

## THE PERCIES IN SCOTLAND.<sup>1</sup>

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“The Persè owte of Northombarlande,” as the old ballad, “the Hunting of the Cheviot,” styles him, has for generations been a household word in the North. Though the last of the main line of the Black Douglases, his ancient rivals, died four centuries ago at Lindores Abbey, and the name of Dunbar, whose renowned head, George earl of March, at the side of his cousin Henry IV, foiled both Hotspur and the Douglas at Shrewsbury, is now unrepresented in the peerage, the bannered staff of Percy is still planted on the keep of Alnwick, and a great Border noble dispenses munificent hospitality within its hall. But few, except those who dip into the pages of Dugdale, have heard of the Percies as Scottish landowners, much involved in the affairs of that kingdom for 100 years.

Having, in the course of my official labours in calendaring the documents relating to Scotland in the Public Records, noticed many relating to the Percies, I believe that a selection of these cannot be without interest to the present meeting near the home of the family.

Though the Percies, like the illustrious house of Courtenay, appear at an early date in the Border counties of Scotland, and an Alan de Percy is named as a follower of David I at the Battle of the Standard (or Cuton Moor) in 1138, this connection appears to have been shortlived—and we hear no more of them in Scotland till the time of Edward I.

Henry de Percy, tenth from William “with the whiskers,” and first Baron by writ, first appears in Scotland in that King’s train at Berwick on Tweed, where the Scottish

<sup>1</sup> Read at the Newcastle Meeting, August 6, 1884.

people, church and laymen, were swearing fealty to him on the memorable 28th of August, 1296. Two Scotsmen of rank, Alexander earl of Menteith, and Sir Alexander of Abernethy, acknowledge at Berwick a debt of 100 marks to Percy. In September following he was appointed by Edward I, warden of Galloway and Ayrshire, an office which he held on various occasions during the remainder of this reign. In June of the next year he and Robert de Clifford, lord of Brougham, received power to 'justify' all disturbers of the peace in Scotland, or their abettors. In July following these two active lieutenants received the submission of the Bishop of Glasgow, the young Earl of Carrick, the High Steward, John his brother, Sir William Douglas, and other Scottish magnates who had risen against the English King. Percy and Clifford no doubt believed the Scottish rising was at an end, and that Wallace, abandoned by his great friends, would soon be put down. A day or two after 20 July, Percy wrote a letter from Alnwick to the King under that belief, which is still preserved.

The rude shock of Wallace's great victory at Stirling bridge over Warrenne and Cressingham, dispelled these flattering hopes, and a few weeks later the warden of Galloway was forced to take refuge within the strong walls of Carlisle, round which, however, the wave of Scottish invasion surged, as has often been the case, in vain.

I do not find him on the roll of the military tenants who were at Falkirk on the fatal 22 July, 1298, when Edward clove down for a time Scottish independence. Later in that year he was one of the six English nobles who furnished 500 heavy cavalry for Scotland, his proportion being fifty horsemen, and in February 1298-99 he received from Edward a grant of all the English and Scottish lands of his relative the late Ingelram de Balliol, which should by right have been inherited by a nearer cousin, Ingelram de Umfraville, then in arms against Edward I.

We hear no more of him in Scotland for a year or two. He was among the distinguished band enumerated as present at the siege of Carlaverock in 1300.<sup>1</sup> On 17th Nov.,

<sup>1</sup> His name is not in the index of Sir Harris Nicolas' edition; but in the text

it follows that of his grandfather John earl of Warrenne.

1301 he was at Leconfield, from which he dates a letter to the Chancellor. Again a gap occurs for some years, till he is found taking an active part in Edward's conquering expedition through Scotland of 1304. In March of that year he had a grant of the earldom of Buchan, John Comyn the earl having lately been in arms along with John the Red Comyn of Badenoch.

From the terms in which the King writes to Percy about this time, begging him not to molest William Biset the sheriff of Clackmannan, it may be gathered how important a man he was. He had taken a principal share in negotiating with Comyn and the other Scottish nobles, and bringing them to terms at what is called the Capitulation of Strathorde in February 1303-4, when the patriot Wallace was abandoned to the wrath of Edward; Wallace's noble allies all making the best terms they could for themselves with the English King.

