrow, *Robert Bruce*, 18, 25-6; M. Prestwich, *The Three Edwards: War and State in England 1272-1377* (London 1980), 42-79. See also F. Watson, *Under the Hammer: Edward I and Scotland, 1286-1307* (East Lothian 1998).



disruption to landholding patterns. As each party came to the fore in the region there was a ruthless replacement of their opponents' supporters as possessors of offices, castles, church benefices and strategically important territories, and a continuous stream of changes of loyalty back and fore; in short, greater confusion than elsewhere in Scotland. It followed that Robert I took longer to exert any sort of control over the south-west after 1306 than over any other region. While the civil war had effectively stopped in the north-east by 1308-9, it continued in Galloway until 1313, if indeed it can ever be said to have ceased there before 1357. Robert, who suffered defeats and betrayals in the south-west in 1306 and 1307, losing all but one of his brothers, led a destructive *herschip* of Galloway and Wigtownshire in 1313. The king's personal involvement seems to have been necessary because his brother, Edward, was unable to take a grip on the former Balliol lands to which he had been given title.<sup>23</sup>

To be fair to both Bruce brothers many of their difficulties here lay in the uncertain loyalties and/or active commitment of a significant number of families to the Balliol and, after 1306, the Anglo-Balliol cause. Although Robert's military efforts had ousted the Macdougalls from Argyll by 1309 and similarly the MacDowalls, McCans and other Balliol/Comyn supporters from the south-west, these families continued to take part in military efforts against Robert in this region on behalf of Edwards II and III, who paid for their services, often housing them at court in Westminster. Moreover, the Anglo-Balliol forces retained control, off and on, of a number of castles in south-west Scotland, most notably Liddesdale and the intimidating walls of Caerlaverock. Nonetheless, in February 1313 Robert I razed the castles of Dumfries, Buittle and Dalswinton, while men like William Soules of Liddesdale, Ingelram d'Umfraville and Roger Kirkpatrick—fighting for Edward II in the south-west—came into Robert's peace shortly after Bannockburn. Bruce now seems to have had the opportunity to begin in earnest the resettlement of that region in his favour.<sup>24</sup>

However, although no cartularies from south-west Scotland survive from this period, the available evidence suggests that before 1318, unlike elsewhere in Scotland, Robert was not able to issue many

<sup>23</sup>Barrow, *Robert Bruce*, chapters eight to eleven *passim*; Nicholson, *Scotland: The Later Middle Ages*, 92-6; McNamee, *The Wars of the Bruces*, 166-9. In the same way Robert I had to intervene in Ireland in person in 1316-7 when Edward Bruce's campaigns faltered.

<sup>24</sup>CDS iii, no. 701 for examples of Scots in English pay; R. C. Reid, 'Edward de Balliol', *TDGNHAS* 35 (1956-7) 38-63, includes a list of the 'companions of Balliol'; Oram, 'Bruce, Balliol and the lordship of Galloway', 38-41; McNamee, *The Wars of the Bruces*, 44-5 for English garrisons.

grants of lands, benefices and offices in Galloway and in the shires of Wigtown, Dumfries and Roxburgh. From this it could be inferred that Robert's policy in the south-west and in the west and middle marches was dominated by grants of extensive *nominal* territories: in the same way, in 1312, he had granted the regality earldom of Moray in the sensitive north to Thomas Randolph, who was absent campaigning in the south and Ireland between 1312 and 1318. Such grants reflected Robert's *intended* scope of control through the personal lordship of lieutenants holding large areas adjacent to former Balliol-Comyn bailiwicks, and not the actual extent of the Bruce royal writ.<sup>25</sup>

This delay was predictable. Much of the south-west was wasted at this time and the beginning of Robert's resettlement there also coincides with the Scots' recapture of Berwick in April 1318, the failure of Edward II's siege of that town in September 1319, and the start of an Anglo-Scottish truce in December 1319. For two years no retaliatory English raids would scorch the marches and south-west Scotland.<sup>26</sup> Yet when Robert did begin to reorganise the balance of secular power in the south-west he set in train the first serious Balliol attempts to oust his regime.

For it was logically in the south-west that Robert sensed the greatest Anglo-Balliol threat and responded by elevating his three key lieutenants in this area after the death of Edward Bruce, earl of Carrick and lord of Galloway. On 15 December 1318, Robert gave Sir James, 'lord of Douglas,' the land of Polmoody in Dumfriesshire in return for twelve arrows a year. Appearing as a witness to this grant was Thomas Randolph, titled for the first time as lord of the traditionally Bruce lordship of Annandale, as well as earl of Moray and lord of Man: the new first man of the kingdom as a result of Edward Bruce's death two months earlier had now been 'promoted' to head the royal presence in the south-west.<sup>27</sup> Then, sometime between March and July 1320 Robert gave his own bastard son, Robert, the barony of Sprouston in Roxburghshire.<sup>28</sup> Robert I's favour to Douglas, his 'second officer' as it were, resumed just before the issue of the Declaration of Arbroath: on 1

<sup>25</sup>RRS V, nos 1 to 142; RMS i, App. II nos 1 to 210, where the acts are arranged under headings for each sheriffdom, except Wigtown, which seems to have been suppressed. Duncan argues that the fact that very few royal land charters survive from before Bannockburn for lands in any region 'could be explained by reluctance to accept a title from a king with inadequate and uncertain control over Scotland': RRS V, 3.

<sup>26</sup>CDS iii, nos 593, 668; RRS V, no. 162 (truce); McNamee, *The Wars of the Bruces*, 72-115.

<sup>27</sup>RRS V, no. 143; Randolph served as Warden south of Forth and Lieutenant between Forth and Orkney in the 1320s.

<sup>28</sup>RRS V, no. 172 and p. 4: an inquest into the former regality of Sprouston was held about August 1320 and the barony granted again to Robert Bruce on 31 January 1321, though not in regality.



April 1320 he gave Douglas all the tenements of the touns of Douglas and Carmichael in Lanarkshire. Five days later he gave Douglas, first, the barony of Staplegordon in Dumfriesshire (resigned by John Lindsay), with the additional privileges of free barony, forest and burgh; and second, the toun, castle and forest of Jedburgh. Sometime after mid-1316 Robert I may also have given Robert Stewart, his infant heir presumptive by late 1318, the lands of Cunningham in southern Ayrshire. Robert I favoured the Kirkpatricks in Dumfriesshire between 1318 and 1320; he also extended patronage in this area and in Wigtownshire and Carrick to Robert Boyd of Noddsdale, another Bruce supporter since 1306, as well as making a number of other grants to lesser native south-west laymen.<sup>29</sup>

Robert I's revolution after 1306, and his confirmation of his royalist knights in the south-west and the marches from 1319 on, would have alienated William Soules and other former Balliol/Comyn men of Galloway and Wigtownshire, like the Mowbrays, MacDowalls and Maxwells. Recent research into political crises and the feud in fifteenth-century Scotland has shown that magnates' specific or local grievances were often pursued within the wider context of conflicts of royal government factionalism, with the outcome at the centre determining the balance of power in the localities. This research has also shown that Scottish magnates were capable of moving violently against their king when he interfered in their territorial and political interests; in 1320 many Scots would never have recognised Bruce as their legitimate king.<sup>30</sup>

The Soules family had risen to a position of prominence in thirteenth-century Scotland. The head of their kindred filled the hereditary office of Butler of Scotland and, holding significant lands in Liddesdale and Dumfriesshire, and smaller lands elsewhere in Scotland, also served as sheriffs of Roxburgh and Berwick in the late thirteenth century. William Soules' grandfather, another William, had been justiciar of Lothian and sheriff of Roxburgh in the 1280s; in the early 1290s he had also been sheriff of Inverness. He had married a niece of Alexander III, the daughter of Alan Durward and his wife, an illegitimate daughter of Alexander II. It was this match which had given William Soules senior's son, Nicholas (father of our conspirator, William), a slim claim in the Great Cause of 1291-2. Nicholas had married Margaret, a daughter of Alexander Comyn, earl of Buchan, so bringing the lands and castles of Cruggleton and Hermitage in south-west Scotland to the Soules

<sup>29</sup>RRS V, nos 67, 163(A), 166, 167, 409; RMS i, App.II nos 160-2, 315-6 for Boyd.

<sup>30</sup>See M. H. Brown, 'Scotland tamed? Kings and magnates in late medieval Scotland: a review of recent work', *JR* 45 (1994) 120-46.

