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John of Swinton : A Border Fighter of the Middle Ages

TO-DAY it seems strange to look back across the Renaissance and the centuries to the old feudal warfare, to a time when printing, rifles and America were all alike unthought of, when men lived and prayed and loved and quarrelled like children, when the Black Prince and John Chandos, Bertrand du Guesclin and the Captal de Buch, Harry Hotspur and James of Douglas were all fighting for the joy of fighting, and believed with Froissart that 'La Chevalerie est le fondement de l'Etat.'¹ Wide indeed is the gulf between us and the Middle Ages, and the pity is that to bridge that gulf and look back at the doings of our forefathers we have in Scotland so little trustworthy evidence, only a few parliamentary reports, some hundred pages of monkish chronicle, and perhaps a thousand musty charters giving us little but a statement of how land passed from one family to another with bare lists of witnesses. Even making allowance for the loss of our national records in 1660, and the destruction of abbeys and castles in the ceaseless raids of the three preceding centuries, when we compare such scraps as have survived with the wealth of documents in England and France, it is evident that as a race we were bad at writing down. And tradition passed by word of mouth is rarely reliable. Therefore it may be worth while to dig out and piece together what is already scattered about in

¹ *Kervyn de Lettenhove*, vol. i. 198.

various books and manuscripts of the deeds of one early Scottish fighting-man. As the English and French writings of his time become easier of access much more may be found out about him, mainly because in his youth he formed ties south of the Tweed which bind his life-story together, but already of no Scotsman of the fourteenth century is there more on contemporary record than of John of Swinton in the Eastern Marches—'Nobillissimus et validissimus miles.'²

Close on five hundred and fifty years ago, on 22nd February, 1370-71, died David the Second. The male line of Bruce failed, the Stewarts succeeded, and Froissart tells us that a truce was established between England and Scotland with a provision that 'the Scots might arm and hire themselves out like to others for subsidies, taking which side they pleased, either English or French.'³ Of this provision John of Swinton availed himself, and rode south to make his name and fortune. He must then have been quite young, and we do not know under whose banner he first took service, but we soon find him in the following of John of Gaunt.⁴ And remember who John of Gaunt was. In Spain a king, in England not only a Royal Duke, but the richest and most powerful subject that the country has ever known. For twenty years he held the steps of the throne. The moment he was dead his son—less loyal than he was—seized that throne. When John Swinton joined him, though they were still campaigning, the best years of Edward III. and the Black Prince were past, and Lancaster was accused of aiming at supremacy. He had castles and manors all over the country, and 134 peers and knights were in his retinue; not all Englishmen, though it would appear as if the new-comer was the only Scot among them. Swinton's various indentures are given in his Register, and, while in the fullest and most formal document the Borderer binds himself⁵—'envers le dit Duc pur pees et pur guerre a terme de vie,' his Scottish nationality is admitted, and it goes on later, 'le dit Duc voet et grante qu'il ne serra pas tenuz d'estre ovesque ly contre sa ligeance.' When he comes to Court he is to be 'a bouche en courte ovesque un chamberleyn mangeant

² *Liber Pluscardensis*, vol. i. 327.

³ *Johnes*, 3rd edition, vol. iv. 81.

⁴ I have gleaned and shall quote much from two most valuable books, the *Life of John of Gaunt* and *John of Gaunt's Register*; the first written, the second edited for the Royal Historical Society, by Mr. Sydney Armitage-Smith. Unfortunately only a very few years of this Register have been preserved for us.

⁵ *Register*, 789.

en la sale'; when campaigning the Duke will convey him and his men and horses across the seas, and will apparently recompense him if his horses are taken or lost; but, on the other hand, 'en droit des prisoners et autres profitz de guerre prizez ou gaignez par le dit Johan ou nulle de ses gentz l'avantdit Duc avera la tierce partie.'

Mr. Armitage-Smith points out that Lancaster—no bad judge of soldiers—was so anxious to have him that both as Squire and Knight he paid him double fees and gave him special privileges. And little wonder, for Swinton's whole history proclaims that he was not only a man of valour—Macfarlane and Anderson quote his custom of giving a general challenge to fight anyone who would come against him—but a master of his weapons, and in those times such men had an extreme value. Leaders went out of their way to attract them to their side, for it was the day of individual combat, and one warrior, as we shall see later on at Otterburn, might almost win a battle.

But it was also the day of romance and fantastic vows, when 'it was not merely the duty but the pride and delight of a true Knight to perform such exploits as no one but a madman would have undertaken,'⁶ and our man was hardly out of Scotland ere he gave his proofs. Froissart describes how Sir Robert Knolles, one of Lancaster's greatest captains, marched with his company along that line which we now know so well, the eternal battleground of Europe, past Arras, where they burnt the suburbs, and on by Bapaume and Roye, ravaging the country, while the inhabitants fled into Ham and St. Quentin and Peronne. What belonged to the Lord of Coucy they spared, for he had married King Edward's daughter. And when they came to Noyon, one of the Scots who was with them, John asueton,⁷ 'a very valiant and able man, perfectly master of his profession,' saw his opportunity. Riding to its gates accompanied only by his page he dismounted, and leaping the barriers said to the knights who came to meet

⁶ Scott's *Minstrelsy of the Scottish Border*. Notes to 'Auld Maitland,' vol. i. 45.

