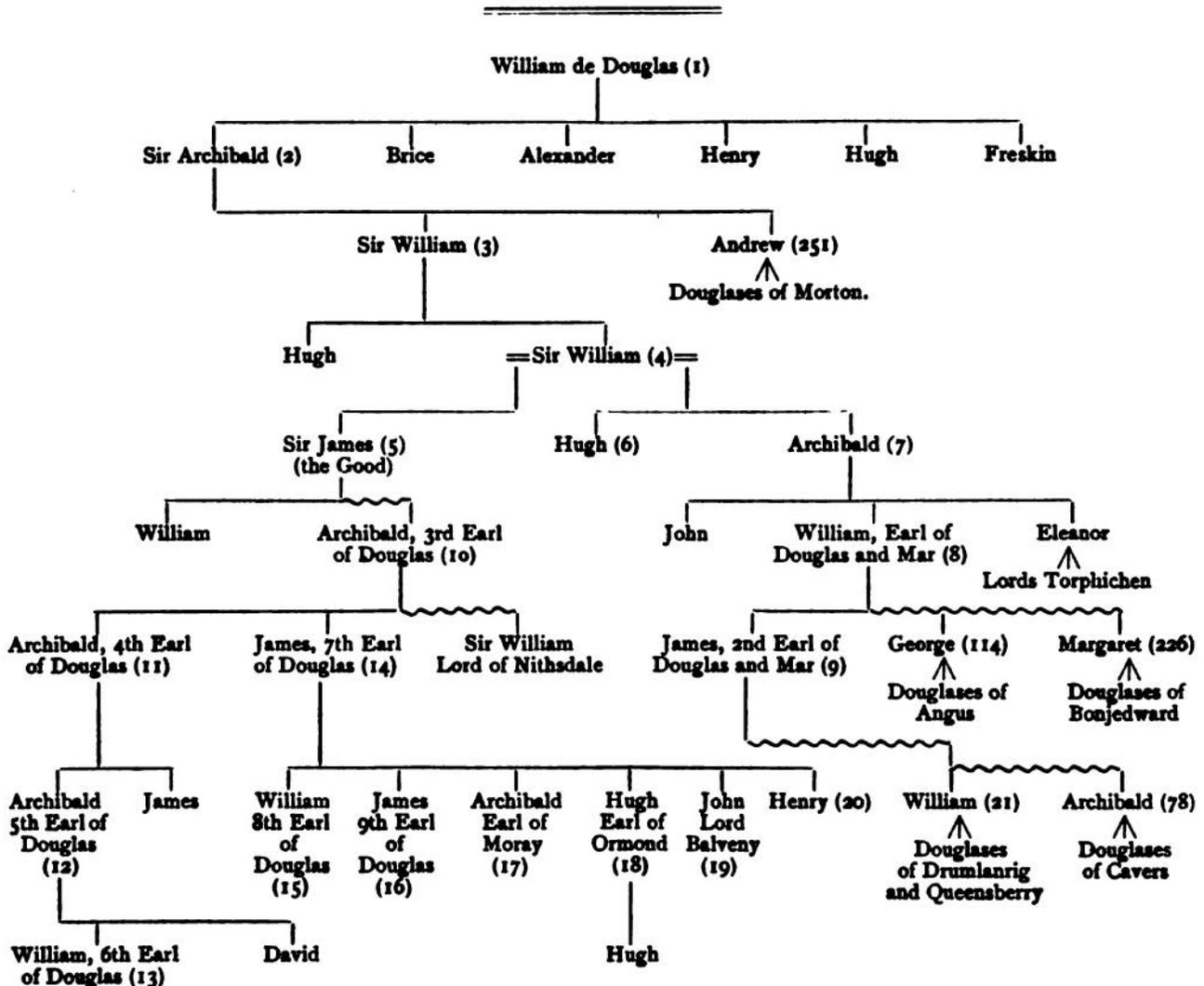


Who do you think should be Chief of the House of Douglas?

by Harold Edington, CDSNA Asst VP and *Dabb Gblase* Editor

Part 1: Does the House of Douglas have a Chief?
If so, who is it? If not, why?

