

On 25 Jan. 1727 Balguy was collated by Hoadley to a prebend in Salisbury, and through the friendship of Bishop Talbot obtained from the chapter of Durham (12 Aug. 1729) the vicarage of Northallerton in Yorkshire, worth 270*l.* a year. He had many friends in all parties, including Bishops Benson, Butler, and Secker, and Lord Barrington. His tracts, which are terse and well written, are all applications of the principles of which Clarke is the chief exponent. He became an invalid, and saw little society except at Harrogate, which he frequented, and where he died, 21 Sept. 1748, leaving an only child, Thomas [see BALGUY, THOMAS] living.

[Life by son in *Biog. Britannica*; Nichols's *Anecdotes*, iii. 139, 220, ix. 787.] L. S.

BALGUY, THOMAS (1716–1785), divine, son of John Balguy [q. v.], was born at Cox-Close 27 Sept. 1716, educated at the Ripon Free School, and admitted to St. John's College, Cambridge, about 1732; was B.A. 1737, M.A. 1741, S.T.P. 1758. He was elected to a Platt fellowship at St. John's in March 1741, which he held till 1748. In 1744 he became assistant tutor to his friend Dr. Powell, tutor, afterwards master of St. John's College, and gave lectures on moral philosophy and the evidences 'for sixteen years.' In 1743 he was deputy public orator, and in 1758 tutor to the Duke of Northumberland. He states in his father's 'Life' that he owed all his preferments to 'the favour and friendship of Bishop Hoadley,' who had given his father a prebend of Salisbury. His father, as prebendary, presented him (1748) to the rectory of North Stoke, near Grantham in Lincolnshire, which he vacated in 1771 on becoming vicar of Alton in Hampshire. Through Hoadley's influence he obtained a prebend of Winchester in 1758, and became archdeacon of Salisbury in 1759, and afterwards archdeacon of Winchester. Thomas was, however, less of a latitudinarian than his father, and opposed the agitation for a relaxation of the articles. In 1769 he published a sermon upon the consecration of Bishop Shipley (NICHOLS, *Anecdotes*, ix. 534), which was answered by Priestley in 'Observations upon Church Authority.' In 1772 he published an archidiaconal charge, in which he defended subscription to articles of religion; and in 1775 a sermon at the consecration of Bishops Hurd and Moore, which was answered in remarks 'by one of the prebendary clergy.' In 1775 he edited the sermons of his friend Dr. Powell, with a 'life' of the author; and in 1782 'Divine Benevolence asserted,' part of an unfinished

treatise on natural religion. In 1785 he republished his father's essay on Redemption, and a collection of sermons and charges. Balguy was one of the admiring disciples of Warburton, and his name frequently appears in Warburton's correspondence with Hurd. On Warburton's death in 1781 he declined the appointment to the vacant bishopric of Gloucester on the ground of failing health and approaching blindness, and died 19 Jan. 1795 at his prebendal house at Winchester. A monument to him is in the south aisle of the cathedral. His discourses, edited by Rev. James Drake (a relation to whom his manuscripts were bequeathed), were republished at Cambridge in 1820.

[Chambers's Dictionary; Warburton's Letters to Hurd; Nichols's *Anecdotes*, iii. 220, viii. 157, and elsewhere; Nichols's *Illustrations*, iii. 516; Preface to Discourses by Drake.] L. S.

BALIOL, ALEXANDER DE (fl. 1246?–1309?), lord of Cavers and chamberlain of Scotland, is one of the members of the Baliol family about whose pedigree great confusion exists. He was certainly not Alexander, son of Hugh Baliol of Barnard Castle, an elder brother of John Baliol the king, for this Alexander died in 1279 without issue, leaving a widow, Eleonora de Genovra (RYMER's *Fædera*, i. 10, 779). It is probable, but not certain, that he was the same person as Alexander de Baliol, the son of Henry de Baliol, chamberlain of Scotland, who died in 1246, and Lora or Lauretta de Valoines, the coheirss along with her sister Christian, wife of Peter de Maule of Panmure, of the fiefs of the Valoines family in England. If so he can be traced in the records of Hertfordshire between 6th and 32nd Edward I in connection with the manor of Benington in that county, which he inherited through his mother (CLUTTERBUCK's *Hertfordshire*, vol. ii.). This identification would account for his appointment to the office of chamberlain of Scotland, which had been held by his father, his great-grandfather, William de Berkeley, Lord of Reidcastle, and one of his maternal ancestors, Peter de Valoines. But there are two difficulties attending it. Alexander de Baliol the chamberlain is never mentioned as possessing Reidcastle in Forfarshire, the estate of Henry de Baliol, and it is difficult to account for his constant association with the estate of Cavers in Teviotdale, and not with any English fiefs. Possibly the latter circumstance is due to the references being in the Scottish records. It appears that in 32 Edward I (1304) Benington was sold by Alexander de Baliol to John de Binsted, and the conjecture seems admissible