## THE SOULES CONSPIRACY

family. In 1286 Nicholas's sister had married John Strathbogie, earl of Atholl. Nicholas's uncle, John, became the Guardian of Scotland from early 1301, raised to this office by King John Balliol himself and issuing acts in that king's name rather than as his temporary lieutenant, in many ways taking over from the Comyns as Balliol's key representatives. John Soules (d. 1310) formally relinquished his guardianship to remain in France near Balliol after the fall of Stirling castle to Edward I in July 1304.<sup>31</sup>

Thus in 1318-20 William Soules (junior) could look back upon the past glory of his family. More immediately, he may have resented Walter Stewart's keepership of Berwick after April 1318, and the possible intrusion as royal Butler of Sir John Menteith, the guardian of the earldom of Menteith. Soules had taken part in some of Robert I's raids into northern England after Bannockburn, receiving the lands of Wark-in-Tynedale when Robert over-ran Cumberland in 1316. But Soules may have been offended by Robert's denial to him of any inheritance from his brother John Soules' Dumfriesshire baronies of Kirkandrews and Torthorwald. This John Soules had come into Robert's peace in the winter of 1315-6 and received these lands shortly thereafter for his services in Ireland, where he was killed at Dundalk with Edward Bruce.<sup>32</sup>

Perhaps as compensation, Robert replaced John Menteith with William Soules as Butler sometime between 16 December 1318 and 6 May 1320. The king also confirmed William Soules' gift from Sir John Graham of Abercorn of the lands of Westerker in Dumfriesshire as late as 10 December 1319. But all this in no way matched the position and potential of local and central influence the Soules family had attained by 1286, or could have expected to build upon under King John Balliol, their former lord in Galloway, and in association with the most powerful magnate house of the day, the Comyns. Nor would it have offset the intrusion of Robert I's key supporters into the south-west and the marches. It is not suprising, then, to find evidence to suggest that William Soules and a number of other prominent Scots could have had contact with Edward II and/or Edward Balliol after late 1318; that is, just

<sup>31</sup>M. McMichael, 'The feudal family of de Soules', *TDGNHAS* 26 (1956-7) 38-48; *ER* i, 45, 47; Barrow, *Robert Bruce*, 20, 37, 64, 114-26, 237-40; *The Scots Peerage*, ed. J. Balfour Paul, 8 vols (Edinburgh 1904-14) viii, 249-50.

<sup>32</sup>*Barbour's Bruce*, iii, bk. XVII, line 217 (Steward); for John Menteith see Barrow, *Robert Bruce*, 308, *RRS V*, no. 5 p. 111 (which speculates reasonably that Menteith may have been Butler ca 1318) and *The Red Book of Menteith*, ed. W. Fraser 2 vols (Edinburgh 1880) i, 440-51. For William Soules see *CDS* iii, nos 470, 530; for John Soules' lands see *RMS* i, App.II nos 142-3, 147, 205 and *RRS V*, no. 437; some time after 1320 these lands were given by Robert I to Archibald Douglas, the future Guardian of 1333.



when Robert I had begun to extend his influence into south-west Scotland but at the same time suffered his first major setback since 1314 with the destruction of the Scottish army at Dundalk.<sup>33</sup>

That Edward II would have been willing to contemplate a subversive coup against Robert I should not be doubted. He may have already attempted such moves.<sup>34</sup> But in 1318-19 Edward was faced with growing political opposition in England, a grave dearth of war finance and victual, the issue of homage to Philip V of France for Aquitaine, and the systematic devastation of, and exaction of fines from, northern England by the Bruce Scots. The latter may, indeed, have been co-operating with Thomas, earl of Lancaster, and other northern rebels against Edward II. Hence the expediency of a Scottish fifth column could only have increased for Edward after the shambolic failure of the English siege of Berwick in September 1319. This had collapsed after the Scots had launched their deepest raid yet into Yorkshire, culminating in the defeat of the militia of the town of York at the 'Chapter of Myton.' Some English chroniclers were convinced that the aim of these Scottish raiders had been to capture Edward's queen, Isabella, through the agency of spies at York. Edward II, unable to mount another invasion of Scotland in the near future, could only hope to neutralise Bruce by assassination or by provoking renewed Scottish civil war.<sup>35</sup>

Some underhand conspiracy seems thus to have been the recourse of both sides at this time. From England's viewpoint, it is clear that any such subversion would involve restoring the former vassal Balliol line. This is confirmed by Edward II's order from York of 10 November 1318 (just a month after the battle of Dundalk) to pay his brother Thomas, earl of Norfolk, £200 out of the teind of the border bishopric of Durham 'in part payment of £500 that the king promised to give him [Thomas] for the stay of Edward de Balliol in his company.'<sup>36</sup> Balliol had not been an

<sup>33</sup>RRS V, nos 160, 167; the excellent notes in *Chron. Bower* vii include biographies of all those named as being involved in the conspiracy; for Soules see *ibid.* vii, 161-2 n.2.

<sup>34</sup>In 1310 Robert I had called off a secret truce meeting with Edward's representatives near Melrose because he had been warned of treachery: McNamee, *The Wars of the Bruces*, 51.

<sup>35</sup>McNamee, *The Wars of the Bruces*, 84-95, 100-1, 123-57, 241; see chapters three to six for Edward II's inability to dominate Scotland after 1314. The Scots launched a shorter raid into northern England in November 1319, but a two year truce was agreed between 21 December 1319 and Christmas 1321. Raids or pursuits to capture English hostages seem to have been a regular Bruce tactic, with Edward II being targetted in 1314 and 1322, and Edward III in 1327.

<sup>36</sup>Phillips, *Aymer de Valence*, 183-8, for Edward II's political problems. For Edward Balliol's whereabouts in November 1319 see CCR: *Edward II 1318-23*, 26. Edward Balliol was born in the late 1280s; in 1296 it was contemplated that he should wed a niece of Philip IV of France. When John Balliol was stripped of his kingship in 1296, Edward was taken south with his father, staying in the households of Prince Edward (II) and his brothers, or in the Tower. In 1320 he must have been in

absolute 'creature of England' since 2 July 1315, when he left Dover castle to take over his late father's lands in France.<sup>37</sup> But he certainly appeared at the English court just after Edward Bruce's death, remaining there at least until the failure of the 'Soules conspiracy.' He would be paid regular sums of money by the English crown between late 1318 and January 1321. He was at York on 29 May 1319; he was probably at Edward II's siege of Berwick in autumn 1319. Balliol was at Westminster on 6 July 1320 when, as part of an account in which some eight other exiled Scots were reimbursed, he was paid 20 marks for his expenses by Aymer de Valence, earl of Pembroke, who was then serving as guardian of the English realm while Edward II did homage for Aquitaine in France to Philip V. Valence had been among the leaders of the English army at Bannockburn; he would have welcomed revenge and the restoration of his lost Scottish lands by the overthrow of Robert Bruce.<sup>38</sup>

Secondly, that any Anglo-Balliol plot would gain access to Scotland via the south-west lands of Balliol, Soules or others is perhaps attested to by the presentation of Englishmen by Edward II on 19-20 July 1319 to some nineteen Scottish church benefices; these lay in the dioceses of Whithorn—where the bishops were loyal to York until *ca* 1350—and of Glasgow, which stretched to Roxburghshire and where Edward II was trying to impose his own nominee.<sup>39</sup> Moreover, on 27 November 1318 Edward II ordered his escheator north of Trent not to interfere with the widow of rebel Thomas Soules' tenure of Stafordham in Northumberland. These lands had been granted to the couple by Thomas's brother, William Soules of Liddesdale, and would be placed in the gift of Edward Balliol by 1335-6. This may have been a discreet recognition that William Soules had been restored to, or had never left, Edward II's allegiance.<sup>40</sup>

his thirties: Reid, 'Edward de Balliol', 38-9.

<sup>37</sup>Duncan, 'War of the Scots', 127; CCR: *Edward II 1313-18*, 236. Interestingly, Edward Balliol left for France just after Robert I appeared to have secured his triumph in Scotland at Bannockburn and Cambuskenneth in 1314, and with the April 1315 kingship tailzie.

<sup>38</sup>For Balliol in May 1319 see CCR: *Edward II 1318-23*, 140; for July see CDS iii, no. 701, an account which includes payment to Scots, 'David de Betoigne, Gilbert Glencairny, Margery Frendroughit, Dougall MacDowall, Alan Argyll, and Beatrix of Perth'; for Valence's appointment see *Foedera* ii, 426 (4 June 1320); Balliol was given £83 and £28 in April 1319 [PRO E403 (Issue Rolls)/187 membrane 1]; 100 marks in November 1319 [/189 m. 8]; £84 in January 1320 [/193 m. 4]; £24 in July 1320 [/191 m. 14]; and £184 in January 1321 [/194 m. 5]. Donald, earl of Mar, also received £40 from Edward II in 1320 and 1321 [*ibid.* /191 m. 13 and /196 m. 4].

