

II.

NOTES ON THE SCOTTISH DE QUENCYS OF FAWSIDE AND LEUCHARS.
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Nothing is more striking than the rapid degeneracy of the Germanic races who settled amongst the Latinised peoples of Western Europe. The descendants of the conquerors fell a prey in their turn to the incursions of the Northmen who occupied various parts of England and Scotland, and founded a powerful dukedom in the north of France. But instead of sinking into sensuality and sloth, the Normans showed a spirit of heroic adventure which lasted through many generations. It is a signal proof of the superiority of the race that many of them found successful careers beyond the countries which they conquered. Norman soldiers of fortune sought foreign lands, gained power and wealth, and founded great families and even royal dynasties. The pitiless spoliation of the Saxons after the Norman Conquest of England might well have made the rulers of neighbouring countries wary of allowing a footing to those encroaching adventurers, yet we find the Gaelic kings of Scotland, who gave a refuge to the fugitives from the cruelty of William the Conqueror, welcoming Normans amongst the Saxon population of the Border counties. That the nobility of England was Norman was the result of conquest, that so many of the nobles of Scotland were of Norman origin was owing to the election of the Scottish kings. This practice of favouring the stranger commenced with Malcolm Canmore, and went on under David I. and Malcolm IV. During these times there was much intercourse between the two countries; the Scottish kings frequently visited England, and gradually introduced feudal law into the lowlands of Scotland. In granting fiefs to Normans they probably counted upon their fidelity as the creatures of the royal favour, and hoped to avail themselves of their skill in organisation to bring a rude people under order and law.

William the Lion, though unfortunate in his war with England, continued the policy of his predecessors in welcoming younger sons of

the noblemen of England and giving them lands in Scotland which had fallen to the Crown through demise or forfeiture. Amongst the families who thus found entry into the Northern Kingdom were Baliol, Bruce, Cumin, Soulis, Mowbray, Saint Clair, Hay, Giffard, Ramesay, Laundel, Somerville, Bysey, Berkeley or Barclay, Walenge, Boys, Montgomery, Vaulx, Coleville, Fraser, Seton, Agnew, and Gurlay. Most of these names are still common in our country, and many of them are memorable in our history; but the family which forms the subject of this paper passed away from Scotland without leaving a trace behind, so that many educated persons not versed in our antiquities are unaware that the de Quencys were once amongst the greatest of the Scottish nobility.

The Quencys came from Normandy with Duke William. The name is on the roll of Battel Abbey. Saier de Quency¹ had a grant from Henry II. of the Manor of Bushby, in the county of Northampton.

¹ Dugdale makes this Saier de Quency, the father of both Robert and Saier de Quency, the Earl of Winchester. Robert had a brother called Saier, but it was his (Robert's) son who became Earl of Winchester. Dugdale also tells us that this Robert, being in the Holy Land (2 Richard I.), upon the recess of the King of France, was made captain of those soldiers then left behind for the defence of his country against the infidels. He also attended King Richard, in the sixth year of his reign, in that expedition which he then made into Normandy (*Baronage of England*, tome i. p. 686).

Burton (*Description of Leicestershire, containing Matters of Antiquity and History*, by William Burton, Esq., London, 1622, p. 37) makes this Robert the father of Saier. Whether it was the same or another Robert who accompanied Richard seems a question to be solved.

If Robert the Lord of Fawside and Robert the Crusader were the same, it is singular that this should not be alluded to by some contemporary writer. Robert, the companion of Richard, is mentioned in Geoffrey de Vinsauf's *Itinerary of Richard I. to the Holy Land*, book iv. chap. iii. He tells us that the Duke of Burgundy, Drogo d'Amiens, and Robert de Quency were sent on a second embassy to the Marquis of Montferrat to order him to come with them to the army and give up the hostages. They thus got possession of the hostages, who were cruelly put to death by Richard.

“Wählte der Herzog von Burgund zu gefahrten den Bischof von Beauvais, und den Grafen Drogo von Amiens und Wilhelm von Merlou, sämmtlich Freunde des Markgrafen, welchen Richard von seiner Seite noch den Ritter Robert von Quincy beygab; und diese Herren zogen am achten August nach Tyrus.”

(*Geschichte der Kreuzzüge*, von Dr Friedrich Wilken, vierter Theil, p. 384.)

Dugdale tells us that he had a son called Robert, who accompanied Richard Cœur de Lion to Palestine.

It was either this Robert, or a scion of the same family of the same name, who, coming to Scotland, received from King Malcolm IV. the grant of the Manor of Travernent¹ or Tranent, in Haddingtonshire. This seems to have reverted to the King, in 1154, by the death of Thor, the son of Swan. The first mention of Robert de Quency occurs in a charter of Robert Avenel of Eskdale, in which the said de Quency is quoted as a witness to a previous grant made in the reign of King Malcolm. It does not appear how de Quency obtained the lands of Fawside, which, in the times of David I., were held by Edmund of Fawside, who was a witness in a grant of that King.² In addition to this, the old castle of Forfar was given to Robert de Quency by King William, at a yearly rent of one pound of pepper,³ to be paid at Easter.

Robert de Quency increased his possessions by marrying Eva, the daughter and heiress of Ness, the son of William, who had extensive estates in Fife. The site of the stronghold of this old Celtic chieftain is still to be seen near the village of Leuchars, a raised mound with a flattened surface looking over the plain around. Here a castle was built, which was taken by the English, under the Earl of Pembroke, in 1327. In 1336 it was retaken by Sir Andrew Moray. Only a few scattered stones now remain to indicate that the ground was once occupied by buildings, and there are traces of a moat which once inclosed about three acres of ground.