PEDIGREE I. The Earls of Douglas.



From Johnston's *The Heraldry of the Douglases* (1907)

As a CDSNA Regent, I am often asked at festivals or online, "Who is the Chief of Clan Douglas?" Once I explain the convoluted family history leading to the conclusion that there is no current Chief of the House of Douglas, the person asking the question will suggest something like, "I thought the Duke of Hamilton was the Chief of Clan Douglas. After all,

that's what Wikipedia states." Once the discussion is complete about Wikipedia not being an authoritative source, the next natural question from those still listening is "Who do you think *should be* Chief of Clan Douglas?" For me, that is an interesting question and one to which I have devoted some time in research and contemplation. I have come to my own conclusion and I offer this editorial as my opinion only. I openly admit I am no expert on monarchical successions, noble title successions, Scottish Law, Scotland-in-general, or British Common Law. What I am presenting is *my opinion* based on research that includes George Harvey Johnstone's 1907 edition of *The Heraldry of the Douglasses...* [Johnston, G H. *The Heraldry of the Douglasses: With Notes on All the Males of the Family, Descriptions of the Arms, Plates and Pedigrees*. Edinburgh: W. & A.K. Johnston, limited, 1907. Print.], a number of other Douglas-themed history books in my digital collection, information gleaned from Wikipedia, the Standing Council of Scottish Chiefs [<http://www.clanchiefs.org.uk/>], and numerous other articles found on the internet (as informational rabbit trails required following). I will state again: What I offer here as an answer to the inevitable question is purely *my opinion*. I welcome any emails or letters from those holding contrary opinions.

Clan, House, or Family?

Many will make much ado about whether or not it is appropriate for our organization to call itself "CLAN DOUGLAS" rather than "HOUSE of DOUGLAS". They will argue Douglas was a Lowland family and 'Clan' is a distinctive of Highland families only. An article by Sir Crispin Agnew [*Clans, Families and Septs by Sir Crispin Agnew of Lochnaw Bt., 13 August 2001*] stated:

"There is now a belief that clans are Highland and families are Lowland but this is really a development of the Victorian era. In an Act of Parliament of 1597 we have the description of the "Chiftanis and chieffis of all clannis...duelland in the hielands or bordouris" thus using the word clan to describe both Highland and Lowland families. Further, Sir George MacKenzie of Rosehaugh, the Lord Advocate (Attorney General) writing in 1680 said "By the term 'chief' we call the representative of the family from the word chef or head and in the Irish (Gaelic) with us the chief of the family is called the head of the clan". So it can be seen that all along the words chief or head and clan or family are interchangeable. It is therefore quite correct to talk of the MacDonald family or the Stirling clan".

It must be noted, we (**CDSNA**) are **CLAN** Douglas through an act of legal incorporation. However, **HOUSE** of Douglas does make more sense when one considers the power of the Douglas **FAMILY** was greatly enhanced by all those other families not having the name of Douglas but who still supported the Douglasses. Our list of Septs & Allied Families does have a number of names and History may yet reveal the names of other families that should be added. The families, though not "blood relatives" nevertheless, were willing to mingle their lives' blood in the struggles of the Douglasses and there would have been little to tell about the Douglas family without the support of all the families under the banner of the **HOUSE** of Douglas. In a later part of his 2001 article, Sir Crispin Agnew writes:

It should also be said that the various Sept lists, which are published in the various Clans and Tartan books, have no official authority. They merely represent some person's, (usually in the Victorian eras) views of which name groups were in a particular clan's territory. Thus we find members of a clan described, as being persons owing allegiance to their chief "be pretence of blud or place of thare duelling". In addition to blood members of the clan, certain families have a tradition (even if the tradition can with the aid of modern records be shown to be wrong) descent from a particular clan chief. They are, of course, still recognised as being members of the clan.

But all of the debate about septs and allied families or whether Douglas is a Family, a Clan, or a House doesn't touch on the topic of the Chief of the Douglas Family or how to become the Chief. Many of us might assume at this point that the decision about who deserves the honor of being called Chief of the Family of Douglas is in the hands of the Lord Lyon of Scotland; and he is sitting at his writing desk (or computer console) distressing over how he is going to word the pronouncement.