⁷ We see in his account of Otterburn how Froissart, or rather his copyists, played havoc with our Scottish names. North of the Border we have no family of Ashtons, and, by tradition, this John a sueton was the John of Swynton or Swenton of whom I am writing. At that time, in Froissart's country, 'a' was commonly used instead of 'de,' as Sir Archibald Dunbar showed in his little booklet correcting Stodart's badly copied version of the *Armorial de Gelre*. In this fourteenth century manuscript we find not only the Contes 'a douglas' and 'a straderen,' etc., but the coat, so well known in the Preston aisle in St. Giles' Cathedral, put down to 'Syr herri apreston.'

him: 'Seigneurs je vous viens voir; vous ne daignez issir hors de vous barrières, et je y daigne bien entrer; je viens éprouves ma chevalerie à la vôtre, et me conquérez si vous pouvez.' And there he fought for upwards of an hour, 'alone against them all'—'giving many grand strokes with his lance.' 'He wounded one or two of their Knights; and they had so much pleasure in this combat, they frequently forgot themselves.' And this went on until his page called to him that he must come out again as his army was on the move. Two or three thrusts to clear the way, and then, springing again across the barriers and up behind his page, he cried to the French—'Adieu, adieu, seigneurs, grands mercis,' and spurred away to join his companions. Froissart ends the tale—'La quelle appertise d'armes fut durement prisée de toutes gens.'⁸

Nothing of importance happened for a time, while plans were being prepared, and then, in August, 1373, the Duke of Lancaster himself rides south with a mighty following. Crossing to Calais he mustered 15,000 men, all mounted, among them 300 Scots lances, and swept the country. There were two divisions at the start, and we read of many towns with familiar names. The Duke of Brittany marched straight down by Hesdins, Doullens, Corbie-sur-Somme and Soissons, while Lancaster took a line roughly parallel but further east, by St. Omer and St. Pol and Arras, getting into touch with his ally at Bray-sur-Somme and then sweeping round by St. Quentin and Laon. The historian says, 'The area enclosed between the two lines represents roughly the sphere of devastation.'⁹ How like to-day. They converged at Vailly-sur-Aisne, and then passed on by Epernay to Troyes and the south. It was a martial parade through Champagne and Burgundy and Auvergne and Aquitaine, and it finished at Bordeaux at Christmas-time. Much damage was done to the country-side, but little else happened, for the French refused fighting and retired into the fortified towns, and Lancaster refused sieges. No one could question that it was a great feat to march unchallenged from one end of France to the other, and the French Chroniclers are polite enough to write, 'la dite chevau-chée leur feust moult honorable,'¹⁰—that is the best that can be said of it. The loss of men and horses from hardship and starvation had been terrible, and financially the whole expedition was disastrous.

⁸ *Johnes*, 3rd edition, vol. iv. 86, and *Buchon*, Paris, 1837, vol. i. 614.

⁹ *John of Gaunt*, 106.

¹⁰ *Grandes Chroniques de France*, vi. 339.

But the Duke's followers had to be paid, and on the 7th of August, 1374, he writes from the Castle of Leicester, 'a sire Thomas Swaby nadgairs nostre tresorer pur guerre saluz. Nous voulons et vous mandons que vous accompez ovesque nostre tres ame chivaler monsire Johan de Swynton de cest derrier viage es parties de France et d'Acquitaigne et de ce que vous trevez que ly soit dehue de ses gages ly faites une bille desouz vostre seal.'¹¹ Later we find that the bill amounted to £7 7s. 4d.¹²

John of Lancaster had burnt his fingers badly and exhausted his credit, and the next over-seas expedition was headed by his brother Edmund, then of Cambridge and afterwards of York, John Swinton being lent by the Red Rose to the White. In the Chancery Files, under the date of December 15th, 1374, there is a 'Fiat for Protection for a year for Sir John of Swynton Knight, about to go in the King's service beyond seas, with his son Edmund Earl of Cambridge';¹³ and in the Gascon Rolls, on the 16th of the following February, there are further 'Litterae de protectione et generali attorney concessae' to him and others.¹⁴ There is little chronicled about this campaign, but Swinton's engagement on it brings into our story two ladies, one only a name, the other a personage of unpleasant notoriety.

Hitherto we have seen Swinton in his armour, but there were times when he was in England and at Court, and the entrée to Lancaster's Court must have been worth having. The Duke was much more than a soldier and a politician, he was fond of music, Chaucer was not only of his retinue but his intimate friend, Wycliff was his honoured guest, and there were dames both fair and frail. Moreover, John Plantagenet had taste and loved fine things. It was a sumptuous age. In his personal accounts, in the list of his presents and in his will, we see how he disposed of gold and silver plate and costly raiment and furs, above all of jewels. Jewels were the craze of the time. 'For the charge of the pearls, diamonds, rubies, sapphires and emeralds in the Savoy a whole staff of warders under a yeoman of the Jewels is necessary.'¹⁵ If only precious stones could speak and recount to us their history. Re-strung, re-cut, re-set, they are the loot of all countries and all time. Some are stones of destiny. Did Don Pedro, King of Castille, when after murdering the King of Granada mainly for his jewels he gave a certain pierced ruby to

¹¹ Register, 1457.

¹² Register, 1670.

¹³ Bain's *Cal. Scot. Doc.* vol. iv. 221.

¹⁴ *Catalogue des Rolles Gascons*, vol. ii. 114.