<sup>39</sup>CDS iii, no. 653; *Foedera* iii part 1, 410; Barrow, *Robert Bruce*, 258, 367.

<sup>40</sup>CCR: *Edward II 1318-23*, 38-9; CDS iii, no. 614, p. 320. In 1320 Ingelram d'Umfraville recovered his English lands as he had not left Edward II's allegiance (see note 74).



Nonetheless, Soules may have had the opportunity in person to contact Edward II, Balliol and other disinherited lords in early 1320. For on 7 January of that year he was issued a safe-conduct by Edward II to enter England on Robert Bruce's business, as long as the two year Anglo-Scottish truce was in force (it was due to end on 31 December 1321). Soules was to be accompanied by the knights Robert Keith (the new marischal), Roger Kirkpatrick, Alexander Seton, William Montefixo, four clerics and three valets.<sup>41</sup> Although this safe-conduct may not have been used it was through such channels—though probably in unrecorded secrecy—that the details of the plot would be hatched. Just who initiated the conspiracy remains uncertain. But it is possible to identify some other Scots who may have been involved and to detect their motives.

First there were disinherited 'Anglo-Scots' at Edward II's court, many of whom had laid claim to lands in south-west Scotland. This included men like: David Strathbogie, earl of Atholl; Henry Percy, looking not only for his father's Scottish lands north of Forth but perhaps also the earldom of Carrick and Urr in Galloway; John Hastings, granted the earldom of Menteith by Edward I in 1306; Richard Talbot, claimant to some of the Comyn of Badenoch lands; William Ferrers, claimant to the Ayrshire, Galloway and Lothian lands of Roger de Quincy (d. 1264); Thomas Wake, claimant to Kirkandrews barony in Dumfriesshire, granted by Robert I to John de Soules (d. 1318); Alan le Zouche, for his Lanarkshire and Ayrshire lands; and Robert d'Umfraville, addressed as earl of Angus and warden of Northumbria by Edward II in 1319.<sup>42</sup>

There were also lesser men—actual Scots—like David de Betoigne, Gilbert of Glencarnie in Invernesshire, and Alan of Argyll, who were all paid expenses by Edward II in 1319-20. Glencarnie was a follower and kinsman of Malise, the pro-Balliol/Edward I sixth earl of Strathearn (d. 1313); the latter's wife, Countess Agnes, was implicated in the 1320 plot. Alan of Argyll was the son of John Macdougall of Argyll, exiled by Robert I in 1308 but who served Edward II as an admiral off the Ulster coast; on 20 June 1320 Alan renegotiated his 'salary' with Edward II, 'till the King recovers his lands in Scotland, which God grant', almost as if this were expected as imminent.<sup>43</sup>

<sup>41</sup>*Foedera* ii, 412. Duncan (*RRS V*, p. 149) argues that this embassy did not go to England. But Soules, Keith *et al* are absent as crown charter witnesses ca. 31 March to 6 May and although Soules does not appear in any of the English crown's records at this time does, this does not necessarily mean that he did not visit or correspond with Balliol in secret.

<sup>42</sup>For the disinherited see R. Nicholson's chapter five of that name in *Edward III and the Scots*.

<sup>43</sup>*CDS* iii, nos 699, 701; Reid, 'Edward de Balliol', 54-5.

Then there were those Scots on the move between Scotland and England who could have carried correspondence or been privy to the conspiracy. On 20 July 1319 Donald, earl of Mar, received a safe-conduct to visit Scotland after having been in England since 1305. He had already refused to return to Scotland in 1314, preferring to serve Edward II. After 1296, Donald's father, Gartnait (d. ca 1302), married to Christian Bruce, Robert I's sister, submitted to Edward I alongside Henry, bishop of Aberdeen. There is no direct evidence of Donald earl of Mar's involvement in the plot, other than the suggestive timing of his possible return to Scotland, perhaps with knowledge of Balliol's whereabouts and intent. But one contemporary chronicle does assert that it was Donald as Guardian of Scotland in 1330-1—after his election to this office had caused much disagreement within the Bruce Scots' council—who invited Edward Balliol (whom he may have known in England between 1305 and 1315) to return to Scotland as king instead of the infant David II. Donald may have resented long-term Bruce designs on David earl of Huntingdon's former lands of the Garioch, as well as on the neighbouring earldom of Mar; Robert Bruce had received the wardship and marriage of Donald from Edward I in 1302. Donald may also have resented Robert I's treaty in 1328 with the usurper regime of Isabella and Mortimer against whom Donald had backed the doomed Edward II. In October 1331 Donald and twelve men did receive a safe-conduct to go to England at a time when Edward Balliol was at York. Yet Donald had returned to Scotland and Bruce's council and peace in 1328; he died fighting for the Scots at Dupplin Moor against Balliol in 1332. Nonetheless, his loyalty to Robert I in 1318-20 might at best be described as unpredictable.<sup>44</sup>

On 24 October 1319 a William Somerville was given a safe-conduct to go to Scotland to negotiate the release of his daughter, held captive by Robert I. Somerville's father, Thomas, had been pro-Balliol and had held Roxburgh castle for Edward II in 1313 along with William Soules and the Berwickshire knights, Adam Gordon and Alexander Stewart of Bonkle. The Somervilles had held the baronies of Linton near Kelso, and Bathgate and Ratho in West Lothian. The alienation of the

<sup>44</sup>1319 safe-conduct in *Rot. Scot.* i, 201; for 1314 see *CDS* iii, no. 372; Christian Bruce later wed Sir Andrew Murray of Bothwell, the Guardian of 1335-8, and received the lands of the Garioch (*RRS V*, no. 405); for Mar as Guardian see *The Brut, or the Chronicles of England*, ed. F. W. D. Brie, 2 vols (Early English Texts Society, 1906-8) ii, 274; for Bruce's interference in Mar see Barrow, *Robert Bruce*, 23, 39, 43-8, 141-2, 159, 176. Donald of Mar appeared back at Robert I's court on 16 July 1328 (*RRS V*, no. 352); Donald was also heir to the kingship after the Bruces and Robert Stewart. Donald's son, Thomas, earl of Mar, would become a liege man of Edward III in 1359 along with his half-brother, a Thomas Balliol (!); *Rot. Scot.* i, 836, 850.



latter two baronies to Walter Stewart and his new wife, Robert I's daughter Marjory Bruce, in April 1315, would have surely given William Somerville enough sympathy with Soules to join him in the hope of restoration of his lands and daughter by Edward Balliol. He may even have hoped to avenge the defections of his former comrades. Alexander Stewart was the father of Bruce's new earl of Atholl by 1329. Adam Gordon was an adherent of Patrick Dunbar, earl of March, and one of the couriers of the Declaration of Arbroath to Avignon in 1320: from Robert I, Gordon received the large northern lordship of Strathbogie forfeited by the exiled David Strathbogie, earl of Atholl.<sup>45</sup>

Clearly, then, there was a significant number of exiled Scots likely to support a Balliol coup. That such a revolution was thought possible at this time by contemporaries should not be doubted. The late eleventh, twelfth and thirteenth centuries had seen several occasions when rival claimants to the Scottish kingship, or factions within Scottish government, were able to displace their opponents with English help.<sup>46</sup> The Great Cause had seen English attempts to revive this influence over Scotland. Those magnates heading the Scottish 'political community' of course rebelled against Edward I's intrusion, but his was a deciding influence which even the Bruces were prepared to appeal to in order to sponsor their own vassal kingship of Scotland on three or more occasions before 1306.<sup>47</sup> In 1332 Edward Balliol and the disinherited lords with English support *did* come back to oust the Bruce line, then represented by a child: moreover, on that occasion, there is a suggestion that Balliol's English supporters may have had the Scottish Guardian, Thomas Randolph, poisoned. Thus in 1318-20, with Edward Bruce and much of his army dead, and Robert I without an adult male heir of his own body or an active French alliance, perhaps already seriously ill and weakened in his mid-forties, there was a very real opportunity for a change of Scottish regime to be effected with English backing; Robert Bruce had already shown that acts of violence and civil war, followed by legitimization by a packed parliament and widespread patronage, could secure the kingship.<sup>48</sup>

<sup>45</sup>CDS iii, no. 67 and *Rot. Scot.* i, 114, 203 (Somerville); *RRS V*, no. 391 (Walter Stewart); *RRS V*, no. 102 and *RMS i*, App. II nos 13, 14, 119, 178, 180 (Stewart); *RMS i*, App. II nos 45, 717 (Gordon).