Contrary to what many may believe, my research would indicate the Lord Lyon of Scotland and the Lyon Court do not have the legal authority to decide who should be Chief of a clan. The Lyon cannot force a chief on a clan. The Lord Lyon considers a clan chief to be a social title and that title has no standing in law. The Lyon can within his authority grant or matriculate arms from a past chief, if you can prove the genealogical line and that is correct to do so. However it appears no one has to accept a particular chief, if the clan does not want that person.

Simply put ... What the Lyon can do is verify proof of a presented genealogical line from the last known chief of a clan to a candidate seeking the honor of being chief. If the person seeking the honor of chief has a clear and undisputed claim, the Lyon can grant arms or matriculate arms for the candidate. Should the Lyon recognize a candidate's claim to the honor of chief, the members of the clan are under no authority to follow the recognized chief.

Being expert in things armorial, the Lord Lyon's unbiased opinion in a matter of heraldry does carry weight – just not any legal weight. If there is a disputed claim to the honor of chief of a clan and the candidates cannot come to the mutual position of accepting the opinion of the Lyon, the dispute must be settled on legal grounds in a court of law.

The limits of the authority of the Lord Lyon and the Lyon Court are interesting to know and note of the facts should be taken, however, because the Lyon's role in declaring a chief is simply (and I may be oversimplifying) to verify a candidate's claim... but these facts do little to answer the question about what required to be Chief.

According to the Standing Council of Scottish Chiefs [Standing Council of Scottish Chiefs – What is a Clan? [Article reprinted 30 Dec. 2013],

“the clan system is closely bound up with Scottish heraldry. The best definition of a clan provided by a heraldic authority is contained in Nisbet's 'System of Heraldry', published in 1722: A social group consisting of an aggregate of distinct erected families actually descended, or accepting themselves as descendants of a common ancestor, and which has been received by the Sovereign through its Supreme Officer of Honour, the Lord Lyon, as an honourable community whereof all of the members on establishing right to, or receiving fresh grants of, personal hereditary nobility will be awarded arms as determinate or indeterminate cadets both as may be of the chief family of the clan. A clan is therefore a community which is both distinguished by heraldry and recognised by the Sovereign. At the head of this honourable community is the chief. He is the only person entitled to display the undifferenced shield of Arms, i.e. without any marks of dependency upon any other noble house.”

What is required to be Chief of the Family of Douglas?

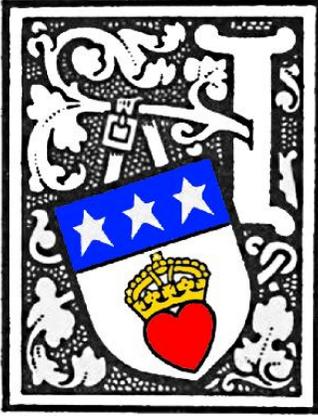
So... if I am not mistaken... Three things must be considered in any application to be Chief of our clan.

- (1) To be a Chief, one must be from the **FAMILY** of Douglas. There is a hereditary component that must be satisfied, if one is to become the Chief of Family/Clan/House of Douglas. Tradition holds that the seat of the Chief passes from father to oldest living son -- or father to oldest living daughter, if the Chief has no sons – following the rules of primogeniture.
- (2) To be a Chief, one must have the **NAME** of Douglas. In Scotland, no individual can be Chief of more than one family at a time. As such, hyphenated surnames are not permitted. [Well... they are not supposed to be permitted but we see exceptions to this rule when we note the Chief of Clan Hamilton, the Duke of Hamilton, has a hyphenated surname as does the Chief of Clan Home, the Earl of Home.]
- (3) To be a Chief, one must be an *armiger* (arms bearer) or one entitled to be an *armiger*, as part of an *armigerous* clan. According to *The Society of Scottish Armigers*, “An armiger is an individual with heraldic arms. A clan is a group of people who recognize a specific armiger as their chief and wear his or her crest surrounded by a strap and buckle bearing the chief's motto or slogan.” If a person is not entitled to arms, there is no possibility of there being a crest for a clan badge. Wikipedia describes *armigerous* clan as “a Scottish clan, family or name which is registered with the Court of the Lord Lyon and once had a chief who bore undifferenced arms, but does not have a chief currently recognized as such by Lyon Court.”