¹⁵ *John of Gaunt*, p. 225.

the Black Prince, imagine that Henry V. of England would wear it on his helmet at Agincourt, and George V. of England in his crown at Westminster five centuries later?

Among the ancient petitions in the Record Office is one—
 ‘A nostre tres redoute Seigneur le Roi et a son noble Conseil. Supplie humblement Johan de Swynton que come it estoit en le Servise votre tres noble ayel notre Seigneur Le Roi que dieu assoile en les parties . . . Bretagne en la compagne monsieur de Cantebriegg en quel temps Johanne femme du dit Johan morust apres qi mort Alice Perrers par la grant poer qele avoit en cele temps Non obstant la proteccion de dit Roi prist les biens et Joyeaux du dit Johan cestassavoir un filet en quel il avoit 5 Rubis et vint grosses perles et 5 aneaux or Rubys et Dyamantz estanz les dys Joyeaux de la value de IIIIC et L marcs desqueux le dit Johan despuis en sa vie ne poet avoir restitution. Que pleise a votre dit Seigneur le Roi et a son noble conseil de ly purveyer de remede ainsy que le dit Johan ne soit tant perdant a cause de sa Demeure en parties susditz en servise du Roi et de roialme.’¹⁶

Here we have an insight into the seamy side of the Court life of this time. Where Joan came from we shall perhaps never know. It is the only mention of her. Probably she was a girl wife, the romance of his youth, and she left no issue. Her husband is away at the wars, and she dies. Enter that baleful figure, the King's mistress, not only a scandal and a danger to the realm but a notable thief, so fond of jewels that two years later she stole the very rings from her King's fingers when he in his turn lay dying. And John's rubies and pearls, more probably the spoil of his 'viage' through France than the heirlooms of a Border family, pass into her treasure chest. Where are they to-day? For it goes on to say that the 'Seigneurs deputes' of Richard II., to whom the petition went, though prepared to see justice done, seem to have been doubtful whether they could be traced.

In the spring of 1375 Lancaster went to France as an Ambassador, and in June a truce was concluded, but he had now got the reputation of being an unlucky and expensive General. He was becoming more unpopular every day, and when, in June, 1376, the Black Prince died, leaving a father who was past all work and a son too young to undertake it, the position of the ambitious uncle lay open to evil report. On the

¹⁶ Record Office, *Ancient Petitions*. File No. 139, No. 6910.

20th February, 1377, at Wycliff's trial in St. Paul's Cathedral, the Duke quarrelled fiercely with the Bishop of London, and the smouldering embers burst into flame. Thomas of Walsingham was a cruel critic of Lancaster all his days, but his account now is certainly picturesque. London was in an uproar, the mob howled outside the Duke's palace of the Savoy, reversed his arms, 'quod muttum bilem ducis postea concitavit,' and killed a monk who took his side. With the greatest difficulty he and Percy succeeded in escaping across the river to Kennington. Then writes the Monk of St. Albans :

'Quidam et ex Militibus Ducis Dominus Thomas (John) Swinton¹⁷ nacione Scotus Domini sui favorem cupiens eodem die ausus est per frequentissimas plateas urbis equitare armatus in despectu civium ferre circa collum signum Ducis quo plus furorem populi comoveret. Qui mox a commonibus equo deiectus amisit Domini sui signum vulgarium violencia collo suo detractatum passurusque penas inconsulte temeritatis ibidem nisi maior eum ab eorum manibus liberasset et post modicum suo Domino remisisset.'¹⁸

He goes on to say that after this it was seen that those to whom the Duke had given these badges—'quorum superbiam vix tellus sustinere poterat'—became very humble and hid them away in their bosoms and their sleeves. John Swinton may have been a Paladin and a Hercules, but his bravado nearly cost him his life ; for no one man can succeed against a mob which is angry and in earnest.

Perhaps he was tired of England, and garrison work in peacetime in France did not appeal to him, but more probably it was for very different reasons that nine months later he turned his face once again towards his native land. Not so long ago he travelled with 'one man at arms and three archers,'¹⁹ now we find Richard II., on 31st December, issuing a 'Warrant for safe conduct till the last days of April for 'Johan Sire de Swyngton Descoco,' with 60 men . . . to pass through Normandy, take ship at Harfleur . . . for Southampton . . . thence to the King's presence . . . and thereafter to Scotland.'²⁰

¹⁷ Walsingham, or his copyist, mistakes the Christian name, but Mr. Armitage-Smith alters 'Thomas' to 'John.' For no Thomas Swinton appears at that time anywhere, and certainly none was in John of Gaunt's service. All his Knights and Squires of that period are named in his Register.

¹⁸ B.M. *Harleian MS.* 3634 f. 143.

¹⁹ *Calendar of Close Rolls*, 1372.

²⁰ *Cal. Scot. Doc.* vol. iv. 254.

