

# THE WIVES OF SIR JAMES THE STEWARD (d.1309)

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## ABSTRACT

This paper rehabilitates the traditional year of Sir James the Steward's birth, names his first two wives, explains the late date of his third marriage to Giles de Burgh, and provides information about their four known children. It posits a double marriage alliance between the Stewarts and Comyns about 1240, clarifies the date of birth of Robert II, and establishes the circumstances of his mother's death in 1317. It incidentally brings forward some overlooked information on the Muschamp family and shows when Sir William, earl of Mar, actually died. Lastly it draws together what little is known concerning Sir Nicholas Campbell (d.1305), whose representation passed to the Lochawe branch.

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Sir James, fifth hereditary Steward of Scotland (d. 16 July 1309), who succeeded his father Sir Alexander<sup>2</sup> in 1281 or 1282, is traditionally said to have been born in 1243. Based on the late date of his marriage to Giles de Burgh,<sup>3</sup> apparently in 1296, Barrow had suggested as early as 1965 that he was actually born later, perhaps in 1253, the year after his father's pilgrimage to Compostella. In 1985 Barrow and Royan argued that "James was born even later than that, perhaps around 1260," at the same time shifting "the likely date of birth of his younger brother John from Nisbet's '1246' to about 1263." They concluded, "Although the precise date of James's birth must remain a matter of speculation, it is more likely that he married while still in his thirties – and was therefore born about 1260 – than in his forties or fifties."<sup>4</sup>

In their study Barrow and Royan cited Symson three times, but they nevertheless overlooked – or disregarded – his statement that James married Cecilia Dunbar: "His Wife was Cecilia Daughter to Patrick Earl of Dunbar, who was the first of that Family who quitted that Title, and assumed that of March."<sup>5</sup> This marriage will have taken place in the late 1260s, when James was in his twenties, since Cecilia can only have been a

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<sup>2</sup> Sir James's mother Joanna has never been identified, *pace* those who still believe she was "Jean, heiress of Bute." What evidence there is suggests that a double marriage alliance was concluded about 1240 between Sir Walter fitz Alan II and Richard Comyn by which the Steward's son and heir Alexander married Comyn's daughter Joanna, while Comyn's son and heir John married Sir Walter's daughter Eva. (Comyn's first wife Eva was certainly the mother of Sir John Comyn II of Badenoch and the four daughters named by Wynton. His second wife Alicia de Ros was the mother of John, Sir Robert, and Alicia.)

<sup>3</sup> Although Giles is used as a man's name in England, such a use is rare in Scotland. There are numerous examples of its use for Scottish women as the translation of the Latin *Egidia*. Earlier forms include Gelis and Jeillis (Jill), stabilising as Giles by the 18<sup>th</sup> century.

<sup>4</sup> Geoffrey Barrow & Ann Royan, "James Fifth Stewart of Scotland, 1260(?)–1309," in *Essays on the Nobility of Medieval Scotland*, ed. K J Stringer (1985) 166, 167.

<sup>5</sup> David Symson, Historiographer Royal for Scotland, *A Genealogical and Historical Account of the Illustrious Name of Stuart, From the First Original, to the Accession to the Imperial Crown of Scotland*, Edinburgh (1712), 102 (at end of chapter on "JAMES"); *cf* Duncan Stewart, *A Short Historical and Genealogical Account of the Royal Family of Scotland, ... And of the Surname of Stewart* (1739), 52.

See also the commentary in the appendix (p.398 below)

daughter of Earl Patrick III (1213-1289) and his wife Cecilia, married about 1240, daughter of John fitz Robert of Warkworth and Ada de Balliol.<sup>6</sup> Symson assumed that Cecilia was the mother of James's known children – erroneously, of course. We can be certain she had no sons who survived, though it is possible she had a daughter or daughters, as yet unidentified. James and Cecilia would have been in the fourth degree of consanguinity, as great-great-grandchildren of Sir Walter fitz Alan I (d.1177).