<sup>46</sup>A. A. M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh 1975), 125-6, 134-5; G. W. S. Barrow, *Kingship and Unity: Scotland 1000-1306* (Edinburgh 1981), 31-2; Young, 'Noble families and political factions'.

<sup>47</sup>Barrow, *Robert Bruce*, 39-50; 76-7, 114, 121-4; Duncan, 'War of the Scots', 136-7.

<sup>48</sup>On 30 May 1319 a report was made to Edward III about the rump of Edward Bruce's force in Ireland; but this may have been part of preparations for the siege of Berwick (*Foedera* iii part 1, 396). For Robert I's health see Barrow, *Robert Bruce*, 444-5 and for Randolph's murder see *Chron.*

What of the Scots within Scotland in Robert I's peace willing to back Soules and Balliol? Many of them, like Soules, must have resented the loss of direct lordship as a result of the forfeiture of Balliol, the Comyns and other notable disinherited lords. Many would have received new lordship from Bruce, but some, again like Soules, must have found others favoured in their families' or their magnatial patrons' stead in particular offices and localities. Several individuals are of course named by the chroniclers for their part in the conspiracy. Agnes, countess of Strathearn, is named among the ringleaders. A daughter of Alexander Comyn, earl of Buchan (d. 1289), she had married Malise, sixth earl of Strathearn, who had supported Edward II until his death in 1313. It is possible, though, that Robert I had had the earldom of Strathearn transferred to Malise's son, also Malise (d. ca 1329), before the sixth earl's demise. This transfer must have affected the Perthshire knight, John Logie, another named conspirator, who had been the ward of the sixth earl of Strathearn. Both Agnes and Logie may have resented the resettlement of central Scotland which Robert I had begun between 1315 and 1320. Certainly, the 'Anonymous chronicle' cited by Andrew Wyntoun states that the whole of Strathearn submitted readily to Edward Balliol in the 1330s, and Malise, the eighth earl, was forfeited by a parliamentary assize before David II in 1344 for resigning Strathearn to Balliol.<sup>49</sup>

Countess Agnes's four other Comyn sisters were, moreover, the mothers of William Soules and David Brechin and the wives of Gilbert d'Umfraville, earl of Angus, and Patrick Dunbar, earl of March. Umfraville had died in Edward I's service in 1307, but the rest of these men had come into Robert I's peace after Bannockburn.<sup>50</sup> March had expressed dissatisfaction at Edward II's lordship but neither had he received notable patronage from Robert I after 1314, although he did retain his family lands. March may have resented the numerous grants of land in the south-east which the king had made to lesser knights and religious institutions by 1320, and the continual wasting of the marches in border warfare led by Robert I, Randolph and Douglas. In particular, Robert I had favoured Sir Alexander Seton in the Lothians and made Walter Stewart and Robert Keith the keepers of Berwick town and castle

*Bower* vii, 73-5, 199-200.

<sup>49</sup>C. J. Neville, 'The political allegiance of the earls of Strathearn during the wars of independence', *SHR* 65 (1986) 133-53; for David II's forfeiture of the eighth earl see J. M. Thomson, 'A roll of the Scottish parliament, 1344', *SHR* 9 (1912) 235-40, and *RRS VI: The Acts of David II, 1329-71*, ed. B. Webster (Edinburgh 1982), no. 77.

<sup>50</sup>Barrow, *Robert Bruce*, 369-78; *Chron. Bower* vii, 162 n.5; *RMS i*, App. I no. 1.



in 1318.<sup>51</sup> March seems to have supported the Declaration of Arbroath and to have helped rumble the 'Soules conspiracy' in 1320. But the line between alienation or expectancy of reward from Robert I must have been very thin for March: he received no significant crown favour after 1320 and was excluded from crown offices in the south-east. When Balliol returned with English backing March did join him and received some English patronage between 1333 and 1335.<sup>52</sup>

So too, it must be said, did Duncan, earl of Fife, who had a Comyn mother. Since he had come into Robert I's peace from custody in England by 23 August 1315, Duncan must also have resented the lack of patronage he had received from Robert I and the contrasting amount being dispensed to lesser men in Fife and Kinross.<sup>53</sup> Besides, on that date Robert I pardoned the earl by accepting the resignation of his premier earldom and regranting it to Duncan with tailzie to the crown and its assignees should Duncan die issueless: in 1315 he was childless. This regrant also stipulated that if Robert I died without a male heir—and he would not have one until 5 March 1324—then the earldom of Fife would pass to the heirs of Alan, earl of Menteith (d. 1308/9), namely Alan's daughter, Mary and brother, Murdoch. Thus those involved on either side of the 1320 plot would have been concerned to protect their claims to both Menteith and Fife: the latter title also included the right to inaugurate new kings of Scots at Scone.<sup>54</sup> Therefore, in an attempt to secure better terms for his patrimony, Duncan could have backed Edward Balliol in 1320, just as he would do for a short time in the 1330s, even crowning Balliol at Scone in September 1332. So, like Donald, earl of Mar, both the earls of March and Fife had reasons to be equivocal in their loyalty to Robert I about 1318-20. None of these significant Scots—together with Soules, Mowbray and Brechin—were ever regular councillors or charter witnesses for Robert I.<sup>55</sup>

<sup>51</sup>*RRS V*, nos 148, 177, 177(A), 178, 182, 183, 192, 443, 444, 482; *RMS i*, App. II nos 253-7, 259, 272, 677-80; *Barbour's Bruce iii*, bk XVII, line 217.

<sup>52</sup>See *RRS V*, pp. 785-6 for Robert I's itinerary; *CDS iii*, nos 1081-2 and B. Webster, 'Scotland without a king, 1329-41' in *Medieval Scotland*, ed. Grant and Stringer, 225-8, 230, 238, for March's defection.

<sup>53</sup>*RRS V*, nos 12, 22, 144, 147, 268, 349; *RMS i*, App. ii, nos 488-97. It is possible that Robert I intended the Fife earldom to remain separate from the crown but nonetheless to come into the Bruce royal family and to be held by one of his younger sons, should he have any; similar conflict over Fife and Menteith arose between David II and Robert Stewart in the 1350s and 1360s: S. Boardman, *The Early Stewart Kings: Robert II and Robert III, 1371-1406* (East Linton), 12-25.

<sup>54</sup>*RRS V*, no. 72 with an excellent discussion of the background to the earldom, including mention of David's Strathbogie's claim to part of Fife. Earl Duncan was seemingly also forgiven by Robert I for the murder of an esquire, Michael Beaton.

<sup>55</sup>*Chron. Bower vii*, 81; Webster, 'Scotland without a king', 32-6, 52. Robert I of course was

Roger Mowbray was actively involved in the plot. He held lands in Roxburghshire and at the strategically important crossing at Inverkeithing in Fife over the Forth to Queensferry, Barnbogle, and Dalmeny in Mid Lothian. Mowbray and his family had supported John Balliol and then Edward II, serving in English garrisons at Dundee, Perth and Stirling. Roger came into Robert I's peace shortly after Bannockburn and served that king as a justiciar in Kinrosshire in April 1319. But he seems to have received no further Bruce patronage.<sup>56</sup> Then on 6 February 1319 a John Mowbray was ordered by Edward II to receive Scots willing to defect into England's peace. The Mowbrays themselves must have been able to raise a substantial military following: on 18 February 1321—after the failure of the conspiracy—Roger's son, Alexander Mowbray, and 'people who had come with him', were admitted to Edward II's protection. This group included a William Comyn, William de Caerlaverock, Malcolm de Kinninmonth, Thomas and Patrick Thorinborne, William Haresfield, John Ferrour, Hugh de Crawford and several others, predominantly men from south-west Scotland. The Mowbrays and their men continued to serve Balliol and England into the 1330s.<sup>57</sup>

There remain three others who were named by various chroniclers as being found guilty in the Black Parliament at Scone in August 1320 and suffering execution. John Logie was, as already mentioned, a Perthshire landowner and the ward of the sixth earl of Strathearn whom he probably followed in supporting Edward II, just as he must have followed that earl's Comyn wife, Agnes, after 1313.<sup>58</sup> Richard Broun, a minor Ayrshire landowner, had aided Edward I against Bruce in Galloway in 1307 and served in the English garrison of Stirling castle of 1312. Like Mowbray, the Brouns may have had an armed following which was forced to flee Scotland after the Black Parliament. On 1 April 1321 Thomas, Alexander and William Broun entered Edward II's peace, accompanied by a Fergus Kennedy who was probably from Carrick.<sup>59</sup>

Finally, there was Gilbert Malherbe, a Stirlingshire landowner and, as Professor Barrow states, truly 'a shifty opportunist'. He, like

inaugurated by the earl of Fife's aunt, the countess of Buchan, in 1306.