And this may have been the reason of his journey. Something had happened to the little old ancestral Barony on the Border. The family who took their name from it had been there ever since surnames and inheritance were recognised in Scotland—until 1335, when, after Halidon Hill, Edward III. annexed the Eastern Marches. Then the John de Swynton of that day, probably our man's grandfather, was forfeited,²¹ the family apparently retiring to other lands at Abernethy which they had possessed since the time of William the Lion,²² while Swinton, 'vasta propter destructionem guerre,'²³ was granted by the English king to Edward of Letham. Letham died in 1367, Swinton being then still in his possession,²⁴ but he left a son, and even a decade later England was continuing to claim all Berwickshire except its highest ground. 'These are the boundes of Goldyngtham schire and the Marche which we demand for our lord the King of England.' From 'Colbrandespathe to the River Boune,' that is across the lower Lammermoors from the sea to near Lauder, 'and from the Boune following the Ledre water running into the Twede.'²⁵

But now at last there came signs of restitution. The fortress of Roxburgh England held on to almost for another century, but Swinton, though centrally situated in the Merse, twelve miles from Berwick, four from Norham, and six from Wark, can never have been a place of strength, and perhaps the King's advisers were now ready to restore it to a rightful owner, especially when he was a friend and could be expected to keep the peace. Perhaps even it was for this that John had served for the last six years, for the homing instinct is strong with Scotsmen. At first there was trouble, for when he got there he found that another of the family, Henry de Swynton, probably an uncle, had already arrived from Abernethy and taken possession, and it was possibly a question as to which of them, after the forfeiture, was the rightful owner, one styled as we see 'Lord of Swinton,' the other 'Lord of that Ilk.'²⁶ Whatever the difficulty may have been²⁷ it was overcome by William Earl of Douglas, who produced lands in Perthshire which Henry accepted in amicable exchange.²⁸ Abercromby tells us that 'between the deaths of

²¹ *Cal. Scot. Doc.* vol. iii. 326.

²² *Scottish Historical Review*, vol. ii. 172.

²³ *Cal. Scot. Doc.* vol. iii. 371.

²⁴ *Cal. Scot. Doc.* vol. iv. 140.

²⁵ *Cal. Scot. Doc.* vol. iv. 295.

²⁶ *Douglas Book*, vol. iii. 397, Henry de Swenton.

²⁷ *Swintons of that Ilk*, Appendix I. ²⁸ *Carnegies, Earls of Southesk*, p. 493.

David of Scotland and Edward of England there had been neither settled peace nor open war on the Border,' and Lancaster, who soon after we find designated 'Lieutenant of the King of England in the Marches,'²⁹ may have been at the back of this arrangement; for it is well known that he had formed a definite Scottish policy, and with his eyes fixed on foreign conquest was always most anxious for peace with Scotland. But a quiet border-side unquestionably suited the Northern Kingdom also, and a strong man with a French reputation was worth welcoming home.

Berwickshire must have been a change from the luxurious living of the past seven years, but most likely it saw little of Swinton at first. He still had dealings with London, and a certain William Calle, who owed him forty pounds, was outlawed until he paid it—an early instance of a Scot getting his legal rights against a Southerner³⁰—and he still appears in Lancaster's Register. On the 2nd November, 1379, the Duke writes from Kenilworth that he is to be given sixty pounds which are owing to him; ³¹ and again, on 23rd August, 1380, there is an order from Tuttlebury that 'nostre cher et bien aime bacheler Monsire Johan Swynton' is to be paid his annuity.³² But his indenture could no longer hold 'a terme de vie,' however attached he might be to his old leader.

And that leader was soon himself again in bad trouble. Froissart says that no envoy was so well acquainted with Scotland and its inhabitants, or able to secure such good terms from them as John of Gaunt, and, in the following spring, a March-day having been appointed at Ayton for 12th May, he rode out of his splendid palace at the Savoy on a diplomatic journey to the North. A month later he was at Coldingham, and the same day the Savoy was in ashes. London and Kent and Essex had risen against him, the gates of Bamburgh were shut in his face, and he took refuge in Edinburgh. Another month, the storm blew over, and he turned South once more, escorted with great pomp to the Border by the Scottish magnates. At Berwick, on the 13th July, two days before Wat Tyler was killed, he issued a proclamation—'A touz capiteins castelleins et leurs lieutenantz viscontes maires baillifs ministres foialx subgitz et liges de notre dit seigneur le Roy as queux cestes presentes lettres vendront saluz. Porce nous

²⁹ *Cal. Scot. Doc.* vol. iv. 297.

³⁰ *Patent Roll*, No. 308, 4, Richard II.

³¹ Register (not yet printed), ii. f. 14.

³² Register (not yet printed), ii. f. 36.

eions pris en nostre especiale proteccion monsire Johan Swynton ses gentz servantz biens chateaux et hernoys vous mandons que as ditz Monsire Johan ses servantz gentz biens chateaux et hernoyses ne facez grief mal moleste ne damage ne en quanque en vous est ne suffrey estre fait ne riens pris encontre leur gree. Cestes noz presentes a durer par deux ans procheinz ensuantz.

Donnee etc a Berewyk etc.'³³

It looks very much as though Swinton was installed as a peacemaker of the Marches.