The part of the old church of Leuchars still standing is one of the finest relics of the early Norman style in all Scotland.⁴ In its architecture it resembles the churches of Dalmeny and Birnie, which date

¹ Trov-er-ment, in the British speech, signifies the habitation or village on the ravine or vale; Tranent, in the same language, signifies the same. Both forms are equally descriptive of the situation. Chalmers' *Caledonia*, London, 1810, p. 523.

² See *Notice of the Fawsides of that Ilk*, by C. H. Bedford, F.S.A. Scot., in the *Proceedings*, vol. xxiv. p. 370.

³ See *Liber Cartarum Prioratus Sancti Andree in Scotia*, Edinburgh, 1841, p. 354. In the Scottish charters the name is generally written de Quency, so I have adopted the spelling which they themselves used.

⁴ See *The Kirk and the Manse*, by the Rev. Robert W. Fraser, M.A., p. 199, and *Liber Cartarum Prioratus Sancti Andree ut cit.*, p. 254.

about the same time. It appears that it was built by Ness, the son of William, and presented to the canons of the Cathedral of St Andrews. Only the chancel now remains, the ruins of the body of the old structure having been removed to give place to the modern parish church. I have been told that there were many grave-stones and inscriptions on the floor of the old church, and a few such monuments still remain in the chancel, but none of them of a date very far back. Most likely, Ness, Robert de Quency, and his lady were buried here, and their tombs were swept away when the modern place of worship was erected. Seyr de Quency, the son of Robert, granted three marks of silver in annual gift from his mill at Leuchars to the canons of St Andrews.¹ From a charter in the muniments of the Abbey of Melrose,² Eva, the wife of Robert de Quency, survived her husband and one son named John. For the salvation of their souls and her own, she bequeathed five acres of ground at Edmunston to the monks of Melrose. Her sister was Countess of Marr.

Robert de Quency is supposed to have founded the Castle of Fawside, now a desolate old skeleton of stone crowning the hill looking down upon Midlothian, and memorable as the spot occupied by the English under the Duke of Somerset before they descended to attack the Scottish army in the disastrous battle of Pinkie. Fawside presents the ruins of a large castle which has evidently received additions at different times.

There are still extant four charters by the de Quencys, which have been preserved by the interested care of the monks of the Abbey of Newbottle. None of them are dated. The first of them must have been made about 1189. Amongst the witnesses are:—Jocelin, Bishop of Glasgow; Arnald, Abbot of Melrose; Enkerbald, Abbot of Dunfermline; Earl Duncan³ (of Fife); Philip of Euermel, and Philip his son. In this venerable piece of parchment, now in the Advocates' Library,

¹ *Liber Cartarum ut cit.*, p. 255.

² See *Liber Sancte Marie de Melros, Munimenta vetustioria Monasterii Cisterciensis de Melros* (Bannatyne Club), Edinburgh, 1837, N. 49.

³ Duncan died in 1203 (Hailes' *Annals*, vol. i. p. 157), near Romanoch, in Peeblesshire.

Robert de Quency, lord of Fawside and Tranent, grants the land between a burn called Wigtrig (*sicut ricolus de Wytterigh ad mare descendit*) on the east, and the burn of Pinkie on the west, and bounded on the south by some ditches which he had caused to be dug, and on the north by the sea. All this land is granted to the Cistercian Abbey of Newbottle. In addition to this, he allows the right of grazing 600 sheep, and the oxen needed to work their land, on his common near Tranent. He grants them six acres of land in his meadow of Tranent (Treverment). He also allows them to take away 20 carts of peats (*petys*) annually from the lord's peatry (*dominica petera*), and fuel (*focalia*) from the usual place where the tenants took fuel. This charter is written in uncouth Latin, with perplexing abbreviations, mixed with words of English origin. As the estate granted is called the Grange of Preston of the land of Tranent (*Grangiam de Preston de tellure de Tavernet*), it does not appear that the name Preston or Priest's town, which was said to have superseded Aldhammer or Alhammer, was derived from the monks of Newbottle. The Wigtrig burn now runs into a drain on the road between the railway station and Prestonpans; at Preston it emerges a little west of the Tower, though some of the water has been diverted into a channel a little beyond Northfield House. The Pinkie burn flows into the sea near Westpans, forming the boundary of East Lothian and Midlothian. The marsh mentioned in one of the charters was the same which separated the army of General Cope from that of Charles Stuart the day before the battle of Prestonpans. It was drained to make the railway; but a bit of bog still remains near Seton Mill Farm.

In a second charter, which is witnessed by Roger, Bishop-elect of St Andrews (he was elected in 1175, and not consecrated until 1198); and by the same Jocelin, Bishop of Glasgow, who is known to have died on the 26th April 1199;¹ Ernold, Abbot of Ryevall; and Hugh, Chancellor of Scotland. In this document, Seyr de Quency confirmed the grant of his father, Robert de Quency. In a third charter, Seyr de

¹ The 26th Apryle 1199 deyd Jocelin, Bishop of Glasgow, at the Abbey of Melros. This zeire deyd lykways Hew, Lord Chancellor of Scotland. *The Annales of Scotland, Historical Works of Sir James Balfour*, London, 1825, vol. x.

Quency enlarges the grant by giving to the monks the half of the marsh, from the east of Wigtryg burn, and also assigns to them the exclusive right of digging coal¹ (*carbonarium et quarrarium*), and quarrying between this said burn of Wygtryg and the boundaries of Pinkie and Inveresk down to low-water mark, witnessed by W., Bishop of St Andrews, Ingano de Ballia, Symon de Quency, and Alexander de Seton.