that Baliol may have made Scotland the chief place of his residence, though retaining English fiefs in right of his mother and his wife. His preference for Scotland would be confirmed by his succession to the high office which his father Henry had held. Whatever may be thought of this hypothesis, it is certain that Alexander de Baliol the Scottish chamberlain first appears as Dominus de Cavers in the Scottish records in 1270. Seven years later he was commissioned, as lord of Cavers, to serve in Edward's Welsh wars. In 1284, under the same designation of Dominus de Cavers, he was one of the Scottish barons who bound themselves to receive Margaret, the Maid of Norway, as queen in the event of failure of male issue of Alexander III; and as, in the same year, he received a summons to attend Edward's army, he must still have retained English fiefs. In 1287 he is for the first time mentioned in a writ by the guardians of Scotland as chamberlain of Scotland, an office in which he succeeded John Lindsay, bishop of Glasgow. Two years later he took part in the negotiations which resulted in the treaty of Salisbury, 6 Nov. 1289, confirmed by the parliament at Brigham 14 March 1290, by which Edward the Prince of Wales was to marry Margaret, and Edward I solemnly recognised the independence of Scotland. Her death prevented the marriage, and Edward soon forgot or ignored his engagements. On 5 June 1291 Baliol and his wife Isabella de Chilham, widow of David de Strathbogie, earl of Athol, received a letter of attorney and safe conduct from Edward permitting them to remain for a year in Scotland. He still continued to hold the office of chamberlain after the seisin of Scotland had been given to Edward I, as the condition of his determining the suit as to the succession of the crown of Scotland; but in the beginning of 1292 we find Robert Heron, rector of Ford, associated with Baliol in this office, and as a writ of 1 Feb. of that year mentions that Heron's wages had been granted to him by the King of England, it appears reasonable to conclude that Heron had been appointed to control Baliol in the execution of the office. On 30 Dec. 1292 certain of the records of Scotland which had been in the hands of Edward were redelivered to Alexander Baliol as chamberlain of Scotland. Baliol is last mentioned as chamberlain on 16 May 1294, and it seems probable that the disputes between Edward and John Baliol led to his deprivation by the English king after or perhaps even before the campaign of 1296, when Edward forced John Baliol to resign the crown and carried him

captive to England. In 1297 John de Sandale, an English baron, appears as chamberlain of Scotland. From entries in the accounts of the expenses of John Baliol when a prisoner in England with reference to a horse of Alexander de Baliol, it would seem that he shared the captivity of his kinsman. On 13 Jan. 1297 Edward made a presentation to the church of Cavers, upon the ground that the lands of Alexander de Baliol were in his hands. A few scanty notices between 1298 and 1301 indicate that he took part on the English side in the war with Scotland; and from one of these we learn that he had manors in Kent, the wood of which he received the king's license to sell.

Amongst the barons present at the siege of Caerlaverock in 1300 was

Mes Alissandres de Bailloel,
Ke a tout bien fere mettoit le oel,
Jaune baniere avoit el champ
Al rouge eseu voidie du champ.

In 1303 he seems to have shown symptoms of again falling off from the English side, for his chattels in Kent, Hertfordshire, and Roxburghshire were in that year seized by Edward; but we find him employed, in May 1304, in Edward's service in Scotland, and in the first year of Edward II he was summoned to join John de Bretagne, earl of Richmond, in the Scottish campaign.

His estates in Kent, of which the chief was the castle and manor of Chilham, were held by him in right of his wife Isabella de Chilham, by whom he left a son of his own name. The date of his death is unknown, but as he was summoned to all the parliaments of Edward I between 1300 and 1307, and is not mentioned as summoned to any of Edward II, he probably died soon after the accession of that monarch. His son Alexander had a son, Thomas de Baliol of Cavers, who sold that estate to William, earl of Douglas, in 1368, and is the last of the Baliols who appears in the Scottish records.

[Exchequer Rolls of Scotland, i.; Documents illustrative of the History of Scotland, edited by Sir F. Palgrave; Historical Documents Scotland, 1286-1306, edited by Rev. J. Stevenson; Acts Parl. Scotland, Record edition, vol. i.; Dugdale's Barons; Surtees' History of Durham; Cluttbuck's History of Hertfordshire; Crawford's History of the Officers of State of Scotland.]

Æ. M.

BALIOL, BERNARD DE, the elder (*fl.* 1135-1167). There is great difficulty in fixing with precision the early history of the family of Baliol, which was destined to play so ill-omened a part in the annals of Scotland, a

circumstance which no doubt contributed to the obscurity of its records and the extinction of its name. The founder of the house in England was the Norman baron Guido or Guy de Baliol, whose French fiefs of Bailleul, in the department of L'Orne, two leagues from Argenton, Dampierre, Harcourt, and Vinoy, in Normandy, were long retained by his descendants, and afforded a refuge when their English inheritance was forfeited along with the Scottish crown, which John wore so short a time and Edward failed to recover. Guy is said, in a manuscript on which Surtees, the historian of Durham, relies, to have come 'to England with the Conqueror, and to him gave William Rufus the barony of Bywell in Northumberland, and the forests of Teesdale and Charwood, with the lordship of Middleton in Teesdale and Gainsford, with all their royalties, franchises, and immunities' (*Bowes MS.*, SURTEES' *Durham*, iv. 50). Bernard or Barnard Baliol is stated by the same manuscript to have built 'the fortress which he called Castle Barnard, and created burgesses and endowed them with the like franchises and liberties as those of Richmond,' a statement corroborated by the ancient and noble ruin which still overhangs the Tees, with 'its uttermost walls of lime and brick' and 'innermost cut in rocks of stone,' as the ballad runs, and by the charter of his son, a second Bernard, which confirms his father's grant to the burgesses (SURTEES, iv. 71). In 1135 the first Bernard did homage, along with David I of Scotland, to the Empress Matilda, daughter of Henry I, but prior to the battle of the Standard, 1138, he renounced his homage and joined the party of Stephen. Along with Robert de Bruce, Lord of Annandale, a common interest then uniting the ancestors of the future rivals, he was sent before the battle by the northern barons to make terms with David I, but without success. Continuing to support Stephen, Bernard de Baliol was taken prisoner with him at Lincoln on 2 Feb. 1141. The charter of the second Bernard, still preserved, is unfortunately without date, and there is no charter-evidence to fix his father's death, but a fine exacted in 14 Henry II (1167), for neglecting to certify the number of his knights' fees, is assumed with probability by Surtees to refer to the time of his succession, and to make the fact which history records of the capture of William the Lion at Alnwick in 1174 by a Bernard de Baliol along with other northern barons applicable to the second and not the first bearer of the name.