Since Douglas is an armigerous clan, if we want to determine who should be Chief of Douglas, we need to find someone who is part of the family of Douglas with the surname of Douglas who also has a superior claim of being descended from the last known Chief of Douglas or the recognized common ancestor of the last known Chief.

I would like to believe we all know the Douglas family has not one but many branches. The senior branch of the family was described as the 'Black' Douglases. Many consider the 'Black' Douglas line began with either 'the Good Sir James, the Black Douglas', his nephew William Douglas, 1st Earl of Douglas and Mar, or with James Douglas, 2nd Earl of Douglas and Mar. Where does the line of 'Black' Douglases begin and where should we be focusing our view? Perhaps the best place to start is at the **historical** beginning of the Douglas family -- with William Douglas (c. 1174 -1214), considered 1st Lord of Douglas -- and develop a better understanding of the trunk of the Douglas family before we begin following the branches of the family tree.

In **Part 2** of **Who do you think should be Chief of the House of Douglas?**, we will look at the line of 'Black' Douglases and the first Chiefs of record. We will also take note of a few curiosities regarding the 'Black' Douglases and their descendants.



Who do you think should be Chief of the House of Douglas?

by Harold Edington, CDSNA Asst VP and *Dabb Gblase* Editor

Part 2: Who were the 'Black Douglases'?

The History of Scotland cannot be recited without frequent mention of some member or other of the House of Douglas. The 'Black' Douglases were at the center of Scotland's history for nearly two centuries. The names of William 'le Hardi' Douglas and the 'Good Sir James' Douglas carry us through the Wars of Scottish Independence and the reign of King Robert the Bruce. Archibald 'the Grim' Douglas tamed Galloway; Earl James Douglas, though dead, was the hero of Otterburn in 1388. The first attack against the House of Douglas from the House of Stewart was performed by nobles loyal to the boy-King James II, in front of the young King James II, and resulted in the death of 6th Earl of Douglas and his younger brother at the infamous 'Black Dinner'. The second attack against the House of Douglas -- the murder of the 8th Earl of Douglas at the hands of King James II -- provoked a civil war between the House of Douglas and the Royal House of Stewart. The final battle of that civil war, the Battle of Arkinholm in 1455, broke the power of the 'Black' Douglases pitting the 'Black' Douglases against the 'Red' Douglases and the Crown. James Douglas, 9th Earl of Douglas, last of the line of 'Black' Douglases, died in 1488.

Many consider the 'Black' Douglas line began with either 'the Good Sir James, the Black Douglas', his nephew William Douglas, 1st Earl of Douglas and Mar, or James Douglas, 2nd Earl of Douglas and Mar. However, if the line began with 'the Good Sir James', only the children of his son Archibald 'the Grim' Douglas can claim the distinction of being the 'Black' Douglases. And if the line began with William Douglas, 1st Earl of Douglas and Mar, the nephew of the Good Sir James, or with James Douglas, 2nd Earl of Douglas and Mar, that would exclude the sons of Archibald 'the Grim' and their offspring as being considered 'Black' Douglases.

Others suggest that naming William 'le Hardi' as the progenitor of the 'Black' Douglases covers all of his sons' descendants and eliminates any confusion. But does it really? William 'le Hardi' was not the first to be called "Lord of Douglas." From a historical perspective, that distinction goes to William Douglas (c. 1174 -1214), considered 1st Lord of Douglas -- so the line of 'Black' Douglases should begin with him.

If we accept the line of the 'Black' Douglases began with William Douglas, 1st Lord of Douglas, the pedigree chart (Pedigree I: the Earls of Douglas) created by George Harvey Johnston in his 1907 compilation *The Heraldry Of The Douglases: With Notes On All The Males Of The Family, Descriptions Of The Arms, Plates And Pedigrees*, introduces us to all the branches of the Douglas family. From the 'Black' Douglases sprang the Douglas branches of the Earls of Morton, the Sandilands Lords Torphichen (pronounced Tor-fikken), the Earls of Angus (the 'Red' Douglases), the Douglases of Bonejedward and Timpendean, and the Douglases of Drumlanrig, Queensberry, and Kelhead, along with the Douglases of Cavers. This pedigree page is a listing suited as well to a "Who's Who of Early Scottish History from William 'The Lion' to James III" as it is to a study of the 'Black' Douglas branch of the House of Douglas.