In a fourth charter, Roger de Quency, the son of Seyr, confirms the grants of land made by his grandfather and father, with the right of digging coal and quarrying.

From this it may be inferred that the valuable deposits of coal had become known to the monks, and were thought sufficiently important to be objects of stipulation in two legal parchments of no great length. There is also the confirmation of William, King of Scotland, of the

¹ "Et in accessu maris et recessu."

At this time coal was probably dug by following the outcropping strata on the coast under ground. It formed an article of export. In their excavations they were often checked by the gathering of water, which in one place they tried to get rid of by boring a passage from low-water mark to their excavations; and, although coal has been dug for seven hundred years, it is still abundant in the parishes of Prestonpans and Tranent. Coal is not mentioned in the Collection of the Transactions of Melrose till the reign of Robert II., see *Liber Sancte Marie de Melrose*, Pref., p. xvi. and N. 486. I do not know on what grounds the learned Editor asserts that "Even at Preston, now so surrounded by coal mines, wood was used as fuel for the salt-pans"; as coal was certainly dug, how can we prove that it was not used for the pans? In the reign of William the Lion, Lady Emma St Hylary of Blackness grants the tithes of the coal-mine of Carriden to the Abbey of Holyrood. *Liber citatus*, N. 41.

In England there are evidences that coal was in some places used by the Romans, and even by the Britons.

It is recorded in the Saxon Chronicle of the Abbey of Peterborough that "about this time (A.D. 852) the Abbot Ceolred let to hand the land of Sempringham to Wulfred, who was to send each year to the monastery 60 loads of wood, 12 loads of coal, and 6 loads of peat." It does not seem beyond doubt that *græfan*, the Anglo-Saxon word used, means coal, and not some other kind of fuel. In 1259 Henry III. granted a charter to the town of Newcastle, in which he gave the freemen a licence to dig coals. The year before his death, Edward I. issued a proclamation forbidding the use of coal, and authorising the destruction of the furnaces and kilns of those who persisted in using this fuel. See *The Coal-Fields of Great Britain*, by Edward Hull, London, 1873, pp. 21-26.

grants of Robert and Seyr de Quency, witnessed by Jocelin, Bishop of Glasgow; Ern, Abbot of Melrose; Richard de Morewyll, Constable of Scotland; and Walter Olifard, at Haddington.

The canons of the church of Holyrood considered that their vested rights had been infringed by these grants to the monks of Newbottle, which led to a lengthened dispute between these two religious corporations. In charters published in the muniments of Holyrood,¹ both Robert and Seyr de Quency confirmed to the canons the possession of the church at Tranent, with its belongings, originally granted in the days of Malcolm IV.; and Seyr de Quency proclaimed, in the Royal Court held at Forfar, the grant in perpetuity of a carrucate and ten acres of land (*unam carrucatam terre et decem acras*, probably about 90 acres in all), in the estate of Tranent near Fawside, and also some lands at Nodrif (Longniddry), to maintain the chapel there which his father Robert had bestowed. To this charter King William was the first witness. It appears that the cession of the carrucate of land was in exchange for what the canons had lost at Preston. The disputes about the tithes between the canons of Holyrood and the monks of Newbottle were put to arbitration in the ninth year of the reign of Alexander II. Henceforth the tithes of Preston, east of the Wigtrig burn, were paid to Holyrood. In the same collection, there are charters granting the tithes of corn and hay at Tranent to the canons, and also the right of getting corn ground at the baron's mill. The last of these charters by Roger de Quency, Earl of Winchester and Constable of Scotland, is dated 1250.

Seyr,² Sayer, Saher, or Saer de Quency, the son of Robert first, comes into notice in English history as witness to a concord³ drawn between Henry II. and his unruly sons, Henry, Richard, and Geoffrey. This agreement was made at Falaise in 1174, about the same time as the

¹ *Liber Cartarum Sancte Crucis de Edwinsburg*, Bannatyne Club, Edinburgh, 1840, N. 36, 37, 38, and 79.

² The name Seier, hereditary in the de Quency family, indicates their Scandinavian origin. A contemporary King of Denmark bore the title of Waldemar Seier; that is, the Victorious. The name is still borne by persons in Denmark and in Norway. It is also found in combinations, *e.g.*, Seierstad, Seierstedt.

³ Rymer's *Fœdera*, tome i. pp. 37 and 40.

dishonourable treaty in which the independence of Scotland was given as the ransom of William the Lion. What the young de Quency was doing at the Court of the Plantagenet is not clear. He may have been called to be left as a hostage for his grandfather, Ness, who was one of the Scottish chiefs who were taken at Alnwick with King William, or voluntarily shared his captivity.

In the year 1200, Seyr de Quency is the bearer of a safe-conduct from King John to William to visit and return from the English Court.¹ In the fourth year of John's reign, 1203, he obtained from the King a grant of the towns of Chennaye and Sydenham, and was made governor of the Castle of Kuil, which, in 1205, he gave up to the King of France with little resistance.²

Seyr de Quency, who must have succeeded his father, Robert, before 1199, held baronial courts at Leuchars. Some of his charters are dated from that place; and in a dispute with Duncan, the son of Hamelin, about the lands of Duglin, in the Ochills, he brought Duncan to acknowledge a release of his claims in his court at Leuchars, *in plena curia mea apud Lochres*.³

Seyr de Quency married Margaret, the second daughter of Robert de Beaumont, the third Earl of Leicester. The eldest daughter, Amicia, was married to a Norman lord, Simon de Montfort; her son, also named Simon, was the leader of the Crusade against the Albigenses, and quenched in blood the first religious reformation. The fourth Earl of Leicester died childless in 1204, and the honour fell to his sister, Amicia; her husband and son being dead, the English title and a moiety of the estate, finally devolved upon her grandson, the fifth Simon de Montfort, the famous leader in the Barons' War. Through his wife as co-heiress, Seyr de Quency got the manor and barony of Groby and other estates in Leicestershire.⁴ In 1212, he obtained a special discharge

¹ *Ib.*, p. 121.