James's second marriage has until now escaped detection, despite the fact that the evidence for it, a court case of 1279, was printed as far back as 1891:

*Nicholaus de Graham ponit loco suo Thomam de Hagarstym, clericum, versus Thomam de Doby [sic], de placito assisae mortis antecessoris.*

*Jacobus filius Alexandri et Muriella, uxor ejus, ponunt loco suo Stephanum de Muschaump' vel Thomam de Hagarston' versus Thomam de Rok, de placito assisae mortis antecessoris.*

*Maria, uxor Nicholai de Grame, ponit loco suo eosdem Stephanum vel Thomam versus eumdem Thomam de eodem placito, etc.*<sup>7</sup>

(Doby is apparently a misreading.) The jury found that “*the heirs of Muschampe hold their barony by service of four knights, and making suit to the county at Newcastle.*”<sup>8</sup>

Muriel and Mary were the daughters of Sir Malise, earl of Strathearn (d.1271), by his first wife Marjory, daughter and coheirress of Sir Robert de Muschamp (d.1250).<sup>9</sup> Muriel was the second wife and widow of Sir William, earl of Mar, but her subsequent marriage had been unknown. (James's use of the patronymic here appears to be unique.)

William, earl of Mar, witnessed a charter of Alexander III at Haddington, Wednesday, 1 August 1274 (*anno* 26), along with Robert de Brus, earl of Carrick,<sup>10</sup> three weeks to the day after the birth of the future Robert I at Turnberry on Wednesday, 11 July. He was alive at the end of 1276 when summoned to “*provide his service in the army of Wales for a knight's fee.*”<sup>11</sup> “*The formal feudal summonses were issued on 12 December 1276, asking*

<sup>6</sup> Andrew B W MacEwen, “A Clarification of the Dunbar Pedigree,” *The Genealogist*, 9 (1988): 229-39.

<sup>7</sup> “*apud Novum Castrum Super Tynam, in Comitatu Northumbriae ... in octabis Sancti Hillarii anno regni Regis Edwardi septimo*” [20 January 1278/9], in William Page, ed., *Three Early Assize Rolls for Northumberland 13th century*, Surtees Society, 88 (1891): 301; cf p.204, n.2. John P Ravillious kindly sent some 40 pages of xeroxes from this volume (relating to Sir Robert fitz Roger and his family) on 6 Dec 2007. This fortuitous discovery was sent to Prof Barrow on 12 Jan 2008.

<sup>8</sup> Joseph Bain, ed., *Calendar of Documents Relating to Scotland*, Vol. II, AD 1272-1307 (1884), p.42, no.148, m.12.

<sup>9</sup> Two of his charters, confirmed by James I on 3 Nov 1427, are printed in James Balfour Paul, ed., *The Register of the Great Seal of Scotland AD 1424-1513*, (1882), pp.19-20, no.105. They name his mother, “*domina Matilda,*” and his sister Giles, wife of William fitz John of Honum: “*quas domina Matilda mater D. Rob. De Muscampo dedit Wil. filio Joh. de Honum cum Gilia filia dict. M. in liberum maritagium*” (p.20a). And see Cosmo Innes, ed., *Liber Sancte Marie de Melros* (1837), 1: 206-7, no.232; 207-9, no.233; 209, no.234. Although cited by Tate and others, these charters were overlooked by Hedley.

<sup>10</sup> Joseph Robertson, ed., *Collections for a History of the Shires of Aberdeen and Banff* (1843), 340 (misdated 1269).

<sup>11</sup> Bain, *op.cit.* (1884), p.62, no.201.

all those who owed service to muster at Worcester on 1 July."<sup>12</sup> He probably died during the following year, 1277. In 1281, at Michaelmas Term [9 October – 28 November], Edward I commanded the Barons of the Exchequer, as William, earl of Mar, had provided his service, to quit him of the scutage.<sup>13</sup> Sir Donald of Mar, who first appears as earl in record on 25 July 1281,<sup>14</sup> had actually succeeded his father some four years earlier.

The marriage of Earl William's widow to the future Steward surely took place in 1278, when she was thirty-four. The earl's first wife, Elizabeth Comyn, died in 1267,<sup>15</sup> so his marriage to Muriel lasted less than a decade – though how much less is unknown. Muriel's second marriage would last thirteen years, until her death at the age of forty-seven.