But if he was friends with John of Gaunt, who on 12th July, 1383, is still commissioner of England, he was in high favour in Scotland also. The lands of Swinton had from the earliest days been divided. The Swinton family held Parva Swyntona, but Meikle Swynton, the township, was a possession of the Monks of Coldingham. In 1333 the then Prior had petitioned King David that William Lord of Douglas was holding on to 'lour ville de Swyntoun,' which had been granted to the good Lord James 'pour sone conseil et eide avoir en temps de guere,' and that it was 'chief de lour sustenance.'³⁴ Probably at that time Edward of England settled the business for them by force of arms, but now, nearly fifty years later, when the English have quitted the Merse, we find the Abbot of Dunfermline handing over 'omnes et Singulas terras tocijus dominij de Swyntoun Magna dilecto nostro Johanni de Swyntoun militi,'³⁵ and Robert II. and his son confirming the gift in 1382 'dilecto bachelario nostro,'³⁶ with Pope Clement VII. fortifying a transaction so important as the surrender of Church lands by a papal Bull.³⁷ And money too was forthcoming, for on the 4th June of that year King Robert granted to him and his heirs a pension of £20 a year 'pro suo fideli servicio nobis impenso et impendendo.'³⁸

He was also either forming or perhaps only consolidating a strong family connection. In 1384 William, first Earl of Douglas, died, and before August, 1387, we find Swinton—now himself styled 'Lord of yat Ilk'—married to Margaret of Mar,

³³ Register (not yet printed), ii. f. 142.

³⁴ *Correspondence of Priory of Coldingham*, Surtees Society, p. 21.

³⁵ *Swintons of that Ilk*, Appendix III.

³⁶ *Swintons of that Ilk*, Appendix IV. ³⁷ *Swintons of that Ilk*, Appendix VI.

³⁸ *Register Great Seal of Scotland*, vol. i. 700. This pension is frequently referred to in the Exchequer Rolls, in 1391 'pro se et heredibus suis annuatim.' As late as 1417 we find his son claiming it.

his widow ; and, though the Douglasses had somehow absorbed the Mar Earldom, the marriage brought him an additional courtesy title of Lord of Mar—it was before the days of what we now call peerages, with the exception of Earls of Earldoms—as well as a gallant stepson. If he still had scruples as to taking the field against his old English comrades—well, Lancaster was away in Portugal and James of Douglas managed to break them down. A fighting instinct is hard to kill. In August, 1388, they rode together to Melrose, where the charter confirming the church of Cavers to the Abbey bears Swinton's name, Douglas calling him 'carissimo patre nostro,'³⁹ and then on into England. Modern historians have all followed Froissart in his description of the field of Otterburn, and his is the version known to every schoolboy, while Philip Sidney has told us that the fighting of Douglas and Percy moved him more than a trumpet, but the early Scottish chroniclers, who were on their own ground, all give less credit for the actual victory to the 'dead Douglas' than to his stalwart step-father. The younger man, in his haste insecurely armed, striking out right and left with his battle-axe, fell early in the fray, unrecognised, borne down by three lances fixed in his body, while of the elder, a wary fighter, we read that when the battle was not going too well for his countrymen,—

'Swenton dominus Johannes miles Scotus, dum configere inciperant Scoti et Angli, ex ala lateraliter secessit, et dum alterutra pars se lanceis impeteret, ipse elevata longa lancea rubea, graui percussione, Anglorum lancearum capita ferrata in terram multum concussit, propter quod Scoti primo Anglos penetrarunt lanceis et eos retrocedere compulerunt, sed, certamine aliquantis per durante, Angli terga verterunt etc.'⁴⁰

In different words Bower and *Liber Pluscardensis* tell the same tale, the former calling him 'probatissimus miles, validus et robustus,' and John Major saying 'our chronicles make mention of John Swinton with all honour';⁴¹ while one of the oldest ballads on the battle hails him as leader of one of the three divisions, and describes his following :—

'Swynton fayre fylde upon your pryde
To battel make yow bowen ;
Syr Davy Scotte, Syr Walter Stewarde,
Syr Jhon of Agurstone.'⁴²

³⁹ *Liber de Melrose*, vol. ii. 466 and 617.

⁴⁰ *Extracta ex Cronicis Scocie*, Abbotsford Club.

⁴¹ John Major's *History*, p. 328.

⁴² Percy's *Reliques*.

But where all men of both sides fought their way almost into immortality, little matters now as to who was primarily responsible for the victory. The Chevauchée (Chevy Chace) was over, the battle lost and won, Hotspur and his brothers, the sons of Lancaster's old ally Henry Percy, were prisoners, and another head of the house of Douglas had died in his harness. It must have been a mournful band which bore his body back across Carter Fell to lay it in the Abbey of Melrose, which he had quitted less than a fortnight earlier.

James of Douglas left no rightful heir, and the wide territories of the Douglasses were divided. A race as masterful as they were set little store by legitimacy, and, by an old entail, the Earldom and what should belong to it went to Archibald the Grim, while Cavers went to one of James' natural sons, Drumlanrig to another. Perhaps it was feared that Swinton and his wife might lay claim to this last, and on 5th December, 1389—'Johne of Swyntoun, Lord of Mar, and Margaret, his spous, countes of Douglas and Mar . . .' say, 'Witt ye us of ane mynd consent and assent, to hef faithfullie promiseist to William Douglas, sone to umquhile James Erle of Douglas (whom they later on call 'our sone') that we shall nevir in onywayes move any questioun or contraversie against him . . . concerning the baronie of Drumlanrig . . .' etc.⁴³

This document is still in the Drumlanrig charter-chest, and appended to it is the only impression of John Swinton's seal which is known to-day. It is a fine seal, the shield couché with supporters standing upon it, and it is interesting to note that the helmet, coronet and crest are the exact counterpart of the great Garter-plate, in St. George's Chapel at Windsor, of his contemporary, Ralph Lord Basset of Drayton.⁴⁴

But if the Douglas inheritance was easily settled it was different with the lands of Mar. Not only were James of Douglas's mother's husband and his sister's husband—both Lords of Mar—interested in them, but there were more distant heirs. It appears from a confirmation of Robert II. in 1387, 'dilecto consanguineo nostro,' that James had handed over to his stepfather the lands of Tillicoultry in Clackmannan and Clova in

⁴³ *Hist. MSS. Com.*, Drumlanrig Charters, p. 9.