² Dugdale's *Baronage of England*, tome i. p. 686.

³ *Gazetteer of Scotland*, edited by Marius Wilson, vol. ii. p. 327, art. Leuchars.

⁴ See *The Description of Leicestershire, containing Matters of Antiquity and History*, etc., by William Burton, Esq., London, 1622, p. 122. In Roger Wendover's *Flowers of History* we are told that in 1174 the knights of the Earl of Leicester surrendered to Henry II. the Castles of Grobi and Mountsorel that he

from the scutage of Scotland then required for the same.¹ We are told, in the "History of Winchester,"² "Sæc de Quency, lord of Groby, in Leicestershire, was made the first Earl of Winchester, by King John, A.D. 1215, and had a salary granted him by patent, issuing out of the fines levied in this country." The date here is clearly wrong, as in the second charter to the monks of Newbottle, which must have been written before 1199, Seyr de Quency styles himself Comes Wintonie, and is so named in a letter of King John in 1212.³ It does not appear that any manor in Hampshire was attached, and the new Earl could have no jurisdiction in the city from which he took his title. Winchester at that time was an important place, possessing a special charter, in which it is expressly stated that the fines went to the mayor and burgesses. In 1212 Seyr de Quency, Earl of Winchester, along with the Lord Chancellor and two others, goes as ambassador from King John to Otho IV., the Emperor of Germany.⁴ Otho was the third son of Henry the Lion of Brunswick, and Matthilda, the sister of the English King. This embassy led to prolonged negotiations.⁵ The German Emperor, with the Count of Flanders and the Count of Boulogne, was induced to invade France to help John to recover his lost possessions. It ended in the rout of Bouvines.⁶ Seyr appears as envoy on other

might show greater consideration to their master, who had taken part with Prince Henry, and in 1176 the Castle of Grobi was razed to the ground; only a mound now remains to mark the site.

¹ Dugdale, tome i. p. 687.

² *The History and Antiquities of Winchester*, Winton, 1773, vol. ii. p. 66.

³ Rymer's *Fœdera*, tome i. p. 156. All the English authorities whom I have consulted say that Seyr de Quency was made Earl of Winchester by King John; but if the date we assign to the charter preserved amongst the muniments of Newbottle be correct, he must either have received the title from Richard the Lionhearted, who died on the 6th April 1199, or from John within the first fortnight of his reign. Though his name is repeatedly mentioned in the documents in Rymer's *Fœdera*, I cannot find that Seyr de Quency is styled Earl of Winchester before 1212. Burton (*op. cit.*, p. 37) states that he bore that title in the eighth year of John, 1207. Dugdale writes (*Baronage of England*, tome i. p. 687) that in 1211 he had the title of Earl of Winchester, but not before, for ought I have seen.

⁴ *Fœdera*.

⁵ See *Kaiser Otto der Vierte, der Welfe—Ein Lebensbild von Gustav Langerfeldt*, Hanuover, 1872, p. 176.

⁶ *Ib.*, pp. 156-159, 161.

important missions. In 1209 a convention was made between John and William, by which the English King engaged to provide suitable matches for the two Scottish princesses; and William, their father, promised to pay 15,000 marks, in security for which payment he gave two hostages. In 1213, King John writes to S., Earl of Winchester,¹ enjoining him to send to him, John, at Portsmouth, the hostages of the King of Scotland, whom he had in his keeping, namely, his, de Quency's, son, Reginald, and the son of William de Vipont. This demand to give up the hostages was made soon after the submission of King John to Pope Innocent,² to which the Earl of Winchester was a witness. John may have taken the hostages out of the Earl's keeping, because he had begun to suspect him of disaffection. The name of Seyr de Quency is conspicuous amongst the barons who took part against John in 1215,³ and obliged him to sign the Great Charter. Seyr, Earl of Winchester, and his son, R., are especially named amongst those excommunicated in 1216 by Pope Innocent, who wished to assist his unworthy vassal, King John, to regain his tyrannical power. The same energetic Pope had already issued four bulls⁴ against Seyr de Quency, who claimed the patronage of the church of Leuchars in favour of one Symon de Quency against the canons of St Andrews. In this dispute de Quency had the King of Scotland on his side; but the Prior protested that he had been overawed by the threats of the King, and that the decision was illegal and injurious to the Church. The Pope appointed commissioners to investigate and decide according to the canon.

Provoked by the cruelties which John with his foreign mercenaries perpetrated upon all who fell into his power, the barons in 1216 sent Seyr, the Earl of Winchester, and Robert Fitzwalter to France, with letters confirmed by the seals of all the barons, imploring Philip Augustus to send his son to reign over them.⁵ The Earl of Winchester was one

¹ *Ib.*, p. 174.

² *Fœdera*, tome i. p. 177.

³ Roger of Wendover's *Flowers of History*, Bohn's edition, vol. ii. pp. 305, 354, and 396.