[Dugdale's Baronage, corrected by Surtees' *Durham*, iv. 51.]

BALIOL, BERNARD DE, the younger (*d.* 1167). Dugdale does not recognise a second Bernard, but for the reasons stated in the last article, the opinion of Surtees appears preferable, though it must be admitted that his existence rests on the evidence of one charter and the improbability of a single life having covered the period from 1135, when the first Bernard must have at least attained majority, to nearly the close of the century. This Bernard joined Robert de Stuteville, Odonel de Umfraville, Ranulf de Glanville, and other northern barons, who raised the siege of Alnwick and took William the Lion prisoner in 1174. Our only further information about him consists of grants to various abbeys, one of which, to Rievaulx, was 'for the good of his own soul and that of his consort Agnes de Pinkney, and the confirmation of the privileges granted by his father to the burgesses of Barnard Castle. He was succeeded by his son Eustace, whose existence is only known from charters of which the earliest, dated in 1190, is a license to marry the widow of Robert Fitzpiers for a fine of 100 marks. He was succeeded about 1215 by his son Hugh, the father of John de Baliol I, whose son was John de Baliol II, king of Scotland.

[Dugdale's Baronage and Monasticon Anglicanum; Surtees' *Durham*, iv. 51-2.] *Æ. M.*

BALIOL, EDWARD DE (*d.* 1363), king of Scotland, the eldest son of John de Baliol, king of Scotland, and Isabel, daughter of John de Warenne, earl of Surrey, on his father's death in 1314 succeeded to his French fiefs, on which he lived till 1324, when he was invited by Edward II to England, which he again visited in 1327, with the view of being brought forward as a pretender to the Scottish crown. A more favourable opportunity presented itself after the death of Robert Bruce in 1329. Baliol was again summoned to England 20 July 1330, with permission to remain as long and return as often as he pleased in order that preparations might be made for the invasion of Scotland. Placing himself at the head of the disinherited barons whose lands had been forfeited by Bruce for their adherence to England, of whom the chief were Henry de Beaumont, Gilbert de Umfraville, and Thomas, Lord Wake of Liddell, and a small force of 400 men-at-arms and 3,000 foot, Baliol sailed from Ravenspur, near the mouth of the Humber, and landed at Kinghorn, in Fife, on 6 Aug. 1332. The death of Randolph, the valiant regent who found a feeble successor in Donald, earl of Mar, gave Baliol an advantage he was prompt

to seize. After defeating the Earl of Fife, who opposed his landing, he marched by Dunfermline to the river Earn, surprised and routed Mar at Dupplin Moor with great slaughter on 12 Aug., and took possession of Perth. A threatened blockade of that town by the Earl of March having been abandoned, Baliol was crowned at Scone on 24 Sept. by William Sinclair, bishop of Dunkeld. Leaving Perth in charge of the Earl of Fife, who soon surrendered it to the Scotch, Baliol marched towards the border, and at Roxburgh on 23 Nov. met Edward III, acknowledged him as superior and lord of Scotland, and bound himself to serve in all his wars. He further engaged to put him in possession of Berwick and to marry the princess Johanna, already betrothed to David II. It was soon seen how fragile was his tenure of the country he affected to dispose of, for on 16 Dec. he was surprised at Annan by Archibald Douglas and completely defeated. His brother Henry was slain, and he had himself difficulty in escaping across the English border. In the following year, 9 March 1333, with additional aid from England, Baliol returned and established his camp near Roxburgh, with the view of besieging Berwick. The Scots lost about this time the services of two of their bravest leaders, Sir Andrew Murray of Bothwell, and Sir William Douglas, the knight of Liddesdale, and Edward, having himself advanced with a great force to the siege of Berwick, defeated Archibald Douglas, who had succeeded to the chief command, at Halidon Hill on 12 July, which forced the capitulation of Berwick.

In February 1334 Baliol held a parliament at Edinburgh, where, on the 12th of that month, his engagements to Edward were renewed and Berwick was annexed to the English crown. Not satisfied with this severance of the great fortress which was the key to the borders from the Scottish kingdom, Edward demanded and Baliol agreed at Newcastle-on-Tyne to the absolute surrender to the English crown of the forests of Jedburgh, Selkirk, and Ettrick, the counties of Roxburgh, Peebles, Dumfries, and Edinburgh, the constabularies of Haddington and Linlithgow, with all the towns and castles in the territory annexed. This comprised the whole of ancient Lothian, the richest and most important part of Scotland. Edward at once parcelled it into sheriffdoms, and appointed a chamberlain and justiciary for Lothian. On 18 June he received the homage of Baliol for the whole kingdom of Scotland, and, as if to mark the ignominy of his vassal with a deeper stain, declared that