It seems unlikely that James would have married a widow in her early thirties who had not demonstrated her ability to bear a child. Muriel may well have had children, perhaps indeed by both her husbands, who did not survive. No evidence bearing on this point has been found. All that is known is that her sister was her heir.

On 16 May 1291 at Norham, Edward I took the homage of "Muriella, widow of William earl of Mar, granddaughter and one of the heirs of Robert de Muschaump," but she was dead within six months thereafter, a writ of *diem clausit extremum* issuing at Worcester on 12 November, Edward having learned that "Muriella formerly Countess of Mar, is dead."<sup>16</sup> Her sister Mary, aged forty years and more, wife of Nicholas de Graham (of Dalkeith and Abercorn), was found next heir to "Muriella, late Countess of Mar," on 23 November by inquest at Wooler, with Stephen de Muschauns and Thomas de Hagaristone among the jurors.<sup>17</sup>

Shortly after his succession as Steward, James had confirmed, "*consensu et assensu Consilii mei*," to Mary's father-in-law, Sir Henry Graham *patri*, "*cartam quam Alanus filius Walteri, dapiferi Regis Scocie, antecessor noster, Ade filio Gilberti et heredibus suis dedit de feodo de Torboulton*" (a grant made in or before 1177).<sup>18</sup> Mary was alive on Monday, 16 June 1320 when, "*in sua viduitate*," she resigned "*apud Colbranspeth*" the tenement of Halsyngtoun in the sherifdom of Berwick, styled "*Maria sponsa quondam Nicholai de Grahame militis et una heredum quondam Marjoriae de Musco campo comitisse de Stratherne*."<sup>19</sup>

Although his younger brother Sir John Stewart (d.1298) had fathered three or four sons by the 1290s, Barrow and Royan point out that James's "*official position as*

<sup>12</sup> Michael Prestwich, *Edward I* (1988, [new edn. 1997]), 177.

<sup>13</sup> Bain, *op.cit.* (1884), p.62, no.201

<sup>14</sup> John Anderson, "The Ancient Earls of Mar," in *The Scots Peerage*, ed. James Balfour Paul, Vol. V (1908), 577.

<sup>15</sup> Anderson, *op.cit.*, p.576.

<sup>16</sup> Bain, *op.cit.* (1884), p.111, no.477; p.132, no.544.

<sup>17</sup> Bain, *op.cit.* (1884), pp.133-34, no.549.

<sup>18</sup> William Fraser, *The Lennox*, Vol.II (1874): 17-18, no. 16; 1-2, no.1.

<sup>19</sup> John Maitland Thomson, ed., *The Register of the Great Seal of Scotland AD 1306-1424* (1912), App.2, p.526, Index B, (38); cf App.1, p.455a, no.51; and see William C Bishop, "Graham, Duke of Montrose," in *The Scots Peerage*, ed. James Balfour Paul, Vol. VI (1909), 194-95, where Mary is said to have died "*between 1314 and 1318*"; Sanders, *op.cit.*, p.101, states she died in 1322.

[Her death date is given as 18 October 1322 in CIPM VI, no. 539, an inquisition post mortem for Nicholas Meynill, on whom her moiety of the barony had been settled in 1315. –Ed.]

hereditary Stewart of Scotland and his dignity as one of the greatest feudatories of the realm called for him to have a direct heir."<sup>20</sup> He accordingly entered into his third marriage, with Giles de Burgh, which they first assign to "before October 1296, perhaps as early as about 1290," but later place in 1296, commenting, "It seems rather surprising that James had not married earlier ... What is fairly certain is that this was his first marriage, ..."<sup>21</sup>

Following his surrender of Roxburgh castle on 3 May 1296, Sir James had suffered a brief forfeiture. As "James Seneschal Descoce" he swore fealty to Edward I at Roxburgh, 13 May, followed two days later by "Johan Seneschal frere mon sire James Seneschal Descoce."<sup>22</sup> But the notarial instrument names them as "nobilis vir dominus Jacobus dictus Senescallus Scocie miles" and "dominus Johannes quondam Senescalli predicti domini Jacobi germanus miles."<sup>23</sup> He was, however, soon restored to favour being employed by Edward in June to receive the surrender of the castles of Kirkintilloch and Dumbarton.<sup>24</sup> As "James Senescal d'Escoce" he again swore fealty at Berwick on 28 August with other magnates including "Nicole Cambel" ("Jacobus Senescallus ... Nicholaus Cambel ... barones et milites").<sup>25</sup>