⁴ The bulls are dated 1206, 1207, and 1208. See *Liber Cartarum Prioratus Sancti Andree*, pp. 350, 352.

⁵ *Matthæi Parisiensis Chronica Majora*, London, 1874, vol. ii. p. 648.

of those who continued to support the cause of Prince Louis, even after the death of King John. When the Castle of Mountsorel in Leicestershire was besieged by the adherents of the young King Henry III., the garrison sent for aid to Seyr de Quency, who was at that time in London. The Earl collected an army of six hundred knights, and above twenty thousand soldiers, and raised the siege. They then marched to Lincoln and besieged the castle; when the Regent, Earl Marshall, approached to relieve it, the Earl of Winchester advised the Count du Perche, the French commander, to go out to meet him. The Count preferred to await his attack, and a battle was fought in the streets of Lincoln on the 19th May 1217. The adherents of the French party were totally defeated, the Count du Perche was killed, and Seyr de Quency with other commanders and three hundred knights were made prisoners. In terms of the treaty by which Louis renounced his claim to the English crown, the Earl of Winchester was set free, without ransom, along with the other prisoners engaged in the Civil War. In the spring of the following year the Earl was employed, along with other noblemen, in arranging a treaty with Llewellen, Prince of North Wales.¹

Whether to make atonement for the papal excommunication which he had borne for nearly two years, or carried away by the spirit of the time, Seyr de Quency set out for the crusade, along with Ralph, Earl of Chester, the Earl of Arundel, and other English nobles, who were followed by large retinues (*cum sequela multa*).² They landed in 1218 at the mouth of the Nile to assist at the siege of Damietta. The expedition was disastrous, the struggle lasted for eighteen months, and many of the Crusaders perished from the sword of the enemy and from the plague and other sicknesses. Amongst them died Seyr de Quency, aged at least sixty-five years. It appears that he had taken with him his son Robert, for in the fifth year of Henry III., the elder brother being in the Holy Land, Roger de Quency had livery of his father's lands.³ On his return, the date of which seems uncertain, Robert de Quency claimed

¹ Rymer's *Fœdera*, tome i. pp. 225, 226.

² *Roger of Wendover, ut cit.*, vol. ii. p. 411.

³ Dugdale, tome i. p. 687.

the earldom; and the cause was argued before the King at Winchester.¹ "After a full hearing of the cause, the king gave judgment against Robert; observing that as Roger had been peacefully invested with the title, and sworn into that office, and had a considerable time had a voice in Parliament and other national assemblies, it would be unjust to degrade him; but that upon his decease, Robert, in case he survived, or if not, his issue, should ever after be vested with that dignity."

The Scottish records make no mention of this elder brother. Roger de Quency succeeded to the Scottish estates. He married Helen, the daughter of Alan, the Lord of Galloway, Constable of Scotland. This was a daughter by his first wife. Alan married for his second wife, at Dundee, in 1209, Margaret, eldest daughter of David, Earl of Huntington, brother of William, King of Scots. By this lady he had two daughters—Dervorguil, who married John Baliol, Lord of Barnard Castle, the ancestor of John Baliol, afterwards King of Scotland. It was this lady who built Sweetheart Abbey. The other daughter, Christian, became the wife of William des Forts, son of the Earl of Albemarle.

At this time Galloway was but loosely connected to the kingdom of Scotland. Its Gaelic population clung to their own customs, and resisted the introduction of new laws. In time of war it added to the Scottish army bands of wild marauders whose ferocity excited the horror of their southern neighbours. Alan died in 1234. As he left no legitimate son, the natives of Galloway requested King Alexander to assume the lordship to himself.² Not wishing to deprive Alan's three daughters of their inheritance, the King rejected this request. They next asked that Thomas, the bastard son of Alan, might be appointed their lord, and, on this also being denied, they broke out into open rebellion and called in auxiliaries from Ireland and the Isle of Man.

¹ *History and Antiquities of Winchester*, vol. ii. p. 75. The author of the History of Winchester has again confused his dates, if he means that this claim was heard at the Parliament of 1268, *i.e.*, thirty-nine years after the death of the first Earl, and four years after the death of Roger de Quency. The name of Robert de Quency occurs in the list of barons summoned by Henry III., on the 8th June 1242, to serve against the King of France. Rymer's *Fœdera*, tome i. p. 405.

² Hailes' *Annals of Scotland*, vol. i. p. 182.

After much fighting the Galwegians were defeated; many fell in battle, others were put to death. Those who submitted were deprived of their possessions (1236). Thomas was taken prisoner and confined in Edinburgh Castle for twenty years. The estate was divided betwixt the three daughters. Roger de Quency, as the husband of the eldest daughter, became Constable of Scotland.¹

We are told² that in 1247 Roger de Quency, being in his estate in Galloway, which he held through his wife the daughter of Alan, treated some men of good birth in that country with unusual tyranny. While unprepared for a siege, he was beleaguered in his castle³ by a sudden rising, and threatened with an ignominious death. The Earl, preferring to die fighting than to perish through hunger, armed at all points, mounted a swift horse, and with a few who had the courage to follow him, throwing open the gates of the castle, he clove his way with the sword through the host of the besiegers. Having thus escaped, he rode away to make his complaint to the King of Scotland (Alexander II.), who punished the rebels, and reinstated the Earl in his possessions. In the following year Roger de Quency sat in the Parliament held at London.

