

**THE RED BOOK OF MENTEITH REVIEWED
IN REPLY TO CHARGES OF LITERARY
DISCOURTESY MADE AGAINST
THE REVIEWER. IN A LETTER TO THE
AUTHOR OF THAT WORK. VOL. I, PP.
LXXVII-LXXXII; P. 283, 284**

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The red book of Menteith reviewed in reply to charges of literary discourtesy made against the reviewer. In a letter to the author of that work. Vol. I, pp. lxxvii-lxxxii; p. 283, 284 by George Burnett

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GEORGE BURNETT

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RED BOOK OF MENTEITH
REVIEWED

IN REPLY TO CHARGES OF LITERARY DISCOURTESY
MADE AGAINST THE REVIEWER

IN A LETTER TO THE AUTHOR OF THAT WORK

By GEORGE BURNETT
ADVOCATE, LYON KING OF ARMS

"There are more things in heaven and earth, Horatio,
Than are dreamt of in *your* philosophy."



EDINBURGH: DAVID DOUGLAS
1881

218. d. 133.*

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PREFATORY EXTRACTS
FROM
THE RED BOOK OF MENTEITH.

I.

Vol. I. pp. lxxvii-lxxxii.

“SINCE the foregoing and the Memoirs of the two Dukes of Albany were in type, there have been published two volumes of the Exchequer Rolls of Scotland, extending over the period embraced in the lives of those two royal Dukes. In his prefaces to these valuable Rolls, the learned editor has done much to elucidate many historical, genealogical, and heraldic questions, particularly in his chapter on the ‘Stewart Genealogy.’ He has, however, failed to throw light on several points connected with Menteith, as to which we hope he will be pleased to receive a supplement to his information, as the result of our more extended investigations.

“ Robert Stewart, the third son of King Robert the Second, is stated to have been ‘ Earl of Menteith by marriage, and of Fife by inheritance from the Countess Isobel.’¹ The latter part of the statement may admit of argument, for while in the indenture between the Countess Isobel and Robert, Earl of Menteith, in 1371, now for the first time correctly printed in the present work from the original indenture,² in terms of which he obtained the Earldom of Fife, there is reference to a former entail of the lands, nothing is said of the dignity, and the presumption is that he was specially created Earl of Fife by his father. But, on the other hand, the statement that Sir Robert Stewart was, or became, Earl of Menteith ‘ by marriage’ with Lady Margaret Graham, the daughter of Sir John Graham, is erroneous, as Sir Robert nowhere holds that dignity until after his father’s accession. In 1364, three years after his marriage, he is styled in the Exchequer Rolls simply Robert Stewart of Menteith.³ The records of Parliament show that in 1367⁴ and 1368,⁵ he was present in Parliament as Lord of Menteith only, and it is not until the day after his father’s coronation that he pays

¹ Exchequer Rolls, vol. ii, p. lxxxi.

² Vol. ii. of this work, p. 277.

³ Exchequer Rolls, vol. ii., p. 166.

⁴ Acts of the Parliaments of Scotland, vol. i, p. 501.

⁵ *Ibid.*, p. 505.

homage as Earl.¹ From his influential position it cannot be doubted that if Sir Robert Stewart had really been entitled to the dignity of Earl of Menteith through the courtesy of his wife, it would have been accorded to him soon after his marriage. But there is evidence that he continued a commoner for several years, and until the coronation of his father as King Robert the Second. From and after that ceremony he was Earl of Menteith, and the inference clearly is that he became so by special creation on that occasion.

“ This fact goes entirely against the theory broached in these prefaces to the Exchequer Rolls as to female descent in peerages. The same may be said of a former Menteith marriage, on which some light is thrown from a statement by the late Mr. Riddell. Walter Comyn, who married the elder co-heiress of Maurice, third Earl of Menteith, in 1231, is after the marriage styled Earl of Menteith. It has been doubted whether he did not receive the dignity by courtesy of his wife, but Mr. Riddell quotes an old roll or inventory of charters by Alexander II.,² as containing a charter by that monarch “*Walteri Cumyng de comitatu de Menteithe,*” which goes far to

¹ Acts of the Parliaments of Scotland, vol. i. p. 545.

² Peerage and Consistorial Law, p. 1050.

establish the fact that the dignity was conferred upon him, as upon Sir Robert Stewart, by a special creation.

“The editor of the Exchequer Rolls assumes that the husband of the lady Elene of Mar, daughter of Gratney Earl of Mar, was the famous Sir John Monteith, the reputed betrayer of Wallace. In this he follows the late Mr. Riddell, who states that Sir John and the husband of Lady Elene of Mar were one and the same person.¹ This view is refuted, however, by the authorities quoted, both by Mr. Riddell and the editor of the Exchequer Rolls. Mr. Riddell founds on a charter of 1359, preserved in the records of Parliament,² granted by King David the Second to Sir John Monteith, the son of Lady Elene of Mar, reconveying to him the lands of Strathgartney, which had been taken by the King from the same Sir John in 1344. These lands are in that charter stated to have been granted by King Robert the Bruce to Sir John Monteith and Lady Elene of Mar in free marriage; but a missing charter of King Robert the Bruce, referred to in the Exchequer Rolls³ as proving the above, though the full significance of the entry has been overlooked, designs the grantee, the husband of Lady Elene of Mar, as ‘John Monteith, son to John

¹ Tracts, Legal and Historical, 1835, p. 149.

² Acts of the Parliaments of Scotland, vol. I. p. 524.

Exchequer Rolls, vol. ii. p. lvi.; Robertson's Index, p. 23, No. 6.