It was probably at this time that he married Giles de Burgh, daughter of Walter (d.1271) and sister of Richard (d.1326), earls of Ulster, receiving with her not only "substantial lands in Ireland" but also "the hope of a future heir."<sup>26</sup> The witnesses to Earl Richard's grant – the last being "domino Nicholao de Chambelle"<sup>27</sup> – show that it was made in Scotland. It was confirmed, "de gratia nostra speciali," at Northallerton, 10 October 1296, when Sir James was again Edward's "dilectio et fideli nostro Jacobo Senescallo Scotie."<sup>28</sup>

James's first wife, Cecilia Dunbar, was probably her parents' third daughter (since she was named for her mother) and born about 1250. His second wife was born, we know, in 1244, for on 20 March 1254/5 it was testified that Muriel of Strathearn "had reached the age of ten."<sup>29</sup> The ages of his wives are compelling evidence that the traditional year of Sir James's birth is correct. Had he been born as late as 1260, he would have been sixteen years younger than Countess Muriel and not more than eighteen when he married her – inherently unlikely.

Symson's "1243" may have been no more than an educated guess, but it was clearly on the mark. We can safely conclude that Sir James was indeed born in or about that

<sup>20</sup> Barrow and Royan, *op. cit.*, p.166.

<sup>21</sup> Barrow and Royan, *op. cit.*, p.177; *cf* p.166.

<sup>22</sup> Thomas Thomson, ed., *Instrumenta Publica Sive Processus Super Fidelitatibus et Homagiis Scotorum Domino Regi Angliae Factis A.D. MCCXCI-MCCXCVI* (1834), 61 & 62-63.

<sup>23</sup> Thomas Thomson, *op. cit.*, pp.61 & 62 (emphasis added).

<sup>24</sup> Barrow and Royan, *op. cit.*, p.176.

<sup>25</sup> Joseph Stevenson, ed., *Documents Illustrative of the History of Scotland From The Death of King Alexander the Third to the Accession of Robert Bruce MCCLXXXVI-MCCCVI* (etc.), Vol. II (1870), 66, No. CCCLXXII. Note the absence of Scocie in the notarial instrument.

<sup>26</sup> Barrow and Royan, *op. cit.*, p.177; *cf* p.168 for the lands.

<sup>27</sup> See *Addendum* below, p.396.

<sup>28</sup> Stevenson, *Documents, op. cit.*, II, 111-12, no. CCCCI. The earl styles them "domino Jacobo Senescallo Scotie et Egidie sorori mee ... uxori sue."

<sup>29</sup> Her sister Mary was six (b.1248). Joseph Bain, ed., *Calendar of Documents Relating to Scotland*, Vol. I, AD 1108-1272 (1881), pp.374-75, no.1978 @ 375:" ... the two daughters of the Earl of Stratherne, viz., Murielda, aged ten, and Marioria, aged six years."

year and so was some sixty-six years old when he died.<sup>30</sup> He was thus older by a generation than his distant cousin Robert I (b.1274), not merely by "some twelve to fourteen years," as Barrow and Royan proposed.<sup>31</sup> He was in fact a contemporary of the king's father, the earl of Carrick, who is known to have been born in July 1243.

When apprised of James's marriage to Muriel, Professor Barrow commented, "It is always very good to have fresh information about James Stewart, whom I still find an extremely interesting & puzzling character ... In view of James the Stewart's marriage to Muriel of Strathearn, lasting as you say at least 12 years, it seems rather puzzling that there seem to be so few signs of any Strathearn connections with James the Stewart himself – but I'll need to look at this again."<sup>32</sup> And he pointed out that one puzzle remains. Why did Sir James bestow the name Andrew – "not a Stewart name" – on his son and heir?