⁴⁴ Swinton's shield—Le Seigneur de sancton—argent, a chevron between three boars' heads erased gules, armed argent—is blazoned in the Berry Armorial, where it comes first after the shields of 15 earls, of whom Crawford alone remains in male descent.

Angus,⁴⁵ and perhaps this grant or something further caused Thomas of Erskine to come before the King at Perth, in 1390, and say that he was given to understand that Sir Malcolm de Dromonde and Sir John of Swynton had made a contract concerning lands of the Earldom of Mar and the Lordship of Garvyauch,' over which his wife Issabell had rights.⁴⁶ He claimed that these rights should not be prejudiced, and the King agreed, with the result that though perhaps Swinton enjoyed Tillicoultry and Clova during his life-time they did not pass to his heirs at his death, while, perhaps as a recompense, we shortly find Robert III. confirming 'infeodacionem illam quam dilectus frater noster Malcolmus de Dromonde miles fecit et concessit Johanni de Swyntone militi dilecto nostro et fideli,' of a pension of 200 marks a year.⁴⁷

Possibly money suited a man who was then childless better than land, and, in March 1392, Robert III. also confirmed to him the £20 pension granted by his late royal father,⁴⁸ but the childless argument did not long continue, for about that time Margaret of Douglas and Mar died, and Swinton was wedded to a third wife, another Margaret, this time of royal blood, who gave him a son and heir. The older historians chronicle her as the daughter of Robert II., but it is almost certain that she was his grand-daughter, and child of a much more powerful man, the Regent Albany.

We have now seen Swinton in contact with many interests, but in March, 1391, we find him for the first and last time appealed to by the Church. It is amusing to note how an ecclesiastic of those days, even one who held as proud a place as the Prior of Durham, bows down before a soldier. It is a letter asking for his help, 'Eximice probitatis viro, domino Johanni de Swyntone, militi,' beginning 'Reverende Domine, vestra nobilis discretio non dubium satis novit . . . etc.'—continuing 'Quo circa, cum sit militiæ proprium, immo debitum,

⁴⁵ *Swintons of that Ilk*, p. 12, Note 2.

⁴⁶ *Acts of Parliament of Scotland*, vol. i. 578.

⁴⁷ *Register Great Seal of Scotland*, vol. i. 829.

⁴⁸ *Swintons of that Ilk*, Appendix V. Presumably this was a State pension. If it came out of the Privy Purse those accounts must have been sadly muddled; for in the Exchequer Rolls, in 1391, we find the King paying back 150 gold nobles (£62 10s.) which he had borrowed from Swinton. But perhaps Swinton was a capitalist, and had lent money to the heir to the Throne, to be repaid when he succeeded.

jura antiqua ecclesiæ defendere . . . vi et armis, vestram militarem præeminentiam in Christo requirimus et sub spe mutæ amicitie inter nos præhabitæ, ampliusque in futurum habendæ vestram benevolentiam imploramus . . . etc.’—and ending ‘Utinam in famosa prosperitate vestra diu vigeat probitas militaris.’⁴⁹

He seems to have helped in some way, for a later letter, without superscription but apparently addressed to him, gives grateful thanks.

At last England and Scotland were really at peace. There had been a truce for three years from 1388, and towards the end of 1391 the question of its renewal arose.

On 14th November ‘John Swynton of Scotland, chivaler, and 30 “persones Descoce,” all unarmed, had a safe-conduct.’ The next day there are further safe-conducts for David Lindesay of Scotland, and ‘Wauter Styward Descose chivaler, friere a nostre cousin Descoce.’⁵⁰ Six months later, on the 24th July, there was a definite Embassy. ‘Sciatis quod suscepimus in Salvum et securum conductum nostrum ac in Protectionem Tutionem et Defensionem nostras speciales. Johannem de Swynton, Henricum de Douglas, Johannem de Saintcler, Henricum de Preston et Johannem de Dalzell de Scotia Milites . . . cum sexaginta Equitibus, in comiteva sua pro certis negotiis—adversarium nostrum Scotiæ tangentibus.’⁵¹

They evidently negotiated terms satisfactory to both countries, for the peace held marvellously, running on to ten years. Were both nations exhausted, or was it only the result of good diplomacy? In October, 1397, the time was nearly out, and arrangements were made for a meeting in the following March. Then to Hawdenstanke, opposite Birgham, for the last time, came ‘time-honoured Lancaster,’ true to the policy which he had formulated nearly twenty years before. ‘Old John of Gaunt’ was only fifty-eight years old, but he had lived a full life, he had just seen his son exiled—‘a sentence of death to the father’—he had made his will, and after this Scottish visit he took no further part in public affairs. His last mission had been one of friendship, and within a year he breathed his last. Three Scotsmen, Rothesay, Albany, and Lindsay, are on record as attending at Hawdenstanke, Swinton is not mentioned, but it is significant

⁴⁹ *Correspondence of Priory of Coldingham*, Surtees Society, pp. 68 and 69. Same, p. 75.

⁵⁰ *Cal. Scot. Doc.* vol. iv. 431.