<sup>56</sup>*Chron. Bower vii*, 163 n.20; *RRS V*, nos 188, 251, 413, 414, 435, 503; *CDS iii*, nos 173, 220, 392, 769.

<sup>57</sup>*Rot. Scot. i*, 191; *CDS iii*, no. 723. As Professor Barrow notes, John de Tynemouth, writing before ca 1347, stated that Alexander Mowbray was involved in the 1320 Soules plot but fled to England: *Robert Bruce*, 430.

<sup>58</sup>*Chron. Bower vii*, 163 n.13; *RRS V*, nos 173, 227, 502; *CDS iii*, no. 410.

<sup>59</sup>*Chron. Bower vii*, 162 n.14; *CDS iii*, nos 15, 731 and pp. 395-6, 400, 409-10; see *RRS V*, no. 195 for mention of Alexander Broun as a traitor to Robert I.



Mowbray, had been a Scottish (Balliol) patriot before 1306, and had thereafter supported Edwards I and II against Robert I. In 1311-2 Malherbe acted as the English king's escheator in Stirling where he had been sheriff for the Scots in 1299. In 1309-10 he had tried to claim the wardship of the earldom of Menteith or the keeping of Jedburgh castle, but had clearly lost out to John Menteith and James Douglas respectively by 1319. Malherbe had also lost out prior to this to the sixth earl of Strathearn for the wardship of John Logie. Evidence that Malherbe had looked upon Soules' and Balliol's plot as a chance to settle these scores and perhaps claim Menteith is suggested by John Menteith's receipt of John Logie's lands of Strathgartney from Robert I after the Black Parliament.<sup>60</sup>

But Gilbert Malherbe may also have hoped to block the ambitions of another claimant to the earldom of Menteith, namely Murdoch of Menteith, the man who allegedly betrayed the plotters to Robert I. Murdoch's motives in doing so underline the complexity—really, the dangerous mess—of rival claims to lands and titles which Robert I had to deal with in his resettlement after Bannockburn. As the chroniclers suggest, Murdoch surely returned from England to Robert I's peace sometime in 1320: the timing is again suggestive. He probably received the earldom of Menteith, thus depriving his niece, as a reward for information on some conspiracy against Robert I: he certainly received some of the conspirators' forfeited lands after 1320. Yet what Murdoch had surely feared was that if Soules' coup succeeded then Edward Balliol might reward Malherbe or even John Menteith (if he too had returned to the Anglo-Balliol allegiance he had held until 1309) with part or all of the earldom of Menteith. Moreover, another of the prominent disinherited lords, John Hastings, had been granted Menteith in 1306 by Edward I. As nephew and heir of Aymer de Valence, earl of Pembroke—who was host to Edward Balliol in 1320—it was likely that Hastings too would be in line for some of Menteith in a Balliol Scotland. Thus the suggestion made by the contemporary English chronicler, John de Tynemouth, that Murdoch was himself one of the plotters is probably true: Murdoch was in on it from the beginning but defected in late 1318 when he realised the threat to his family lands.<sup>61</sup>

<sup>60</sup>*Chron. Bower* vii, 162 n.13; *CDS* iii, no. 410, p. 433; Barrow, *Robert Bruce*, 105-6, 310, 379. For Menteith and Douglas see *RRS V*, nos 502 and 167.

<sup>61</sup>*Scalacronica*, 59; *RRS V*, no. 545 and *RMS* i, App.II nos 263, 384, 489, 508, 513, 514 for Murdoch's patronage. The earldom of Menteith was at this time held by Mary, the daughter of Murdoch's late brother, Alan, (d. 1308/9). Sir John Menteith, however, was acting as guardian of Menteith ca 1318-20: he may have been opposing Robert I over the castle of Dumbarton and the sheriffship of Clackmannan (*RRS V*, no. 194); such actions would explain his replacement as Butler

In a crucial sense, therefore, Robert I's settlement after Bannockburn can be said to have worked well. As much as it further alienated his enemies, by 'creating' the disinherited and sharing out their lands, and by leaving the door open to his Scottish opponents to come back into his peace, Robert was able to ensure that he had more than enough support to withstand Anglo-Balliol counter-attacks, of which 1320 was one example. Murdoch of Menteith and (returning from France) Patrick, earl of March, had betrayed Balliol in the hope of winning Robert I's gratitude. The fact that in 1306 magnates like Aymer de Valence and John Menteith had both petitioned Edward I for the earldom of Lennox, Valence also for the earldom of Strathearn, and many other Scottish and English nobles for other Scottish lands, meant that it would be in the interests of the Scottish possessors of these lands after Bannockburn to remain loyal to Bruce. The efforts of these Bruce loyalists in defence of their lands against Edward Balliol and England after August 1332 would ensure the survival of the Bruce dynasty, if only just.<sup>62</sup>

But Murdoch of Menteith (who may have been brought up alongside Edward Balliol in England before 1315), and others, might still have turned the other way in 1320 as some significant Scots did or were later obliged to do after the Anglo-Balliol invasion of 1332. In the months before August 1320 the conspirators must have been canvassing Scots for support against Robert I. The *Scalacronica*, researched by the English knight Sir Thomas Gray while in captivity in Scotland in the 1350s, states that 'in order to discover this conspiracy, [Murdoch] went home [to Scotland].'<sup>63</sup> Here, among others, he might have consulted with—or been privy to the same information as—David Brechin, who was found guilty in 1320 of being aware of the plot yet not alerting

with Soules in 1319 (if Professor Duncan is correct about Menteith's hold on this office). For Hastings see *CDS* iii, no. 8. In *Barbour's Bruce* iii, bk. XIX, lines 1-55 it is stated that an unnamed woman betrayed the Soules plot to Robert I; this may be a confusion for Agnes, countess of Strathearn. But it is interesting to speculate that it might have been Isabel, sister of the pro-Balliol David Strathbogie, earl of Atholl. Isabel had had an illegitimate son, Alexander, by Edward Bruce. The latter's refusal to marry Isabel may have caused Strathbogie's defection to Edward II at Bannockburn. By betraying the 1320 plot, which her exiled brother was surely involved in, Isabel may have won patronage from Robert I for Alexander Bruce and herself. This amounted not just to her recognition as countess of Atholl and to some lands and pensions forfeited by the conspirators (*RRS V*, no. 372; *RMS* i, App.II nos 319, 441, 460), but the later recognition of Alexander as having some place in the succession certainly to the Bruce earldom of Carrick (which he held after 1329) and perhaps even to the kingship. See also Duncan's discussion of Robert I's suspicion of the Mar family as represented by Strathbogie and Donald, earl of Mar (*RRS V*, no. 140).

<sup>62</sup>Barrow, *Robert Bruce*, 325-8 (Appendix: 'Scottish Landowners forfeited by Edward I in 1306 for supporting Robert Bruce, with the names of those who petitioned to have their lands').

<sup>63</sup>*Scalacronica*, 59.



Robert I (or perhaps, as Professor Duncan suggests, of refusing to name names as Soules and Countess Agnes may have done to save their necks). Brechin was the son of a Comyn mother and a great-grandson of David, earl of Huntingdon (d. 1219), from whom his family received the Brechin lordship in Angus about 1215. He was thus head of a family with a status similar to that of Soules in the thirteenth century. Brechin had a European reputation as a crusading knight, but he had supported Edward I at the battle of Dunbar against the Scots in 1296, and then served Edward II as warden of Berwick (1308-12) and in garrisons at Dundee (1306, 1312), fighting alongside men like William Soules and Ingelram d'Umfraville. Brechin had apparently made his peace with Robert I after his capture by the Scots at Bannockburn but can be found in the English king's peace on 7 August 1317. Robert I had let Brechin keep his lands but gave him no further favour between 1314 and 1320. He was thus just the sort of disappointed knight the conspirators would ask to join them.<sup>64</sup>

The fact that Robert I felt it necessary to execute Brechin for his equivocal silence underlines the king's need to make a very public statement of what lay in store for any Scots wavering in their loyalties. The suggestion could be made that the unprecedented cruelty of the executions of 1320 betrays a panic reaction by Robert. Yet, on the contrary, it surely reflected his carefully orchestrated control of the potential fallout from the plot and the need to instil fear in indifferent or hostile Scots. There were undoubtedly many such waverers. A record of support for the Balliol/Comyn Scottish patriots before 1306 and/or service to Edward I, Edward II and later Edward III, can be traced for three of the five men acquitted of involvement in the conspiracy in August 1320: the knights Eustace Maxwell, Walter Barclay and Patrick Graham, and the esquires Hamelin de Troup and Eustace Rattray. This list interestingly includes two of Robert I's officers in the former Comyn dominated north-east of Scotland where the bishop of Aberdeen had only officially left his English allegiance in December 1318: this perhaps brings into question the stability of Robert's resettlement of this region.