## Children of Sir James the Steward and Giles de Burgh

1. Andrew, b. probably in 1297, living in August 1306, d. before 1314 (perhaps long before), styled "*Andree filii et heredis Domini Jacobi Senescalli Scotie*"<sup>33</sup> and "*Andreu l esnez filz et heir du dit Seneschal [d escocel]*."<sup>34</sup> A hostage for his father, Edward I committed his custody to Bishop Lamberton of St Andrews who, however, delivered him to Robert Bruce. Whether he lived to succeed Sir James is not known.
2. Sir Walter, b. probably at the end of 1298 or beginning of 1299, fell ill and d. at Bathgate, 9 April 1327 (**not** 1326), aged probably 28, and was bur. At Paisley. He was knighted at Bannockburn in 1314, described by Barbour as "*bot a berdles hyne*." He m.(1) probably in June 1315, aged 16, Marjory Bruce, who d. by a fall from her horse in October 1317, during her second pregnancy, and was bur. at Paisley.<sup>35</sup> (Her son Robert was b. 2 March 1315/16, being the first Tuesday in Lent, not Shrove Tuesday, as Symson, followed by Duncan Stewart, supposed.<sup>36</sup>) He m.(2) c.1320 Isabella Graham and had further issue, Sir John, Sir Andrew, and Giles.<sup>37</sup>
3. Giles, m. Sir Alexander de Meyners, who resigned the barony of Durrisdair "*sub condicione*" in favour of her brother James.<sup>38</sup>
4. Sir James, slain at Halidon Hill, 19 July 1333, styled "*domini Jacobi Senescalli aduunculi nostri*" as one of the three curators of Robert the Steward, 4 June

<sup>30</sup> According to Symson, James "*was born in or about the year 1243, being the 30th of the reign of King Alexander the 2d.*", while his brother John's "*birth is placed in 1246 in the 33d of Alexander the 2d.*" Symson, *op.cit.*, pp.60 & 74. In fact the regnal years work out to 1244 and 1247.

<sup>31</sup> Barrow & Royan, *op.cit.*, p.167.

<sup>32</sup> Personal communication, letter from Geoffrey Barrow, 24 Jan 2008.

<sup>33</sup> Sir David Dalrymple, Lord Hailes, *Annals of Scotland, From the Accession of Malcolm III to the Accession of the House of Stewart*, 2nd edn., Vol.II (1797), 13 & n. \*.

<sup>34</sup> Sir Francis Palgrave, *Documents and Records Illustrating the History of Scotland*, Vol.I (1837), p.336 (10), no. CXLVIII; cf p.328 (1); Bain, *op.cit.* (1884), p.488, no.1818 (5), p.490, no.1826.

<sup>35</sup> Duncan Stewart, *op.cit.*, p.53; James Haig, ed., *The Historical Works of Sir James Balfour of Denmylne and Kinnaird*, Vol.I (1825): 96.

<sup>36</sup> David Symson, *op.cit.*, p.114; Duncan Stewart, *op.cit.*, p.53.

<sup>37</sup> George Burnett, ed., *The Exchequer Rolls of Scotland*, Vol. IV, AD 1406-1436 (1880), Appendix to Preface, No. I, Stewart Genealogy, pp. clxxxiii-cxciv.

<sup>38</sup> John Maitland Thomson, *op.cit.* (1912), p.9, no.32; cf Appendix 2, p.517, no.146.

1330,<sup>39</sup> and “*domino Jacobo seneschallo fratre dudum domini Walteri seneschalli Scotie*” on 6 November following,<sup>40</sup> named as James, the “*unkelle*” of the Steward, as one of the commanders at Halidon Hill, where he was mortally wounded.<sup>41</sup> As “*fratris Walteri seneschalli Scotie*” he with his wife Agnes (of unknown family) had grants from Robert I about 1325 of the baronies of Enach (in Carrick) and Durrisdair (“*in valle de Nith*”), the latter on the resignation of Sir Alexander de Meyners, to whom it reverted on Sir James’s death without issue.<sup>42</sup>

Since Symson’s day Sir James has been credited with a son “*Sir John*,” said to have been slain at Dundalk in 1318. If there was such a son, he must have been illegitimate. One “*Domino Johanne Senescallo*” witnessed a charter of Thomas Ranulph, earl of Moray and lord of Man, at Park of Duns, 9 July 1316, “*in presencia domini nostri Regis Scocie illustris.*”<sup>43</sup>

Nothing further is known of Giles de Burgh, who may have predeceased her husband.