his private estates were not to be understood as falling within the surrender of the rights of his country. In the autumn of this year a dispute as to the succession of Alexander de Mowbray, one of the disinherited barons, between his brother as heir male, who was at first supported by Baliol, and his daughter as heir general, whose cause was espoused by Henry de Beaumont, earl of Buchan, and David de Hastings, earl of Athole, exposed the weakness of Baliol, who was compelled to change sides and abandon Mowbray through fear of these powerful earls. The return of Sir Andrew Murray from England, and of the Earl of Moray, now acknowledged as regent on behalf of David II, gave able leaders to the Scottish patriots, and Baliol was forced to take refuge in England. In winter he was again brought back, rather than restored, by the aid of Edward, and after wasting Annandale celebrated Christmas at Renfrew, where he created William Bullock, an ecclesiastic, chamberlain of Scotland. In July of the following year Edward again invaded Scotland, and although the fortunes of war were not all on one side, Guy, count of Namur, a mercenary ally of Edward, being defeated on the Borough Muir and forced to leave Scotland, the capture of the Earl of Moray and the aid of the Mowbrays and others enabled Edward to conclude a treaty at Perth 18 Aug. 1335, by which the Earl of Athole and all who submitted to the English king were to be pardoned for their rebellion, and the ancient laws and usages of Scotland as in the days of Alexander III restored. Athole, who was named lieutenant of Scotland, now espoused the side of Baliol, but was soon after surprised and slain by the Earl of March, William Douglas of Liddesdale, and Sir Andrew Murray, in the forest of Kilblain. Baliol succeeded in detaching John, the lord of the Isles, from the national cause by ceding to him Cantire and Knapdale in Argyle, and several of the principal Hebrides, along with the wardship of the young heir of Athole, on 12 Dec. 1335. A loan of 300 marks by Edward on 16 Oct. 1335 and a daily pension of 5 marks during pleasure, granted on 27 Jan. 1336, indicated the poverty and dependence of Baliol. The command of the English troops was given not to Baliol but to the Earl of Lancaster. In August Edward himself suddenly returned to Perth, which was the chief fortress held by Baliol, and overran the north-east of Scotland. After establishing a weak line of forts from Dunottar to Stirling and reinforcing the garrison of Perth, he returned to England, leaving his brother, the Earl of Cornwall, in command. Sir Andrew Murray

made an ineffectual attempt to take Stirling, but succeeded in reducing the more northern forts after Edward's departure. In the spring of the following year, 1337, he took Falkland, Leuchars, and St. Andrews in Fife, Cupar alone holding out under the command of Bullock, Baliol's chamberlain. By a sudden diversion to the west he surprised and took Bothwell Castle, and, having thus secured the passage of the Clyde, made a raid into Cumberland, and on his return invested but did not take Edinburgh. In 1338 this gallant commander, who had upheld the cause of Scottish independence for forty years, since he was associated with Wallace against Edward I, died. Robert, the steward of Scotland, succeeded him as regent, and prepared for the siege of Perth, where Baliol still was, and Edward, having no confidence in his military talents, required him to entrust its custody to Sir Thomas Ughtred, an English commander. Before the end of the year Baliol, who had borne no part of any moment in the war nominally conducted on his behalf, but really for that of Edward, retired to England. There he appears to have remained until the defeat and capture of David II at Neville's Cross, 17 Oct. 1346, encouraged him again to return to Scotland. Taking up his residence at Caerlaverock Castle, on the Solway, and aided by English men-at-arms under Percy and Neville, he made a raid as far as Glasgow, wasting Nithsdale and Cunningham. The title, but not the contents, of a treaty in this year between Lionel, duke of Clarence, son of Edward III, and Percy and Neville, has been preserved, which makes it probable that the ambitious prince had set on foot the intrigue for his succession to the Scottish crown with Baliol which was afterwards renewed with David II. Meanwhile the Scots had accepted Robert the Steward, grandson of Robert the Bruce on the mother's side, as regent; and though the English king in official documents continues to style Baliol 'our dear cousin Edward, king of Scotland,' he negotiated at the same time with his captive, David II, and finally, in 1354, released him for the large ransom of 90,000 marks, by annual instalments of 10,000, on non-payment of which he was to return to prison at Berwick or Norham. The Scotch preferring the French alliance and failing to pay the instalment due in 1355, David honourably surrendered himself, and in 1356 Edward mustered a large force for the subjugation of Scotland. Before he set out Baliol at Roxburgh, on 21 Jan., made an absolute surrender of the whole kingdom of Scotland to Edward by delivery of a portion of its soil along

with his golden crown, in return for an obligation of payment of 5,000 marks and a pension of 2,000*l.* which Edward granted on the previous day at Bamborough. This was the last of Baliol's acts as king; but his ignoble life lasted till 1367, when he died without issue at Wheatley, near Doncaster, where, during his last years, 'rest of the crown, he still might share the chase,' as is proved by the writs granting him a license to sport in the royal forests and pardon to some of the neighbouring gentry who joined in his amusement. Except for the brief period of his success at the head of the disinherited barons at Dupplin Moor, he showed no qualities worthy of respect in a warlike age. His character was similar to that of his father, unequal to the honour and peril of a crown, and content to survive the disgrace of doing what lay in his power to sacrifice the independence of his country.

[Rymer's *Fœdera*, vol. iii.; Fordun's and Wyntoun's *Chronicles* give the events of his life from the Scottish, Knyghton, Adam of Murimuth, and Walsingham from the English side. Lord Hailes's *Annals* is still the fullest and most accurate modern account of this period of Scottish history, but Tytler's *History of Scotland* and Longman's *History of the Reign of Edward III* may also be consulted with advantage.]

Æ. M.