When Robert Bruce raised the standard of independence, after his unpremeditated murder of Comyn, Percy was again appointed warden of the Western marches, and having also received a grant of the forfeited earldom of Carrick, both duty and interest instigated him to act vigorously against the proscribed Earl. We find many traces of him during these last two years of Edward's reign, in his Scottish territory of Carrick, making active search for its fugitive lord, and there seems every reason to believe that he, or the force under his orders, captured Bruce's island stronghold of Loch Doon, where the gallant Christopher Seton, his brother-in-law, was made prisoner, and met the doom of a traitor at Dumfries, only twenty-eight years of age. So close was the pursuit of Bruce at this time that his privy seal fell into the hands of Edward I.

He does not seem to have taken so prominent a part in Scottish affairs during Edward II's reign. But he was reported, in an original letter which I have seen, giving the anonymous writer's account of affairs in Scotland, to be in the month of April, 1311, along with Robert Umfraville, earl of Angus, in charge of the town of Perth, in succession to Edward's favourite, Piers de Gavaston, earl of Cornwall. He certainly was in the expedition for the relief of Stirling in 1314, which ended in the battle of

Bannockburn; but more fortunate than his comrade Clifford, he survived that fatal day.

He died in the same year, and was succeeded by another Henry, then only thirteen (Nicolas' Hist. Peerage). This second Henry was engaged in the affairs of the Border at an early age, for the King is found writing to him on 26th Sept., 1322, complaining of the lachesse and supineness of those in charge of the marches of Northumberland in not resisting the Scots. In the following year (*c.* April, 1323) he was one of the hostages sent by Edward II to King Robert Bruce to insure the safe return of the latter's nephew Thomas, earl of Moray, then in England endeavouring to arrange a peace.

In 1 Edward III he was a commissioner for treating of the peace with Scotland.

He was one of the three great nobles of England, the other two being Thomas Wake, baron of Lydel, and Henry de Beaumont (earl of Buchan in right of his wife Alicia Comyn), who, under the Treaty of Northampton, were to have their possessions in Scotland restored to them. It is not quite clear in what part of Scotland these possessions of Percy were situated. They were not those of the earldom of Carrick granted to his father. These had been resumed by the rightful owner, King Robert Bruce, given to his brother Edward Bruce, and were enjoyed in succession by the latter's two sons. Wherever they lay, Percy recovered them under the Treaty, for in December, 1330, and February, 1330-31, Edward III wrote to King David, Thomas earl of Moray his guardian, and other magnates, requesting that Wake and Beaumont might have restoration of their lands in the same manner with Henry de Percy. This request, reiterated on several occasions, was evaded by the sagacious regent, Thomas Randolph, and after his death, when the regency had fallen into the hands of Donald earl of Mar, these disinherited barons, having associated themselves with other claimants, undertook the romantic expedition for their supposed rights in 1332, which ended in the elevation for a time of Edward Balliol to the Scottish throne. That Henry Percy had taken part in it seems evident, from the fact that Edward Balliol shortly after obtaining the Crown of Scotland, gave him Bruce's castle

of Lochmaben and the whole of Annandale, valued at 1000 marks yearly. This at once produced a collision with the interests of another distinguished house—the Bohuns—who, by grant of Edward I, were titular lords of Annandale, though their right had slumbered after Bruce shook off the English yoke. Humphry de Bohun, the original grantee, had fallen at Boroughbridge in rebellion against his brother-in-law; but Edward his son now asserted his claim to the Annandale inheritance, it may be presumed in right of his mother, the sister of Edward II, notwithstanding his father's forfeiture. That this was the case is partly shewn by a very energetic mandate from Edward III to Henry Percy "his cousin," on 21st Nov. 1333, commanding him at his highest peril to deliver up Lochmaben castle to Henry de Beaumont earl of Buchan, and Ralph de Neville, steward of the Household, to be held by them till next Parliament, when the disputes between Percy and Edward de Bohun, the King's cousin, both asserting right, should be decided by the King and Council. The King adds that he is greatly displeased at his neglect to obey his former order, and warns him to beware of breaking his peace on the Marches or alarming his subjects there.

This peremptory command proved effectual, for on 20th Sept., 1334, the lord of Alnwick expressly renounces in favour of the King, his own and his heirs' right to the castle of Lochmaben and valley of Annand, as they had been granted to him by the King of Scotland.