Eustace Maxwell (d. 1342)—whose father had fought for the Comyns and then Edward I—was lord of Caerlaverock castle in Dumfriesshire by 1312, holding it for Edward II against the Bruce attack on Galloway in 1313. He came into Robert I's peace sometime after this and would go as far as to slight Caerlaverock in 1324 in return for a pension. But in 1332, admittedly just after the Bruce Scots' defeat at

<sup>64</sup>*Chron. Bower* vii, 162 n.5; *Scots Peerage* ii, 213-22; *CDS* iii, nos 273, 569, p. 399.

Dupplin, Maxwell would move to support Balliol, attacking the southern lands of the Bruce Scots when they threatened to besiege Balliol in Perth. Thereafter, Maxwell served Edward III as sheriff of Dumfriesshire (1334-6) and as keeper of Caerlaverock castle.<sup>65</sup> Secondly, both Patrick Graham's father, also Patrick, and uncle, David, served as auditors for Balliol in the Great Cause; Patrick (junior) served Edward I until joining Bruce in 1306. But in 1308 Patrick abandoned Bruce to serve his father-in-law, John Macdougall of Argyll, and Edward II, only returning to Robert I's peace after Bannockburn. There is no record of any favour by Robert I to Patrick or his cousin (?), another David: the latter had served the English *ca* 1311-12 and his name often appeared as a charter witness for Robert I and is attached to the Declaration of Arbroath.<sup>66</sup>

Thirdly, Eustace Rattray, a Perthshire landowner, had joined Bruce as early as 1306 but can be found in the English garrison of Perth in 1311. The remaining accused of 1320 seem to have had good pro-Bruce track records, a fact which perhaps makes crown suspicion of them alongside Soules all the more telling. Walter Barclay had witnessed the submission of Comyn of Badenoch to Edward I in 1304 and had thereafter served that king as sheriff of Banffshire. But in 1306 he joined Robert I, receiving the lands of Belhelvie and the sheriffship of Aberdeenshire for his part in the Bruce conquest of the north after 1307; he remained sheriff until at least September 1323. Finally, Hamelin de Troup also seems to have remained loyal to Robert after 1306, becoming sheriff of Banffshire by at least 1328; but he may have had Comyn connections before 1306 as a Banffshire landowner and the Troups may have been forfeited by David II about 1340 for aiding Balliol after 1332.<sup>67</sup>

A record of service in English garrisons after 1306 can be shown for a number of those lesser Scots already named as forfeited by Robert I after August 1320 and/or entering Edward II's peace at the same time. In these two categories, Alexander Mowbray, the Broun brothers, William Comyn, Hugh Crawford and William Haresfield all appear as serving variously in the garrisons of Stirling, Dundee, Berwick, Roxburgh and Edinburgh *ca* 1309-13; the English records reveal many of them to have had sizable followings.<sup>68</sup> Moreover, the name of William Mowat of

<sup>65</sup>*Chron. Bower* vii, 162-3 n.16, 17, 18; *CDS* iii, no. 1149, p. 317; *RMS* i, App. II nos 278, 304, 366; *The Chronicle of Lanercost 1272-1346*, trans by H. Maxwell (Glasgow 1913), 269.

<sup>66</sup>*CDS* ii, no. 1849; iii, nos 62, 65.

<sup>67</sup>*Ibid.*, no. 1741, p. 458 and *APS* i, 477 and *RMS* i, App. II no. 42; and *RRS* V, no. 247 for Barclay; *CDS* iii, pp. 425-6 for Rattray; *ER* i, clxxx and *RMS* i, App. II no. 729 for the Troups.

<sup>68</sup>*CDS* iii, nos 43, 45, 121, 157, 193, 247, 339, 724, pp. 390-425 and *RMS* i, App. II nos 230, 279, 285, 287, 302, 330, 451, 502, 674, 682 for those possibly forfeited *ca* 1320-1; this includes two



Cromartie can surely be added to the list of those subscribers to the Declaration of Arbroath who were involved in the 'Soules' plot. In 1315 Robert I had replaced Mowat's pro-Balliol family as the hereditary sheriffs of Cromartie in the north with William (II), earl of Ross, and his heirs. After March 1316 one of these heirs, Hugh Ross, received a pension previously held by Mowat. The latter had joined Bruce as early as 1306 but served in the English garrison at Dundee in 1312. Although he re-entered Robert I's peace sometime after this, he again defected to Edward II's peace on 20 May 1321 and was stripped by Bruce of his lands in Stirlingshire *ratione foris-facture quos recessit de fide nostra ad fidem Anglorum*.<sup>69</sup>

Also foreited by Robert I by 8 September 1321—but surely for his actions in 1320's plot—was the 'rebel' knight, Simon Lindsay, who lost Wauchopdale in Dumfriesshire and Langriggs in Annandale. He had served England in 1307 as keeper of the (Soules) castle of Liddesdale and in 1316 in the garrison of Carlisle.<sup>70</sup> Yet it was as 'a knight of Ingelram d'Umfraville' that Simon Lindsay had entered English service. In the winter of 1310-11 Lindsay had passed a payment of 100 shillings from Edward II to Ingelram in London: this account also records payments for the expenses in Edward II's service of Edmund Hastings, Robert d'Umfraville, earl of Angus, Henry Beaumont, Roger Mowbray (a 1320 conspirator) and Malise, sixth earl of Strathearn (the husband and guardian of 1320 conspirators).<sup>71</sup>

Consequently, it should not be surprising to find that in 1320 Ingelram d'Umfraville had a greater role in the 'Soules conspiracy' than simply, as Barbour relates, leaving Scotland in disgust at Robert I's execution of Sir David Brechin. Indeed Umfraville, who had a Comyn mother, probably tried to leave out of fear for his life due to his direct involvement as one of the key organisers of the plot. Along with Gilbert d'Umfraville, earl of Angus (d. 1307), Ingelram had fought alongside William Soules, David Brechin and John Comyn of Badenoch against the English in south-west Scotland for the patriot Balliol Scots before 1306. These men had defected to English service when the Bruces had swept the patriotic cause out from under their feet by murdering Comyn and seizing the kingship through an extremely ill-supported factional

Galloway men present with Alexander Mowbray in England in 1321, Fergus Kennedy and William de Caerlaverock.

<sup>69</sup>RRS V, nos 77, 86; CDS iii, pp. 421-2, 430, no. 735; RMS i, App.II nos 248(n), 700.

<sup>70</sup>RRS V, no. 198; RMS i, App.II no. 66. Lindsay's lands were granted to his son, John Lindsay, Robert I's nominee as bishop of Glasgow. John's resignation of his lands to Sir James Douglas in the Newbattle council of March 1320 may have provoked Simon into rebellion (RRS V, p. 21).

<sup>71</sup>CDS iii, nos 192, 514.

coup. While Edward Bruce had wasted Galloway in 1308, Ingelram had been warden of the west marches for Edward II and then keeper of Caerlaverock castle in 1310. Like David Brechin, Umfraville was captured by the Bruce Scots at Bannockburn and had to ransom himself into Robert's peace (Soules and Mowbray may have been there and escaped from Bruce). But the Umfravilles' support of Edward II continued through Robert d'Umfraville, earl of Angus and warden of Northumbria in 1319. In the meantime, Ingelram was neither a councillor nor a crown officer for Robert I and may have been denied suit to his former lands by the Bruce resettlement of Scotland. As Professor Duncan has suggested, Umfraville's involvement with the Balliol-Soules political interest through his French connections may have made him a logical choice as an organiser for Balliol in 1318-20; for in 1302 Ingelram had joined John Soules and others as ambassadors to France for the Scots.<sup>72</sup>

But the most damning evidence that Umfraville was one of the plotters in 1320 is the obvious fact that although he requested a safe-conduct for himself and forty followers from Edward II to pass through England on business 'beyond the seas' on 2 April 1320, perhaps to France or Avignon in advance of the Declaration of Arbroath, he seems only to have been able to leave Scotland in late 1320. On 26 January 1321, Edward II ordered Anthony de Lucy, one of his border wardens, to render to Ingelram d'Umfraville the services due by Lucy for English lands held of Ingelram as the latter 'who was a prisoner in Scotland, has escaped, and shewn that he never left his [Edward II's] allegiance.' Edward II had also given Ingelram gifts in December 1320; so much for Barbour's tale.<sup>73</sup>

This defection illustrates only too well the fact that a good many Scottish magnates, ostensibly in Bruce's peace, could still in 1320 harbour hopes of improving their status under a vassal Balliol king. These elements may have been able to help some of the conspirators to escape in 1320-1 and hide evidence of the guilt of others. But with the involvement of Umfraville and many others established, Sir Thomas Gray's assertion that Soules was imprisoned in Dumbarton castle for 'having conspired with other great men of Scotland' against Robert I is justified.<sup>74</sup> This point has been developed at length to emphasise the

<sup>72</sup>CDS iii, nos 43, 47, 121, 373, 374, 694; Rot. Scot. i, 203; Duncan, 'The War of the Scots', 125; Barrow, *Robert Bruce*, 177.