In 1257 Roger de Quency was sent to Scotland by Henry III., along with the Archbishop of York, the Bishop of Durham, and other personages, to try to restore concord between the King and his magnates.⁴ At that time Alexander III. was no older than sixteen, though already married to Margaret, daughter of the English King. He was kept a prisoner in the hands of the powerful nobles of the

¹ Matthæi Paris, *Historia Major*, London, 1640, p. 430.

² *Ibid.*, p. 741.

³ I have had the benefit of the opinions of Sir Herbert E. Maxwell and Mr George Neilson as to the locality of this castle, which is not named by Matthew Paris. Both these learned antiquaries are inclined to think that it was Crugleton, which stands on a height overlooking the estuary of the Cree. Sir Andrew Agnew, in his *History of the Hereditary Sheriffs of Galloway*, tells us that this fortress was in the possession of Alexander Cumin, Earl of Buchan, who was one of the heirs of Roger de Quency; but he mentions the Kerlies and Lord Fonlis as the previous proprietors. Its situation by the sea would render a blockade difficult. Might it not have been Wigtown Castle?

⁴ Rymer's *Fœdera*, tome i. p. 637.

Cumin name.¹ Next year it was agreed to have a new regency of ten persons. There are other indications that Roger de Quency was present at the English Court, and helped to promote friendship between the two countries. After the death of Helen of Galloway, he married Maud, daughter of Humfrey de Bohun, Earl of Hereford, widow of Anselm Mareshall, Earl of Pembroke; she dying (1252) while still young, he took for his third wife, Eleanor, daughter of William de Ferrers, Earl of Derby, and widow of William de Vaux.

In 1258 Roger de Quency was summoned to attend the king at Chester, to serve against the Welsh. He was one of the peers who, in a letter to the Pope in 1242, complained of the exactions of Henry III.; but what part he took in the hostilities between his cousin Simon de Montfort and King Henry is not known to me. Most of the English barons who had estates in Scotland took the King's side. Perhaps bad health kept Roger de Quency inactive. He died on the 28th April 1264, more than a year before Simon de Montfort ended his ambitious career at the battle of Evesham.

In the scanty chronicles of our early history we see the first of the de Quencys appearing as a soldier of fortune, rising by the favour of the King, and gaining the hand of an heiress. The second of the line, the son of a Norman father and a Gaelic mother, marries the daughter of a great English nobleman, is made Earl of Winchester, is employed by John on important embassies, takes part with the barons against the King to obtain for England the Magna Charta, and goes as their envoy to France to offer the crown of England to Louis, the son of Philip Augustus. Seyr is a prominent figure amongst the barons in the civil wars of the reign of Henry III., and dies in Egypt amongst the Crusaders. What we learn of the third de Quency does not entirely prepossess us in his favour. At any rate, he increases the power and estates of his family by a marriage with the daughter of a great Gaelic chieftain, and becomes High Constable of Scotland. Though history has left no record of the distinctive character of these three lords, we may infer that they were gifted with courage and ability, to make themselves valued as leaders of men, as well as with prudence and tact, to insinuate

¹ Hailes' *Annals*, vol. i. p. 205.

themselves into the favour of princes and the grace of ladies, till they rose to the highest position amongst the nobility of Scotland and of England. Indeed, there was no family before the Union of the two kingdoms which attained such distinction and rank in both countries at once. But what had been in great part gathered by three marriages of heiresses was lost in the same way. Though thrice married, Roger de Quency left no male heir, and his great estates fell to be divided amongst the three daughters by his first wife, Helen of Galloway. The eldest of these three ladies, Margaret,¹ was married to William de Ferrariis, or de Ferrers, son of the Earl of Derby; and as her father, Roger de Quency, had taken for his third wife the daughter of William de Ferrers by a former wife, these two Earls stood as father-in-law to each other. After the death of the Earl of Winchester, his Countess followed his example, and made a third marriage to Roger de Leybourne. Margaret de Ferrers being left a widow, her face or her fortune tempted Sir William Douglas. In 1290 he seized upon the lady, who had gone to Tranent to claim her dowry of the lands thereabout.² For this, William Douglas got into trouble with Edward I., who had occupied the southern counties; but in consideration of a fine of £100, Douglas was allowed the benefit of the marriage. This nobleman, the father of the good Lord James by his first wife, died a prisoner in York Castle in 1302. Elizabeth, the second daughter of Roger de Quency, became wife to Alexander Cumin, Earl of Buchan, who in her right became Constable of Scotland. The third daughter, Ela, was married to Alan la Zouche, Lord of Ashby, Governor of the Tower of London. The great estates of the de Quencys were shared by these three noblemen. Alan la Zouche claimed lands in England—some say, in right of his wife—which was contested by John, Earl Warenne (1268). Discerning

¹ Dugdale, tome i. p. 688, says that he had another daughter, Isabell, though by which of the last two wives he cannot say. It must have been by the third wife. Matthew Paris tells us that the second Countess, who gave him no children, died on the 13th November 1252, and was interred at Brackele, where another wife of the same Earl was also buried, on which account Roger de Quency chose to lie there.—*Op. cit.*, pp. 854, 855.