The charter to this effect was executed by him at Westminster, and seven days later he executed a recognisance within the King's chancery in the chapter house of the Friars Preachers, London. The Bohuns thenceforth held Annandale and Lochmaben till the independence of Scotland was finally completed in the next reign.<sup>1</sup>

When Henry de Percy gave up Lochmaben and Annandale he received a valuable equivalent, for Edward III gave him in partial recompense the castle and constabulary of Jeddeworthe, the forest and other lands there, worth 400 marks yearly, to be held for the sole yearly service

<sup>1</sup> The southern boundary of Scotland was, however, in an unsettled condition for long afterwards. More than 100

years later, James II was killed besieging Roxburgh Castle, then in English hands.

of a goshawk, with 500 marks from the customs of Berwick-on-Tweed, and the keeping of its castle, for which he was to receive 100 marks yearly in peace time and £200 in war time, to be retained till the King gave him 500 marks more of land or rent, to be held along with Jeddeworthe. These were in his possession in 1342,<sup>1</sup> and long after. He also obtained about this time, 1335 (9 Edward III), a grant of all the estates of Patrick Dunbar, earl of March, in Northumberland. He was in the great sea-fight at Sluys in 1340 (14 Edward III), at the siege of Nantes in Brittany two years later (16 Edward III); next year was a commissioner for the Truce on the Marches, and to treat with Sir William Douglas, the knight of Liddesdale. Two years after (19 Edward III) he repelled the Scottish invasion by the same William Douglas with a force of 30,000 men, and in 1346 was present at the great victory of Neville's Cross and the capture of David II, and was afterwards a commissioner to treat regarding that king's ransom. He died in 1352 according to Nicolas, and was succeeded by his son, a third Henry.

He was warden of the castle and shire of Roxburgh between October, 1355, and September, 1357, when he was succeeded by another Englishman, Sir Richard Tempest. So far as I have yet examined them, the Records do not shew what part, if any, of his father's extensive Scottish possessions came into his hands. He died in 1368, probably the last of this distinguished family who was a Scottish landowner.<sup>2</sup>

It is, however, historical that his son, a fourth Henry, created Earl of Northumberland in 1377, and his grandson the renowned 'Hotspur,' were foremost in the maintenance of order on the Marches during the reign of Richard II. There are many documents still extant, shewing that the earl and his son were almost constantly in command of Berwick and the East Marches, Neville and Clifford holding Carlisle and the West March.

<sup>1</sup> Exchequer Warrant 23rd Feb., 1341-2. —(Close Roll).

<sup>2</sup> There is, however, on the *Rotuli Scotie*, a commission by Edward III on 29th August, 1374, to Thomas bishop of Carlisle and seven others, to hear and settle the disputes between Henry lord

Percy and William earl of Douglas as to Jeddeworth forest and profits thereof. (Rymer iii, p. 1011.) What the result was I have not observed. But it shews that the Percies still maintained some claims to it.

Perhaps the most interesting fact among those which I have thus—I will not presume to say—discovered, but rather recalled to recollection, is the circumstance of the Percies having been so long the actual owners of the Castle and Forest of Jedburgh. This district had been the scene of many of the exploits of the ‘Good’ Sir James of Douglas in the war of independence. It was near the banks of the ‘sylvan Jed’ that the doughty Douglas formed the ambuscade of Lintalee, and with (it is said) an inferior force discomfited the Earl of Arundel, and Sir Thomas of Richmond who was slain. On the border of, if not within the Forest, he surprised in 1317 a strong detachment of the starving garrison of Berwick, who had ventured many miles into Scotland on a foray for provisions, and were taken unawares at a ford on their return with their plunder, leaving one hundred of their number and all their booty on the field.<sup>1</sup> And in its immediate neighbourhood, he defeated and slew in a hand to hand fight another eminent warrior, Robert de Neville, the “Peacock of the North.”

For these and other services it had been given to him by Robert Bruce by a charter styled the ‘Emerald Charter of Douglas,’ the loss of which is deplored by Scottish antiquaries. The Douglasses must have viewed with much dissatisfaction the gift of their wide and picturesque domain, won at the sword’s point from England, to their powerful neighbours of Northumberland. It may be presumed then, without violation of probability, that this may have aggravated the rivalry of these great houses, and given a keener point to the Border lances that crossed in the chivalrous strife of Otterburn.

Though the House of Percy has thus been long dis-established of its Scottish possessions—won during an era of strife and bitterness between two kindred nations—it is linked to the northern kingdom in these days under happier auspices. We on the north side of Tweed are proud to claim Her Grace the Duchess of Northumberland, and Countess Percy, as members of two of our most distinguished families—the Drummonds and the Campbells.

<sup>1</sup> Original letters (Public Record Office).