<sup>73</sup>CDS iii, nos 694, 721. A possibly pro-English source about Ingelram's career may have been a key source for Barbour who gives Ingelram a prominent role in events after 1306: *John Barbour, The Bruce*, ed. A. A. M. Duncan, 28-30, 704 n.119 and index.

<sup>74</sup>*Scalacronica*, 59.



argument that the extent of Robert I's support after Bannockburn should be closely scrutinised: modern historians cannot be sure of the loyalties of many Scots throughout the two phases of the wars of independence.<sup>75</sup>

Indeed, to illustrate this uncertainty in the context of 1320, of the forty-four names and/or seals attached to the Declaration of Arbroath, only roughly a third can be said to belong to committed Bruce supporters after 1306. The Declaration in no way represents the whole of the Scottish noble or political community. Moreover, six of the forty-four have been shown to have had supported this conspiracy (Soules, Mowbray, Brechin, Malherbe, Umfraville, Mowat). Two were acquitted of this (Graham and Maxwell). Over half can be shown to have been in English garrisons or pay sometime between 1306 and 1320, some with a number of kin or followers. Admittedly, this group does contain a couple of strong Bruce men, underlining Robert I's ability to win over significant former Balliol supporters. But others, like Duncan earl of Fife, Patrick earl of March and William Ramsay, would join Edward Balliol periodically after 1332. Bruce Webster has furthermore shown that a large number of Scottish laymen and clerics in general were forced to join Balliol after 1332.<sup>76</sup>

The known events of 1320 also suggest that Robert I's support was qualified at this time. He may indeed have had to use force or duplicity to collect seals and signatures for the Declaration of Arbroath. Then there is the apparent five- to six-month gap in Robert's active resettlement of the various regions of Scotland via grants in chancery. His extant *acta* cease on 20 May 1320 at Arbroath, after the Declaration had left for the papacy but with enough time for Patrick, earl of March, to have brought back news of the plot from France; they recommence on 18 November at a council at Scone.<sup>77</sup> This was more than enough time for a military reckoning to have taken place before or after the Black Parliament in August, one in which Roger Mowbray was perhaps killed. William Soules was last a crown charter witness on 6 May when Robert I granted James Douglas the barony of Staplegordon in Dumfriesshire and

<sup>75</sup>Duncan, *The Nation of Scots*, 28; Barrow, *Robert Bruce*, 107; Nicholson, *Scotland: The Later Middle Ages*, 101-2.

<sup>76</sup>Those for whom Anglo-Balliol service can be shown ca 1307-20 and who subscribed in some form to the Declaration include: Umfraville, Soules, Mowbray, Brechin, Patrick and David Graham, the earls of March, Fife, Ross and Sutherland, John Menteith, Alexander Lamberton, Reginald Cheyne, William Oliphant, Thomas Morham (Malherbe), John Fenton, David Weyms, William Muschet, Fergus of Ardrossan, Eustace Maxwell, William Ramsay, William Mowat, Alexander Strachan; see Webster, 'Scotland without a king', 237-8, for tables of Balliol defectors after 1332.

<sup>77</sup>RRS V, nos 168, 169; there are only five extant royal acts for 1320 as opposed to 1315 (19 acts), 1316 (22), 1317 (8), 1318 (13), 1319 (10), 1321 (16). There are also extensive gaps in the *ER*, *Rot. Scot.* (1319-26) and *APS* for 1320.

the toun, castle and forest of Jedburgh.<sup>78</sup> These grants—or more probably the discovery of the plot against Robert—may have provoked Soules into open rebellion. This is asserted by Barbour. When Soules was captured, probably somewhere on the Anglo-Scottish border:<sup>79</sup>

Thre hunder and sixty had he,  
Off squuyeris cled in his lyuere,  
At that tyme in his cumpany,  
Owtane knychtis that war ioly.

Soules was then taken to Berwick by Robert, that key town only recently returned to Scottish control and which Robert I had visited on several occasions in the months before April 1320:

That mycht all his mengne se,  
Sary and wa, bot suth to say,  
The king lete thaim all pas thar way...

This suggests that impressive military support for Soules, or rather Balliol, existed in the West, Middle and East Marches, close to English forces and perhaps Edward Balliol himself if he was still at York. Robert's gesture of letting Soules' 360 men go free is as perhaps as distorted as Barbour's magnanimous tale of Umfraville's easy flitting. But if Robert did grant them pardons it was an action designed to win over former enemies in a traditionally highly sensitive region for the Scottish crown—one especially so for the first Bruce king.

There is no parliamentary record of the conspirators' specific crimes. As Professor Duncan has argued, this in itself is a significant negative indication of the extent of the crisis and threat to Robert's kingship in 1320. The crown's censorship of the details of the plot was entirely consistent with a regime which deliberately shunned mention of the Balliol line after the pro-Bruce declaration of the clergy of 1309/10, and which tried to suppress sedition by statute in December 1318.<sup>80</sup> It is not stretching the evidence too far to suggest that the Bruce regime itself began the story that the conspiracy had aimed to assassinate Robert I and raise Soules to the kingship, so trivialising the events of 1320. If so, the Black Parliament was as much an expert Bruce propaganda job as the

<sup>78</sup>RRS V, nos 166, 167.

<sup>79</sup>Barbour's *Bruce* iii, bk. XIX, lines 35-42. Some of the population of Berwick, if they had survived the Scottish and English sieges of 1315-19, may well still have supported Edward II and/or Balliol. Duncan notes that the Gascon, Piers Libaud, a former keeper of Linlithgow peel for England, was forfeited by Robert I on 8 March 1316 for betraying the Scots' siege of Berwick to Edward II, just as a Peter Spalding betrayed the town to the Scots in 1318 (RRS V, p. 137, no. 84).

<sup>80</sup>Duncan, 'War of the Scots', 129; Stones, *Anglo-Scottish Relations*, 280-7; Barrow, *Robert Bruce*, 183-6, 293-4.



Declaration of Arbroath. Indeed, it is interesting that Abbot Walter Bower, writing his chronicle in the 1440s, juxtaposes a full version of the Declaration with this story of Soules' ambition, a fact which might suggest that this was the official government line on the conspiracy recorded in the now lost indictment of the Scone assize.<sup>81</sup>

Besides, according to Barbour, Soules was imprisoned in Dumbarton castle under the watch of Sir John Menteith (the man Soules may have replaced as Butler in 1319), where he is presumed to have died by early 1321 of unknown causes. Yet that Soules and Umfraville were not executed again suggests both that Edward Balliol had been the real ringleader and intended usurper, and that Robert I could still not afford to alienate too many Scots through wholesale retribution. Indeed, the Scots' proposal of a 26-year Anglo-Scottish truce in April 1321 might be taken as an indication that Robert I required 'peace above all things' to give him time to stabilise his regime and resettlement of Scotland.<sup>82</sup>

Remarkably, however, it is possible that Soules himself remained a threat after August 1320. A near-contemporary English chronicler records the death of a 'lord William de Soules' not in Scotland in 1321, but on 16 March 1322 at the battle of Boroughbridge, north of York, where he fell alongside Henry de Bohun, earl of Hereford and Essex. Soules had thus perhaps escaped Robert I in 1320-1, just as Ingelram d'Umfraville had done, and fled south. Here he had joined the earls of Lancaster and Hereford in their failed rebellion against Edward II (in which they had even sought the help of Robert I); Soules and the rebel earls may have been motivated by Edward II's abandonment of Edward Balliol and a coup which, if successful, would have ended the Scottish assaults on northern England.<sup>83</sup>

### Conclusion

With all this said, what had really been the Plantagenet-Balliol conspiracy of 1318-20 was survived by Robert I. It had been broken long before it got off the ground. That this threat had been a serious dynastic one is nonetheless betrayed by the close relationship with the Bruce

<sup>81</sup>*Chron. Bower* vii, 3-9, 165-6. Bower used a collection of government papers as a source for his history and is at pains to stress that '[the Declaration] was sent before the Black Parliament.'