BALIOL, HENRY DE (*d.* 1246), chamberlain of Scotland, was the son of Ingelram and grandson of Bernard de Baliol, of Barnard Castle. His mother was daughter and heiress of William de Berkeley, lord of Reidcastle in Forfarshire, and chamberlain of Scotland under William the Lion in 1165. William de Berkeley was succeeded in this high office, not yet divided into those of the treasurer and comptroller, and entrusted with the superintendence of the whole royal revenues, by Philip de Valoines and his son William de Valoines, lords of Panmure. The latter died in 1219, leaving only a daughter, and Henry de Baliol, who had married his sister Lora, obtained the chamberlainship which had been held by the father both of his mother and his wife. Although invited by King John to take his side shortly before Magna Charta, it is probable that, like his sovereign, Alexander II, he joined the party of the barons. He is mentioned in the Scottish records in various years between 1223 and 1244, and the appointment of Sir John Maxwell, of Caerlaverock, who appears as chamberlain in 1231, must either have been temporary, or Baliol must have retained the title after demitting the office, which Crawford (*Officers of State*, p. 261) supposes him to have done in 1231. In 1234 he succeeded, in right of his wife as

coheirress, along with Christian de Valoines, her niece, wife of Peter de Maule, ancestor of the Maules of Panmure, to the English fiefs of the Valoines, vacant by the death of Christian, countess of Essex, a rich inheritance, situated in six shires. In 1241 he attended Henry III to the Gascon war, and, dying in 1246, was buried at Melrose. It is probable, but not certain, that Alexander de Baliol of Cavers, also chamberlain of Scotland [see BALIOL, ALEXANDER DE], was his son. His only daughter, Constance, married an Englishman of the name of Fishburn.

[Documents in Panmure Charter Chest; Act. Parl. Sect. i. 403 a, 405 b, 407 b, 408 b; Chronicle of Melrose; Dugdale's Baronage; Crawford's Lives of Officers of State, p. 260.]
Æ. M.

BALIOL, JOHN DE (*d.* 1269), of Barnard Castle, founder of Balliol College, Oxford, was the son of Hugh, the grandson of Eustace, and the great-grandson of Bernard de Baliol the younger [q. v.]. He married Devorguila, one of the daughters of Alan of Galloway, constable of Scotland, by Margaret, eldest daughter of David, earl of Huntingdon, brother of William the Lion. In his own right and that of his wife, coheirress of two great inheritances, Baliol was one of the wealthiest barons of his time, possessing, it is said, as many as thirty knights' fees in England, besides one-half of the lands of Galloway; though his possession of the latter must have been precarious during the reign of Alexander II, who favoured the claim of Roger de Quincey, husband of Helen, the elder daughter of Alan of Galloway, to the whole, while the Galwegians supported Alan's natural son, Thomas de Galloway. According to the Chronicle of Lanercost, Thomas de Galloway, being taken prisoner in 1235, was committed to the custody of Baliol, who kept him in the dungeons of Barnard Castle, where he remained until, in extreme old age, he was released at the instance of Edward I.

Baliol was one of the regents of Scotland during the minority of Alexander III, but was deprived of that office and his lands forfeited for treason in 1255, when a new regency was appointed through the influence of Henry III. Making terms with that monarch, Baliol escaped the consequences of his forfeiture, and sided with Henry in the barons' war (1258-65). He was taken prisoner at Lewes, but, having been released, did all that was in his power to support the royal cause, along with the barons of the north, against Simon de Montfort. About the year 1263 he gave the first lands for the endowment of the college at Oxford, which received his name, and this

endowment was largely increased by his will, and after his death by his widow, Devorguila. He died in 1269, leaving three sons, Hugh, Alexander, and John, who succeeded to the family estates by the death of his elder brothers, without issue, and afterwards became king of Scotland. Devorguila survived her husband, dying 28 Jan. 1290. There is a writ in the 'Memorial Rolls of Edward I,' dated 1 June 1290, ordering the customary inquisition after her death.

[Historical Documents, Scotland, 1286-1406, arranged by Rev. J. Stevenson, i. 155; Acts Parl. Scotland, vol. i.; Fordun; Chronicle of Lanercost. The work of Henry Savage, master of Balliol College, entitled *Baliol-Fergus*, Oxford, 1664, is untrustworthy as to the Baliol genealogy, but gives some interesting particulars as to the endowments of the college by the Baliols, and its first statutes after Devorguila.] Æ. M.

BALIOL, JOHN DE (1249-1315), king of Scotland, was the third son of the preceding John de Baliol, of Barnard Castle, and Devorguila, daughter of Alan of Galloway. His elder brothers, Hugh and Alexander, having died without issue in 1271 and 1278, John succeeded to the large inheritance of the Baliols of Barnard Castle in Northumberland, Hertfordshire, Northampton, and other counties, as well as to their Norman fiefs, and in right of his mother to the lordship of Galloway. Prior to the disputed succession which arose after the death of Alexander III, Baliol scarcely appears in history; but by an inquest as to the extent of the vill of Kempston, in Bedfordshire, in 1290, we learn that he was forty years of age in the year preceding, and was then served heir to his mother Devorguila, who died on 28 Jan. 1290. He also then succeeded to other manors in England, Fotheringay and Driffild. On 16 Nov. 1290 John Baliol, already styling himself 'heres regni Scotiæ,' grants to Antony Beck, bishop of Durham, the manors which Alexander III held in Cumberland, or the sum of five hundred marks if Edward I did not confirm the grant. On the death of Margaret, the Maid of Norway, grandchild of Alexander III, on 7 Oct. 1290, no less than thirteen claimants presented themselves for the crown of Scotland; but of these only three seriously contested the succession. John de Baliol claimed in right of his maternal grandmother, Margaret, the eldest daughter of David, earl of Huntingdon, brother of William the Lion, and grandson of David I. Robert Bruce, earl of Annandale, claimed in right of his mother, Isabel, the second daughter of the same earl; and John Hastings claimed in right of his grandmother, Ada, the third