² See *History of the Lands and their Owners in Galloway*, by P. H. M'Kerlie, Edinburgh, 1868, vol. iii. p. 121.

that he must submit to the law, the Earl, having first passionately vented himself in foul language, assaulted Sir Alan and his son Roger in Westminster Hall so violently that he almost killed the one and much wounded the other.¹ Having done so, he fled to his Castle of Reigate, where he was pursued by Prince Edward, who compelled him to implore mercy and submit to a heavy fine. This was the same Earl Warenne who, in the sixth of King Edward's reign, being asked by what warrant he held his lands, showed the justices an old sword, saying: "Behold, my lords, here is my warranty. My ancestors coming into this land with William the Bastard, did obtain their lands with the sword, and I am resolved with the sword to defend them." This was the same Earl who, six hundred years ago, was defeated by Wallace at the battle of Stirling, and rode to Berwick so fast. Alexander Cumin died about 1288. He was succeeded by his son John, who thus became third Earl of Buchan and Constable of Scotland. He was also Sheriff of Wigtown, and was curator of two of the shares of the estate in Galloway left by Roger de Quency.² A district in Galloway, in the parishes of Carsphairn, Minnigaff, and Dalry, still bears the name of the Buchan Forest.³ This Earl of Buchan was infeoffed in the manor of Wightwiche, in Leicestershire, and sat in the Parliament at Brigham in 1290, and in July of the same year swore fealty to Edward I. at Norham. He served the English King against France. In the summer of 1303 we find the Earl of Buchan one of the seven Scottish Commissioners in Paris who sought the help of Philippe le Bel against the English King. Their letter to John Cumin of Badenoch, the Guardian of Scotland, is still preserved.⁴ About a year after, Buchan

¹ Dugdale's *Baronage*, tome i. pp. 78 and 689.

² *The Exchequer Rolls of Scotland*, vol. i. pp. 22 and 39.

³ This forest in ancient times was very extensive. It included a great deal of land in Carrick and the contiguous parishes of Carsphairn, Minnigaff, and Dalry. It is not easy to trace all the laud, now broken up into farms, belonging to different properties, but the names of several on the Craigen Gillan estate, parish of Carsphairn, are traced and noticed there. Those in this parish, however, alone retain the distinctive name.—*History of the Land and their Owners in Galloway*, vol. iv. pp. 465, 466, by P. H. M'Kerlie, 1878, Edinburgh.

⁴ See Rymer's *Fœdera*, tome ii. p. 929.

seems to have submitted to Edward. He married Isabel, the sister of the Earl of Fife, the high-spirited lady who installed Robert Bruce on the throne at Scone in lieu of her brother, who at that time took the side of the English usurper. She was taken in 1306, and imprisoned in a cage on a turret of Berwick Castle, by "the greatest of the Plantagenets," as the English historiographers of to-day delight to call Edward I. In this cage she was kept for four years, till she was removed to a milder imprisonment in the monastery of Mount Carmel, in Berwick, where she remained until the 28th of April 1313,¹ when Edward II. issued an order to the Governor of Berwick that Isabella, who was wife to John, late Earl of Buchan, should be delivered to Henry de Beaumont, or his attorney, "to be by him kept in such custody as are more fully enjoined by us." What these orders were is not known; but, as this Henry de Beaumont had married Alice, the daughter of Alexander, the brother of the Earl of Buchan, and by her inherited the English possessions of the Buchan family, it may be hoped that this order was a mitigation, perhaps virtually a release from imprisonment.

It is noteworthy that this lady remained in durance at Berwick during the life of her husband, John, Earl of Buchan. Moreover, the Scottish King was making his presence felt in Northumberland, and had nearly surprised Berwick, which he took about two years after, so that Edward II. found it prudent to remove his prisoners, the wife, sister, and daughter of the Bruce, to quarters farther south. Notwithstanding the vile treatment of his wife, Buchan kept on the English side, and twice led a body of his Scottish vassals and English soldiers against King Robert, who gave him a severe defeat at Inverurie, 22nd May 1308, and harried his lands so that he judged it prudent to seek refuge in England. In 1312 he infeoffed his brother William in his English estates, and died shortly after.

The conquering Bruce swept the land of the heirs of the de Quencys. Amongst the grants of their estates we find lands in Dumfries, Bellachys

¹ See Tytler's *History of Scotland*, 1841, vol. i. p. 213, and note to Barbour's *Bruce*, edited by Jamieson, Glasgow, 1869, p. 433. Rymer's *Fœdera*, tome iii. p. 401.

in Fife, Elphingstone, and the commonalty of Tranent and Mylyis,¹ all forfeited by the Earl of Buchan; also the estates of Alan la Zouche,² comprising the lands of Fawside, in the tenement of Tranent (Traverent), along with the lands of the husbandmen in the tenement and village of Longniddry, with the coal-pits and serfs (*cum carbonariis et nativis hominibus*), on condition of the half-fee or scutage of one knight; also the barony of Tranent, forfeited by William Ferraris. These extensive possessions fell into the hands of a house much better known in Scottish history.³

Secher de Say, also a Norman, had come to Scotland in the days of David I., and had obtained an estate in Haddington. We have seen the name of Alexander de Seton as witness to a charter of Seyr de Quency. A member of this family, Sir Chrystal Seton, married Lady Christina Bruce, third daughter of the Earl of Carrick, and sister of Robert the Bruce. He rescued the King at Methven, when he was unhorsed. Sir Chrystal was taken prisoner at Loch Doon Castle, and was hanged by the English near Dumfries. Bruce erected a chapel on the spot to the memory of his brother-in-law, and enriched the Setons with the forfeited lands of the de Quencys. Their estates in Fife were granted to the Lady Christina Bruce. It seems that Alexander Seton, who came into the possession of the estates in East Lothian, was a brother of Sir Chrystal. He was a brave soldier, who did and suffered much for his country. The head of the house of Seton took the title of Earls of Winton from a village in East Lothian.⁴ The name had, no doubt, been transplanted from Winton or Winchester in England. Edward II. gave the title of Earl of Winchester to his favourite, the elder of the Spencers, who was taken and hanged by the Queen Isabella and the discontented barons.