<sup>82</sup>*Barbour's Bruce* iii, bk. XIX, line 50; Stones, *Anglo-Scottish Relations*, no. 38(h), p. 152.

<sup>83</sup>For Soules in 1322 see *Flores Historiarum 1265-1326*, ed. H. Richards, 3 vols (London 1890) iii, 347. Hereford was the uncle of the de Bohun killed by Robert I in single combat at Bannockburn where Hereford was captured and later traded for the bishop of Glasgow and Robert I's queen. In 1311 Hereford governed Annandale for Edward II and must have had contact with Soules; in the period 1318-20 Hereford had been Edward II's constable in charge of mustering armies (*CDS* iii, nos 2 226, 388, 393).

crown of most of the loyalist recipients of the forfeited conspirators' lands. Soules' lands were shared among: the king's bastard Robert Bruce, who received Liddesdale; the king's heir presumptive, Robert Stewart; the 'Good' Sir James Douglas; Archibald Douglas, the future Guardian of 1333; Murdoch of Menteith; and Robert I's favourite house, Melrose Abbey. Mowbray's lands were shared among Dunfermline Abbey (where Robert I would be buried), William Lindsay the chamberlain and, again, Robert Stewart, who also got some of David Brechin's lands.<sup>84</sup>

It has been long accepted that the victory of Bannockburn did not mean that Robert I had won either the Bruce-Balliol civil war, or the war for Scotland's independence from England. Yet the evidence assembled above suggests that throughout the rest of Robert I's reign, the Balliol alternative remained a far more potent and organised threat than has previously been acknowledged. Foiling the planned coup of 1320 gave Robert the mandate to continue his resettlement of Scotland at a greater pace. This policy had provoked some key Scots to plot against him after the battle of Dundalk of October 1318. Edward Balliol had arrived in England as early as November 1318 in order to exploit this Bruce crisis. Yet although the conspiracy failed, the underlying problem of the disinherited Anglo-Scottish lords was not resolved within Robert's lifetime. There remained enough opposition or indifference to the Bruce regime for Edward Balliol and the disinherited to invade Scotland in August 1332 and re-seize the kingship, albeit briefly. Had Edward III not become preoccupied with war in France after 1337, and had Edward Balliol offered a similarly generous land resettlement to Scottish friends and foes alike, then the Balliol alternative might eventually have triumphed.

In this context it is reasonable to question briefly the stability of Robert I's later reign and legacy. In January 1323 he concluded an Anglo-Scottish truce with Andrew Harcla, earl of Carlisle, which Edward II refused to recognise; Harcla was executed for treason. Then, between October 1327 and March 1328, after a renewed period of Scottish wasting of Ireland and northern England, Robert I agreed upon a final peace in the treaty of Edinburgh-Northampton with Edward II's usurper queen and killer, Isabella, and her lover, Mortimer. That neither of these deals were made with the legitimate authority of the English crown underlines the Bruce need to secure some measure of stability and

<sup>84</sup>*RRS V*, nos 172, 173, 175(A), 176, 179, 184, 188, 200, 201, 234, 263, 413; *RMS i*, App. II nos 125, 221, 222, 227, 263, 283, 294, 329, 451, 455, 504, 516, 639, 663.



Scottish independence before Robert's time ran out. Yet the exclusion of Edward Balliol and the disinherited from the written terms of both treaties, and the ill-treatment of the future warrior, Edward III, in the final peace, meant that reconciliation could never last long. The possibility that Robert I's only surviving son, David, would succeed his ailing father as an infant (which he did aged five on 7 June 1329) meant that the adult Balliol alternative—whose claim had first been asserted by law—would soon have another opportunity to reclaim the Scottish kingship. Moreover, Robert I may have muddied the waters further by making vague promises to restore some of the disinherited lords to their Scottish lands, promises which some of his key supporters refused to honour after his death.<sup>85</sup>

Robert I did amazingly well for himself and Scotland within the difficult circumstances of the 1320s. He may have calculated that the more tangible achievements of his reign would shore up the obvious flaws in the 1328 peace. These achievements included the wide basis of loyalist support which his extensive patronage had brought him by 1328, underwritten by a growing nationalism which his regime and the Scottish church had done much to propagate. More importantly, Robert had struck a new Franco-Scottish defence alliance in August 1326. However, while these proved the pillars which saved the Bruce dynasty in the 1330s, there were longer term difficulties resulting from the 'extreme delegation' of lands and offices to Robert's ambitious lieutenants and from his commitment to supporting France against England; these were inherited by David II.<sup>86</sup>

But as he neared the end of his life, terminally ill at 55, Robert was aware of the weaknesses of his settlement. On his death bed, not only did he ensure that one of his lieutenants, Douglas, would be preoccupied with taking his late king's heart on crusade, but he advised his son not to fight pitched battles, a rule that the Scots forgot to their cost in 1332, 1333 and 1346. But between February and early April 1329, Robert had also undertaken more than a 'long drawn-out and surely painful pilgrimage' from his manor house at Cardross in Dunbartonshire to the shrine of St Ninian at Whithorn in Wigtownshire.<sup>87</sup> At the same time he had used this extensive circuit to grant more patronage to native south-

<sup>85</sup>RRS V, nos 215, 342, 343, 344, 345, 353 (in which Robert I granted Henry Percy the younger the lands and possessions held by his father in Scotland); CDS iii, nos 1013, 1022, 1024, 1029, 1033-4, 1036; Barrow, *Robert Bruce*, 255-70.

<sup>86</sup>RRS V, no. 299; Boardman, *The Early Stewart Kings*, 1-25.

<sup>87</sup>Barrow, *Robert Bruce*, 323-4; RRS V, no. 380. The 'Good' Sir James Douglas may have caused some trouble by accepting the restoration of his father's English lands in May 1329 (CDS iii, no. 982).

west and west coast/isles families, often in return for specified military services.<sup>88</sup> Clearly, Robert still sensed the danger posed by the support of many in these regions for Edward Balliol and the disinherited, England's ready-made fifth column. As Dr Oram has argued convincingly, the 'chief flaw in the [resettlement] structure was the absence of a single, powerful lord as intermediary between the king and the lesser chieftains of Galloway.'<sup>89</sup>

Events after 1332 justified Robert I's concerns. A great deal of support for Edward Balliol at that time came from his family's lands in the south-west of Scotland.<sup>90</sup> Indeed, that some prompting for Balliol's invasion after Robert I's death had come directly from men in this region is hinted at in a tale related by Walter Bower. In 1330 a 'Twynham Lourison' seized a royal official at Ayr only to be driven into exile by Sir James Douglas, to whom in 1325 Robert I had granted the former Balliol lands of Buittle in Galloway. Lourison approached Edward Balliol in France with the advice that:<sup>91</sup>

Have you not heard of the destruction of the nobility at the Black Parliament? Their families will stand by you; the King of England will provide a powerful force of armed men to help you. Hurry and get started; be of good heart, consult your friends, and take up arms.

Thus the motives and repercussions of the so-called 'Soules conspiracy' persisted beyond 1320 and Robert I's death.<sup>92</sup>

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<sup>88</sup>RRS V, nos 362 to 374(A); RMS i, App.II nos 607-10, 612-5, 617, 622-4. Robert stopped at Turnberry, Girvan, Carleton, Inchmichael, Glenluce and Monreith on his way to Whithorn. He issued at least 25 charters of which at least 12 related to lands in Galloway and Dumfriesshire and 4 to land in Argyll; these secured the services of 2 galleys, 4 armed men, 4 archers and a spearman.

<sup>89</sup>Oram, 'Bruce, Balliol and the lordship of Galloway', 42-7. In 1324 Robert had to withdraw the right of crown officers to summary justice in the south-west after complaints by the 'Captains and men of the community of Galloway' (RRS V, no. 256(A)). David II had similar difficulties in exerting influence over the south-west. The Flemings of Biggar proved ineffectual as earls of Wigtown between 1342 and 1372; that earldom was sold to Archibald the 'Grim', future third earl of Douglas and, after 1369, lord of Galloway. David II had offered in 1365 that the lands of the late Edward Balliol in Galloway would pass to a younger son of Edward III as part of an Anglo-Scottish peace (APS i, 495).

<sup>90</sup>Nicholson, *Edward and the Scots*; B. Webster 'The English occupation of Dumfriesshire in the fourteenth century', TDGNHAS, 35 (1956-7) 65-80.

<sup>91</sup>Chron. Bower vii, 65-6.

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