daughter. The claim of Bruce was rested mainly on his being one degree nearer in descent; that of Baliol on his descent from the eldest daughter; and that of Hastings on the ground that the kingdom was partible, as an estate, among the descendants of the three daughters. By the principles of modern law the right of Baliol would be incontestable; but these principles were not then settled, and it was deemed a fair question for argument by feudal lawyers of the thirteenth century. But what tribunal was competent to decide it? At an earlier period it would have been submitted to the arbitrament of war. The parliament or great council of Scotland, which had already begun, in the reigns of the Alexanders, to organise itself after the English model, or by development from the *Curia Regis*, might have seemed the natural tribunal, but this would have been only a preliminary contest before the partisans of the rival claimants resorted to arms. The legal instinct of the Norman race, to which all the competitors belonged, suggested or acquiesced in a third course, not without precedent in the graver disputes of the later Middle Ages—a reference to a third party; and who could be more appropriate as a referee than the great monarch of the neighbouring kingdom, to whom each of the competitors owed allegiance for their fiefs in England? This course was accordingly proposed by Fraser, bishop of St. Andrews, in a letter to Edward before Margaret's death, but when the news of her illness had reached Scotland. After some delay, caused by the death of Eleanor, the mother of Edward I, that monarch summoned a general assembly of the Scottish and English nobility and commons to meet him at Norham on 10 May 1291. Its proceedings were opened by an address from Roger de Brabazon, chief justice of England, who declared that Edward, moved by zeal for the Scottish nation, and with a desire to do justice to all the competitors, had summoned the assembly as the superior and direct lord of the kingdom of Scotland. It was not Edward's intention, the chief justice explained, to assert any undue right against any one, to delay justice, or to diminish liberties, but only, he repeated, as superior and direct lord of Scotland, to afford justice to all. To carry out this intention more conveniently, it was necessary to obtain the recognition of his title as superior by the members summoned, as he wished their advice in the business to be done. The Scottish nobles asked for time to consult those who were absent, and a delay of three weeks was granted. When the assembly

again met, on 2 June, at the same place, the nobles and clergy admitted Edward's superiority, but the commons answered in terms which have not been preserved, but are described by an English annalist as 'nihil efficacis,' nothing to the purpose. No attention was paid to their opinion, and another address, reiterating Edward's superiority, was delivered by the Bishop of Bath and Wells, who called on the competitors to acknowledge his right, and their willingness to abide by the law before their lord Edward. This was done by all who were present, and by Thomas Randolph as procurator for Baliol, who was absent. Next day Baliol attended and made the acknowledgment in person. The acknowledgment was embodied in a formal instrument signed by all the competitors on 4 June, which declared their consent that Edward should have seisin of the land and castles of Scotland pending the trial, upon the condition that he should restore them two months after its decision. Immediately after the recognition of his superiority, and the seisin given in ordinary feudal form, Edward surrendered the custody of Scotland to the former regents, adding Brian Fitzallan to their number, and appointing Alexander de Baliol chamberlain and the Bishop of Caithness chancellor. The castles were delivered to Edward's officers, Umfraville, earl of Angus, alone refusing to give up Dundee until promised an indemnity. On 15 June Baliol and Bruce, along with many other barons and the regent, took the oath of fealty to Edward, and his peace having been proclaimed as superior of Scotland, the proceedings were adjourned to 2 Aug. at Berwick. Before the adjournment the court for the trial of the succession was appointed, consisting of twenty-four Englishmen appointed by Edward and forty Scotchmen by Baliol and Bruce respectively. The court met on the appointed day, and the competitors put in claims, but only three were pressed by Bruce, Baliol, and Hastings. After the petitions had been read there was another adjournment to 2 June 1292. The question was then raised by what law the case was to be determined, whether by the imperial laws or by the law of England and Scotland, and if the latter differed, by which. The commissioners asked time to consider the point, and at their next meeting, on 14 Oct. declared that the king ought to decide according to the law of the kingdom over which he reigned if there were any applicable, and if not make a new law with the advice of his council. They added that the same principles should govern the succession to the crown as that to earldoms,

baronies, and other indivisible inheritances. Bruce and Baliol now gave in their pleadings. The former rested his claim (1) on a declaration of Alexander II in his favour at a time when he had no issue; (2) on the law of nature, which he alleged preferred the nearer in degree as heir; (3) on certain precedents derived from the Celtic law of tanistry, by which the brother had been preferred to the son as nearer in degree in the succession to the Scottish crown; (4) on similar instances in other countries, where the direct line of descent had been passed over; and (5) on the impossibility of succession through a female, as Baliol's claim was based on the right of his mother, Devorguila. To these arguments Baliol answered (1) that Alexander's declaration was only in the event of his having no issue, an event which had not occurred; (2) that the feudal law and not the law of nature was applicable; (3) that the cases in which a brother had been preferred to a son were inapplicable, for a son was nearer to his father than his father's brother, so that these cases told the other way, and were precedents for preferring the more remote degree; (4) that whatever might be the law in other countries, the feudal law of England and Scotland recognised representation in the elder line in succession to earldoms and baronies; and (5) that the argument against descent through females was equally adverse to the claim of Bruce, who also claimed through his mother.

The commissioners decided in Baliol's favour, declaring 'that by the laws and usages of both kingdoms in every heritable succession the more remote by one degree lineally descended from the eldest sister was preferable to the nearer in degree issuing from the second sister,' and on 6 Nov. Edward confirmed their decision.

A question which had been nominally reserved, whether the kingdom was partible, was now taken up, and decided in the negative, and on 17 Nov. 1292 the final judgment was pronounced: 'As it is admitted that the kingdom of Scotland is indivisible, and as the king of England must judge the rights of his own subjects according to the laws and usages of the kingdom over which he reigns, and as by those of England and Scotland in the succession to indivisible heritage the more remote in degree of the first line of descent is preferable to the nearer in degree of the second, therefore it is decreed that John Baliol shall have seisin of the kingdom of Scotland.'