⁵¹ *Rymers Foedera*, vol. vii. 733.

that two months later his services are acknowledged in England, by a grant 'during pleasure' of the pesage of the wool at Scarborough.⁵²

South of the Tweed now we suddenly have revolution, when Richard falls and Henry of Hereford reigns in his place, but the trouble need not have spread to Scotland had it not been for an act of personal injustice. March's daughter had been wedded to the heir to the Throne—the old story was simply of a betrothal, but it is now known that the marriage had been actually consummated—when suddenly, at Douglas's request, backed they say by a large sum of money, the marriage was annulled, Marjory of Douglas taking the place of Elizabeth of Dunbar. As John Major puts it: 'Hence let Kings take a lesson not to trifle with men of fierce temper . . . nor yet with their daughters. Rather than this woman had been scorned it were better that the Scots had given her a dower of two hundred thousand pieces of gold.'⁵³ To the son of the Gospatricks the Douglasses though valiant men were mushroom upstarts, while this Earl was a bastard at that. The insult was unbearable. March wrote his grievance to Henry of England, and on 21st June crossed the Border, 'coming to an interview with the King.'⁵⁴ A few days later Henry gave safe-conduct to two other parties, to 'Master John Merton, Archdeacon of Tevidale, and Adam Forster Esquire, ambassadors from Robert King of Scotland,' and to 'Sir John Swinton of Scotland, Knight, with 20 attendants, horse or foot, who proposes to come to the King's presence.'⁵⁵ In an order of 8th July these three parties are classed together for safe-conducts without fee,⁵⁶ but their objects were in all likelihood very different. March was burning for vengeance; Merton would state King Robert's case; Swinton may well have been an unofficial mediator. He must have known Henry from his childhood, he was his father's friend, and neither of them were then, or ever in life, to know that twenty years later their two sons now in the nursery were to meet in battle at Baugé, and that a second Swinton that was 'ever ready for the fight'⁵⁷ was to ride down Thomas of Clarence. He was tied moreover not only to the Regent, but

⁵² *Calendar of Patent Rolls*, May 12th, 1398.

⁵³ John Major, p. 340.

⁵⁴ *Cal. Scot. Doc.* vol. iv. 546.

⁵⁵ *Cal. Scot. Doc.* vol. iv. 549.

⁵⁶ *Cal. Scot. Doc.* vol. iv. 550.

⁵⁷ John Major, p. 345.

to both March and Douglas by blood and interest. But if peace-making was the purpose of his journey, this time he went back a disappointed man. Three weeks later March's family followed the Earl across the Tweed, and Henry started north. The dogs of war were again unchained.

It was not a great campaign. Henry marched to Leith and sent out proclamations far and near, summoning the King of Scotland to do him homage and fealty at Edinburgh. Nothing happened; and, sparing Holyrood because it had given asylum to his father, he rode back again; but the heather had been lit once more, and the fire smouldered. March was given land in England and nursed his wrongs.

Archibald the Grim was dead now, and Swinton was closely allied to the son who succeeded him, witnessing many of his charters, and in the next two years receiving from him grants of land in three counties, Cranshaws in the Lammermoors,⁵⁸ Petcokis near Dunbar,⁵⁹ and Culter in Lanarkshire.⁶⁰ The first his descendants continued to hold for three centuries; of the last he probably never took possession. For two months after the Charter was sealed, his end came. The old Border broils had broken out freely again, and March was on the war-path. In 1401 he raided Scotland, and the following year, when attempting retaliation, two disasters befell the Scottish arms. On the 22nd June a small force, 'the flower of the Lothians,' was annihilated near Nisbet in the Merse, at a place on the land of Kimmerghame called to this day 'The Slaughter Field,' and on the 14th September came the even worse defeat at Homildon. There John Swinton died, as he must have wished to die, in his boots and for his country.

⁵⁸ *Swintons of that Ilk*. Appendix, ch. xii. Later on—Appendix XXXIII., in a Petition to the King—ante 1460—we find Cranshaws being claimed for the Earldom of March, and Swinton's grandson, a third Sir John, protesting, and writing, 'my grantschyr schir Johne of Swyntoun gaf for thaim to the said Archebald of Dowglas, his seruice, and als mony siluer veschale as war vorth fyff hundreth markis of Scottis mone, . . . for my grantschyr bocht tha landis der eneuch, consideryng qwhat he gaff for thaim; and in contrar of the Erle of Marche, in defence of zour Realme he was slane at Homylton . . . etc.' Silver vessels to that value shows that luxury was not unknown in Scotland in 1400, even on the oft-plundered Border. If they were hall-marked what would they be worth now?

⁵⁹ In General Register House.

⁶⁰ The Precept of Sasine to John Kay of Culter, informing him that the Earl has granted Culter to Sir John de Swynton, is in my possession. No witnesses are mentioned. Appended to it is a very fine Douglas seal.