There were other de Quencys in Scotland. A charter of Robert,

¹ There is still a farm of that name, Myles, near Tranent.

² This was the grandson of the afore-mentioned Alan. Dugdale, i. p. 691.

³ See Wood's *Peerage of Scotland*, Edinburgh, 1813, pp. 263 and 640.

⁴ Wood, in his *Peerage*, tells us that Alexander de Seton, the son of Secher, was proprietor of Winton and Winchburgh. Near Winchburgh is Niddry Castle, an old keep of the Setons. What is the meaning of this reproduction of names in Linlithgow?

the first holder of Fawside, is attested by his brother (*Sabero fratre meo*);¹ we should read Sahero, the Latin form of Seyr, a family name. Then we have Symon de Quency of Leuchars, perhaps the same as Symon, chaplain to the King, attesting the grant of the first Earl of Winchester already quoted, and the name of John de Quency to a charter in the reign of Alexander II. As the dates go, these might be father, son, and grandson of a related but less fortunate branch. After Robert the Bruce, we hear no more of the name in Scotland. None of the English de Quincys seemed to have gained rank in after days; but there was Dr Quincy, eminent in the profession of medicine, besides the well-known author, Thomas de Quincey. There are still representatives of the name in France. Simon de Quingy was a well-known character at the Court of Charles the Bold of Burgundy, to whom he was successively page, cup-bearer, and ambassador.²

There is much information in Dugdale about the English estates of the heirs of the de Quencys. As we have seen, the manor of Wightwicke went by marriage with the daughter of William Cumin to Henry de Beaumont, who was employed by Edward II. in the defence of the English Borders. In 1310 he was governor of Roxburgh Castle, and was ordered to exchange Mary de Bruce for Walter Cumin, a prisoner in the hands of the Scots.³ To Henry de Beaumont was granted the title of King of Man by the English King. This island, after the battle of Largs, had yielded to a Scottish expedition commanded by the Earl of Buchan.⁴ It was subdued by Bruce in 1213. Henry de Beaumont was at Bannockburn, and in 1317 this Baron and his brother Lewis, Bishop of Durham, accompanied two Cardinals, nuncios from the Pope, with letters to Robert the Bruce.⁵ They were seized and rifled by the

¹ See *Charters of Holyrood, ut cit.*, p. 30, N. 36, and p. 215.

² See *Memoirs of Philip de Comines*, Book i. chap. iv., and Book iii. chap. ix.

³ Rymer's *Fœdera*, tome iii. p. 204. The Lady Mary Bruce, sister of the King, was married to Sir Niel Campbell, an early and faithful adherent of King Robert. See Barbour's *Bruce*, note, p. 432. Edward I. showed his characteristic solicitude about the treatment of this lady—"En mesme la manere ordonez est qe Marie, suer a Robert de Brus, jadis Conte de Garrik, soit envee a Rokesburgh, por garder illueques en Chastel, en une Cage."—Rymer's *Fœdera*, tome ii. p. 2014.

⁴ *The Exchequer Rolls of Scotland*, 1878, vol. i. p. lxxv.

⁵ Tytler's *History of Scotland*, vol. i. p. 298. Rymer's *Fœdera*, tome iii. p. 663.

lawless English borderers. The Cardinals were suffered to go on to Scotland stripped of their finery, but the Bishop and Henry de Beaumont were held in Mitford Castle till ransomed. Several years afterwards Henry de Beaumont was asked in Council his opinion about a proposed truce with King Robert, and on his refusing, in a disrespectful manner, to give advice, he was imprisoned by order of the King (1323).¹ He was soon afterwards released, and seems to have regained the royal favour, for we find him two years afterwards one of the plenipotentiaries to treat of peace with France, and he also gained the benefit of the wardship of David de Strabolgi or Hastings, son of the Earl of Athol, put to death by Edward I. This David he married to his daughter, Catherine Beaumont. Deserting his royal master he sided with Queen Isabella, and was instrumental in delivering up the unhappy monarch to his enemies upon the failure of his attempt to fly beyond sea. Among those active in this arrest we find the name of Eudo de la Zouche, grandson of Alan. As a reward for this transaction Lord Beaumont got a grant of the manor of Loughborough, part of the possessions of Hugh le Despencer, attainted. With the disinherited lords he accompanied Edward Baliol to Scotland in 1332, and contributed much to the victory of Duplin. During that disturbed time he got back some of the former estates of the Cumins, his wife's inheritance, and styled himself Earl of Buchan. David, Earl of Athol, taking part with the Baliol faction, and besieging Kildrummy Castle, was defeated and slain, along with Walter Cumin, by Sir Andrew Moray at Kilblain Wood. Buchanan tells us that Henry de Beaumont, to avenge the death of his son-in-law, seized and put cruelly to death all he could find who had been engaged in this battle. Andrew Moray therefore besieged him in the Castle of Dundarg, and compelled him to surrender, on condition that he might return safely to England. He had, however, to pay a ransom, and to swear that he would never come back as an enemy to Scotland (1334). He died in 1340, leaving a son John, Lord Beaumont, ancestor of Sir George Beaumont of Stoughton Grange, in the county of Leicester. The barony of Beaumont fell into abeyance in 1507. It was unsuccessfully claimed in 1798 by Thomas Stapleton of Carlton.²

¹ Rymer's *Fœdera*, tome iii. p. 1021.

² Hailes' *Annals*, vol. ii. p. 213. Dugdale, tome ii. p. 50, and tome i. p. 690.