Two days later the seal used by the regents was broken, and they were ordered to give seisin to Baliol. On 20 Nov. he swore

fealty to Edward at Norham upon Scottish ground, on the 30th he was crowned at Scone, and within a month, on 26 Dec., he did homage to Edward at Newcastle.

There is no reason to doubt the justice of the decision between the competitors; and if the rules of descent were uncertain in such a case before, this solemn decision, after careful argument, aided in fixing the principle of representation and the preference for the senior line of descent. But the acknowledgment of Edward's title as superior, which the necessities of the case had wrung from the competitors and the barons, was a different matter. It was attempted to be supported by returns obtained from the English monasteries and religious houses of precedents dating back to Saxon times of a similar recognition; but no returns were sought from Scotland, while those received were evidently prepared to suit the wishes of Edward. The earlier precedents from Saxon times and from the reigns of Canute, William the Conqueror, and Rufus were instances of isolated conquests of brief duration and doubtful extent. No mention is made of the more recent points in the long-protracted controversy, the surrender of all such claim by Richard Cœur de Lion in the treaty of Canterbury, or the treaty of Salisbury, by which Edward himself had acknowledged the independence of Scotland, or the refusal of Alexander III to do homage. A further consequence of the recognition of Edward's title as superior, which had apparently not been foreseen by Baliol, but can scarcely have been overlooked by the astute feudal lawyers who counselled Edward, or by that monarch, was soon brought to light. As Edward was superior, an appeal lay from the court of his vassal Baliol to his own court at Westminster. Within six months after the decision in favour of Baliol a burgess of Berwick, Roger Bartholomew, presented such an appeal. Baliol in vain referred to the clause of the treaty of Salisbury, by which no Scotch cause was to be heard out of Scotland, and he was compelled to make an implicit surrender of the right to independent jurisdiction. Shortly after he was himself summoned in a suit at the instance of Macduff, earl of Fife, to appear before the judges at Westminster, and declining to attend he was condemned for contumacy in October 1293, and it was ordered that three of his castles should be seized to enforce the judgment. He again yielded, and promised to appear at the next English parliament to answer in the suit. He accordingly attended the parliament held in London in May 1294, but either quitted it suddenly to avoid being compelled to take

part in the French war then in contemplation, for which offence his English fiefs were forfeited, as is stated by John of Walsingham, or granted the revenue of these for three years as an aid to the English king, according to the more common account of the English chroniclers, consenting, at the same time, to surrender Berwick, Roxburgh, and Jedburgh to the English king. The Scottish writers attribute Baliol's quarrel with Edward to his being required to plead in person in Macduff's suit, and other indignities put upon him when in England. Whatever the precise cause alleged, the real question at stake was the independence of Scotland; and on his return to Scotland Baliol or his parliament determined to brave the displeasure of the English monarch. The summons addressed to him and his barons to send men to the French war were treated with contempt; and at a parliament at Scone all the English at Baliol's court were dismissed, the fiefs held by the English forfeited, and a council of four bishops, four earls, and four barons appointed to advise or control Baliol.

Next year an alliance with Philip the Fair was made, by which the French and Scotch kings promised to aid each other in the event of an English invasion of their respective countries, and Philip agreed to give his niece, Isabel de Valence, the daughter of the Count of Anjou, in marriage to Baliol's heir. In 1296, Edward having invaded Gascony, the Scotch proceeded to carry out their part of the treaty, and with a large force, headed by six earls and not by Baliol in person, ravaged Cumberland, but failed to take Carlisle. This was towards the end of March, and Edward, with his usual promptness, before the close of the month advanced in person with a better disciplined army to the eastern border, and stormed Berwick (30 March). While there Henry, abbot of Arbroath, brought him a formal renunciation of Baliol's homage and fealty, which had been agreed upon by the Scottish parliament. In words of Norman French, preserved by the Scottish chroniclers, Edward exclaimed, 'Has the foolish fellow done such folly? If he does not wish to come to us, we shall go to him.' No time was lost in the execution of the threat. On 28 April his general, John de Warenne, earl of Surrey, captured Dunbar; in May Roxburgh and Jedburgh surrendered; and in June Edinburgh Castle was taken by Edward himself. Stirling, Perth, and Scone yielded without resistance, and on 7 July, in the churchyard of Stracathro, in Forfarshire, Baliol renounced his alliance with the French king, and three

days later, at Brechin, Baliol gave up his kingdom to Antony Beck, bishop of Durham, as the representative of the English king, and, apparently on the same day, appeared before Edward, who was then at Montrose, and delivered to him the white rod, the usual feudal symbol of resignation by a vassal of his fief into the hands of his superior. (The notary's instrument, dated Brechin, 10 July, is printed by Stevenson, 'Documents illustrative of Scottish History,' ii. 61, and the surrender at Montrose, of the same date, is in the 'Diary of Edward's Scottish Campaign,' ii. 28.) Edward went as far north as Elgin, ending his triumphant progress there on 26 July. 'He conquered the realm of Scotland,' says a contemporary diary, 'and searched it within twenty-one weeks without any more.' But the conquest was rather of Baliol than of Scotland; for although Edward took the oaths of the leading men in the districts he passed through, he did not remain to confirm his victories. By 22 Aug. he had returned to Berwick, carrying with him the coronation-stone of Scone, the regalia of Scotland, and the black rod, sacred as a supposed relic of the cross of Christ, and as the gift of Queen Margaret. At Berwick Edward convened a parliament for Scotland, and received the homage of all who attended. He allowed the nobility who submitted to retain their estates, and conferred on the clergy the privilege of free bequest they had not hitherto enjoyed in Scotland; after appointing officers of state as his deputies, of whom Earl Warren, as guardian of Scotland, was the chief, and entrusting the castles to English custodians, he returned to London.