The story of Homildon is in all the history books, and the fatuous insistence of the Scottish leader on keeping the hill and awaiting an attack of the English which never came is duly recorded. Hotspur would have led an assault on their position, but March laid a hand on his bridle. The older soldier knew wherein England was always strong and Scotland always weak. And the arrows fell like hail. One Scotsman at any rate knew how to counter. ‘‘My friends,’’ exclaimed Sir John Swinton, ‘why stand we here to be slain like deer, and marked down by the enemy? Where is our wonted courage? Are we to be still, and have our hands nailed to our lances? Follow me, and let us at least sell our lives as dearly as we can.’ Saying this he couched his spear, and prepared to gallop down the hill; but his career was for a moment interrupted by a singular event. Adam de Gordon, with whom Swinton had long been at deadly feud, threw himself from his horse and, kneeling at his feet, solemnly begged his forgiveness, and the honour of being knighted by so brave a leader. Swinton instantly consented, and, after giving him the accolade, tenderly embraced him.’⁶¹ Then they charged together. It was useless. The attack was gallantly made, but the attackers were too few, and they were not supported. Swinton and Gordon fell side by side. Livingstone of Callander, Ramsay of Dalhousie, Roger Gordon, Walter Scott and Walter Sinclair were also killed. The great mass of the Scottish army, bristling with arrows all over like a huge hedgehog, was ignominiously defeated. The rank and file were shot down or drowned in the Tweed in their flight. Most of the leaders in armour were wounded and taken prisoner. Only the other day, at Dunster Castle far away in Somersetshire, was discovered a small roll of parchment on which was written: ‘Les nouns des Contes, Seigneurs, Barons, Baneretz et Chivalers qui feurent prises et tuez a le Bataille de Homelden. Contes Fife, Douglas, Moray, Orkney, Angus and Strathern; 14 Barons et Baneretz, Swinton and Gordon among them; and 65 Chivalers.’⁶² The archers alone won the battle, for the English men-at-arms were never in action. Seldom has bad generalship brought about a more complete disaster.

Sir Walter Scott, who inherited the blood not only of Swinton, from whose descendants he tells us he learned much of his Border lore, but of Gordon, Douglas, and March, has painted the story on a brilliant canvas. He calls his essay ‘A Dramatic Sketch,’

⁶¹ Fraser Tytler, vol. iii. 131.

⁶² *Hist. MSS. Com.*, Luttrell of Dunster.

'designed to illustrate military antiquities and the manners of chivalry,' but he had a further reason. As I write three manuscripts of his pen are before me, the original score of *Halidon Hill*, with very few alterations, and two letters dealing with it. The first letter, dated 10th July, 1814, is to a kinsman who may have invited him to recount John Swinton's deeds of yore, replying, 'I have some thoughts of completing a sort of Border sketch of the battle of Otterbourne, in which, God willing, our old carle shall have his due.'

But Otterburn became Homildon, and this in turn was altered to Halidon, while—perhaps for cadency—John became Alan, a name very common in the early Swinton pedigree. Moreover, the poet made his 'Sir Alan' only an old soldier, his influence gone with his reduced following, whereas, by 1402, Sir John was unquestionably, both by experience and position, a leading Scotsman. But if he adapted his history to add to its picturesqueness Scott kept to its main feature, the eternal trouble of the Scottish leaders quarrelling for precedence; and when the Regent—a mythical figure—in debating the order and plan of battle commands that as no one will resign his pride of place each company shall fight where it stands, he puts into Swinton's mouth the scornful comment :

O sage discipline,
That leaves to chance the marshalling of a battle.

While later on, when Swinton counsels an attack on the archers, he makes the Regent ask him :

And if your scheme secure not victory,
What does it promise us ?

and Swinton answers :

This much at least—
Darkling we shall not die ; the peasant's shaft,
Loosen'd perchance without an aim or purpose,
Shall not drink up the life-blood we derive
From those famed ancestors, who made their breasts
This frontier's barrier for a thousand years.
We'll meet these Southron bravely hand to hand,
And eye to eye, and weapon against weapon ;
Each man who falls shall see the foe who strikes him.

Reading Scott's poem through we may perhaps agree with the concluding words of his second letter which I have before me—one to James Ballantyne which has, I believe, never been printed :

'I will endeavour to transcribe the rest of Halidon to-day, d—n me if I think it so bad.'

It is difficult to judge a man solely by his spirited actions and his mode of life ; and one petition (of which the words may have been put into his mouth by a professional petition-writer), and one speech, or rather war-cry in the heat of battle, tells us little of Swinton's character. Walsingham, hating Lancaster and all his friends, hating Scotland, bitter to the end, notes his death, spurns his peace-making efforts, and damns him—' infidus utrique regi.'⁶³ Was he this? There is no sign of it in Scotland ; but was it any truer in England? On the contrary, both countries appear always to have counted him trustworthy, and recompensed him accordingly. He was a fighting man, with a strong arm and a good head on his shoulders. John of Gaunt was against trouble on the Borders, and when he crossed them, even as an enemy, there was little blood shed. John of Swinton was reared in his school, and we never find him in arms against his old leader. Both Duke and Knight were prepared to draw their swords as a last resort, but both may have preferred to gain their ends by diplomacy. Probably Albany, the master-mind of Scotland, agreed.

GEORGE S. C. SWINTON.

NOTE.

If any reader can help me on a genealogical point I shall be grateful. During the English occupation of the Merse, between 1335, when John de Swynton was forfeited, and 1377, when Henry and Sir John were competing as to which of them should get back to the old lands, there appear, in Berwickshire, in the Lothians, and at Abernethy, four other de Swyntons, an earlier Henry, an Alan, a William, and a Robert, but there is no guide as to how they were all related to each other. Any information helping to string them together would be welcome. Charters of twenty years later show that the line was then very thin.

G. S. C. S.

⁶³ *Historia Anglicana*, vol. ii. 252.