### **Addendum: Sir Nicholas Campbell (d.1305)**

Sir Nicholas Campbell, a grandson of Neil, Earl of Carrick (d.1260), succeeded his father Sir Colin (Colin Mor) after November 1293.<sup>44</sup> As “*Nicholao Cambel*” he was named as Edward I’s bailie of Lochawe and Ardskeodnish on 10 September 1296.<sup>45</sup> He was dead before 25 October 1305 when, at Westminster, the ward and marriage of the son and heir of “*Sir Nichol Cambel*,” a tenant in chief (for Menstrie), were granted to John de Dovedale.<sup>46</sup> His great-granddaughter and sole heiress, Marion Campbell (d.1387x1392), carried her great estates – and the representation of the senior line – to the illegitimate Lochawe branch, as the second wife (disp. 1372) of Colin Iongantach (1336-1412/13) and mother of Sir Duncan, 1st Lord Campbell (c.1374-c.1454). She was heiress of Menstrie and Ardskeodnish as well as of one third of Glassary (through her paternal grandmother) and Glenurchy (through her mother). Colin Iongantach repudiated his first wife (disp. 1362), Catherine of Lorn, in order to marry Marion, whom he had originally intended to marry (disp. 1366) to his son John Annan.

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<sup>39</sup> William Fraser, *The Lennox Vol.II* (1874), 23, no.19. The other two curators (*custodum*) were Sir Thomas Ranulph, earl of Moray, lord of Annandale and Man, Guardian of Scotland, and William Lindsay, archdeacon of St Andrews and rector of Ayr.

<sup>40</sup> James Dennistoun, *Cartularium Comitatus de Levenax* (1833), 19; cf p.106 for variant readings.

<sup>41</sup> Patrick Fraser Tytler, *History of Scotland*, 2nd edn., Vol. II MCCCXXIX-MCCCLXX (1841), 382, Letter D.

<sup>42</sup> John Maitland Thomson, *op.cit.* (1912), Appendix 2, p. 530, nos. 311 & 312 and n. 1.

<sup>43</sup> Cosmo Innes, ed., *Registrum S. Marie de Neubotle* (1849), p.93, no. 123.

<sup>44</sup> Innes, *op.cit.* (1849), nos. 172, 173, & 174.

<sup>45</sup> D Macpherson *et al.* (eds.) *Rotuli Scotiae ....*, Vol.I (1814), 32a.

<sup>46</sup> Bain, *op.cit.* (1884), p.434, no.1628; cf p.464, no.1717, for date.

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## Appendix: Commentary on Cecilia Dunbar as first wife of Sir James the Steward

One of the FMG review panel queried whether there is any primary evidence that Cecilia Dunbar was James's first wife. Symson named her as James's only wife and the mother of his known children – who were of course born to his third wife Giles de Burgh. Symson cited no source for his statement, and no documentary evidence has been found. Though hardly free from error, Symson's work is always deserving of respect. He is, for instance, the sole authority for the date of birth of King Robert II, though his source for this is also unknown. (Goodall's note appears to be merely an elegant Latin version of Symson.) He also knew that Cecilia, wife of Earl Patrick III of Dunbar (d.1289), was the daughter of John "de Wer" – that is, de Uer or Eure – a fact unknown to all subsequent writers on the Dunbar family. Since the name Cecilia entered the family through this marriage, James's wife could only have been a daughter of the earl and countess. It is highly unlikely that Muriel of Strathearn, whom he married in 1278, was James's first wife. We should expect him to have married no later than about 1270, and Cecilia Dunbar fits perfectly as this presumed first wife. Taking all in all, Symson's statement seems to be reliable and worthy of acceptance. Unfortunately his manuscript "Account of the Earls of Dunbar and March", if it indeed survives, has not been printed.