John Baliol and his son Edward were carried as captives to England, and remained prisoners, at first at Hertford and after August 1297 in the Tower, until 18 July 1299, when, on the request of the pope, they were liberated. Placed under the custody of Raynald, bishop of Vicenza, the delegate sent by the pope to make peace between France and England, Baliol pledged himself to live where the pope ordered. After various wanderings to Wissant, Cambrai, Châtillon, in November 1302, Baliol took refuge on his French estates, where he led an obscure life until his death, without making the slightest effort to recover the kingdom he had lost. For a time he was regarded as its virtual sovereign, and when Wallace, by his valour and generalship, roused the patriotism of his countrymen, abandoned by the king and most of the nobles, and drove out the English, recovering for a brief space the independence of Scotland, he governed under the title of

'guardian of the realm of Scotland and leader of its army in the name of Lord John (Baliol), by the consent of the community.' But in the future of Scotland, whether prosperous or adverse, John Baliol had no longer any share. The war of independence, the careers of Wallace and Bruce, grandson of the competitor who better understood the temper of the Scottish people and became their king, lie outside of the biography of Baliol. He died early in 1315 at Castle Galliard, in Normandy, according to tradition, blind, and probably about sixty-five years of age, of which four only had been spent on the throne and fifteen in exile. By his wife Isabel, daughter of John de Warenne, earl of Surrey, he left, besides other children, a son Edward, who succeeded to his French estates, and made an attempt to recover the Scottish crown [see BALIOL, EDWARD DE]. The Scots gave to Baliol the byname of the 'Toom Tabard' ('Empty Jacket'), or 'Tyne Tabard' ('Lose Coat'), as the English gave John that of Lackland. His christian name of John was not allowed to be borne by John, earl of Carrick, who, when he succeeded, took the title of Robert III. A tradition of late origin and doubtful foundation grew up that his family name, owing to his impotent character and abandonment of his country, became so discredited that those who inherited it took the name of Baillie, a common one, while that of Baliol is an unknown name in modern Scotland. The retreat of the head of the family from Barnard Castle to Normandy, and the extinction of its principal cadet, the Baliols of Cavers, in 1368, sufficiently account for the disappearance of the name.

[The documents relative to the trial of the succession to the crown of Scotland are printed by Sir F. Palgrave in Documents and Records illustrating the History of Scotland, preserved in the treasury of Her Majesty's Exchequer, 1837, but his commentary on them is to be accepted with reserve, as that of a partisan of Edward. For the other facts in the life of Baliol, reference must be made to the ordinary histories, of which the chief English chronicles are those of Rishanger, Hemingford, and John of Walsingham. The Scottish authorities, Barbour's Bruce, Wyntoun's and Fordun's Chronicles are of somewhat later date. Some important documents are contained in Documents illustrative of the History of Scotland, 1286-1306, edited by Rev. J. Stevenson, Rymer's Federa, ii., and Ryley's Placita. The best modern authorities are Lord Hailes's Annals and the Histories of Tytler and Burton. The anonymous Life of Edward I, the greatest of the Plantagenets, represents the English view of the origin of the war of independence in an extreme form, which should be corrected by reference to

the more impartial English histories of Hallam, Pearson, and Green, and Pauli, Geschichte von England, vol. iv.] Æ. M.

BALL, SIR ALEXANDER JOHN (1757-1809), rear-admiral, of an old Gloucestershire family, and not improbably a lineal or collateral descendant of Andrew Ball, the friend and companion of Blake, after serving for some time in the Egmont with Captain John Elphinstone, was on 7 Aug. 1778 promoted to the Atalanta sloop as lieutenant, and served in her on the North American and Newfoundland stations till May 1780. On 17 Aug. 1780 he joined the Santa Monica, a frigate lately captured from the Spaniards, and went in her to the West Indies, where in April 1781 he had the good fortune to be moved into the Sandwich, Sir George Rodney's flag-ship, and followed the admiral to the Gibraltar, for a passage to England. There he was appointed to Sir George's new flag-ship, Formidable, on 6 Dec. 1781, went out with him again to the West Indies, and served with him in his great victory of 12 April 1782. Two days afterwards he received his commander's commission and was appointed to the Germain, in which he continued on the same station until posted on 20 March 1783. Very shortly after his return to England he, like many other naval officers, went over to France on a year's leave, partly for economy whilst on half-pay, partly with a view to learning the language. Nelson, then a young captain, was one of those who did the same, and was at St. Omer whilst Ball was there. He wrote to Captain Locker on 2 Nov. 1783: 'Two noble captains are here—Ball and Shepard: they wear fine epaulettes, for which I think them great coxcombs. They have not visited me, and I shall not, be assured, court their acquaintance.' Epaulettes were not worn in our navy till 1795, but in France they marked the rank, and possibly enough were found to serve in lieu of letters of introduction. On 4 Nov. 1784 Ball, writing from Gloucester, reported himself as having returned from foreign leave. He continued, however, on half-pay, notwithstanding his repeated applications to the admiralty, till July 1790, when, on the occasion of the Spanish armament, he was appointed to the Nemesis, 28 guns, a frigate which he commanded on the home station for the next three years. He was then appointed to the Cleopatra, 32 guns, and continued for the three following years on the Newfoundland station under Vice-admiral Sir Richard King and Rear-admiral Murray. He was then transferred to the Argonaut, 64 guns, and returned to England in August