The line of 'Black' Douglases married into the Royal Stewart family four times: (1) James Douglas, 2nd Earl of Douglas and Mar married Princess Isabel, daughter of King Robert II. They had no children survive into adulthood. (2) Archibald Douglas, 4th Earl of Douglas and Duke of Touraine, older (of two) legitimate sons of Archibald 'the Grim' Douglas, 3rd Earl of Douglas, married Princess Margaret, daughter of King Robert III. They were the parents of Archibald Douglas, 5th Earl of Douglas and 2nd Duke of Touraine. Archibald, 5th Earl was the nephew of King James I and held the office of Regent during the minority of James II until the death of the Earl in 1439. (3) Margaret Douglas, daughter of Archibald 'the Grim', married Prince David Stewart, Duke of Rothesay, heir to King Robert III. The Prince and Margaret would later divorce because the marriage produced no children. (4) William Douglas of Nithsdale, the illegitimate son of Archibald 'the Grim' Douglas, married Princess Egidia, another daughter of Robert II and acquired the Lordship of Nithsdale

through this marriage. They had a daughter, Egidia Douglas, known as the 'Fair Maid of Nithsdale' and a son, also William, who died around 1420. Egidia Douglas married Henry II Sinclair, Earl of Orkney. Their daughter, Beatrix Sinclair, married her cousin James, 7th Earl of Douglas.

Being related to royalty can be both a blessing and a curse. Relatives -- especially close relatives -- of the Stewart kings were often eliminated for threats -- real or imagined -- against the Crown. After the release of King James I from his eighteen year captivity in England, the king eliminated most of his Albany Stewart cousins who ruled Scotland in his absence. Although King James I was an educated man, his personal rule and his foreign policies caused Scotland to suffer greatly -- so greatly that a number of nobles plotted and carried out his assassination leaving a very young King James II on the throne. By the time of Archibald, 5th Earl of Douglas, the power and prestige of the Douglasses rivaled (and likely exceeded) that of the Royal Stewarts making them obvious targets. Archibald Douglas, 5th Earl of Douglas and 2nd Duke of Touraine, and his two sons, William, (6th Earl of Douglas and 3rd Duke of Touraine), and his younger (and only) brother David, presented a challenge and a danger to the supporters of the Royal House of Stewart. All three men were descended from a Stewart king and the two Earls of Douglas (father and son) were among the most popular and powerful men in Scotland (and well-connected in France). It is then no wonder that, after the death of Archibald, 5th Earl of Douglas, the supporters of young King James II plotted the murder of the 6th Earl and his brother at the 'Black Dinner' as a likely end to a possible dynastic change. Some sources say the grand-uncle of the boys, the second son of Archibald 'the Grim', James 'the Gross' Douglas, who was to become the 7th Earl of Douglas, was one of those involved in the plot.

After the death of William, 6th Earl (and his brother), James Douglas became 7th Earl of Douglas and Earl of Avondale. His oldest of six sons, William, 8th Earl of Douglas and 2nd Earl of Avondale, married Margaret Douglas, 'the Fair Maid of Galloway', sister of the 6th Earl of Douglas. In this marriage, the power and prestige of the Douglasses was reunited propelling the Earl of Douglas to the position of most powerful magnate in southern Scotland. With that power and the royal connection brought by Lady Margaret, the threat to the Stewart crown was renewed. In 1452, fearing Earl William's coalition with other powerful Scottish magnates in the West (John of Islay, Earl of Ross and 4th Lord of the Isles) and North (Alexander Lindsay, 4th Earl of Crawford), King James II demanded Earl William's presence in Stirling. Once there, the King demanded that Douglas break his coalition with Ross and Crawford. When Earl William refused, King James II and his companions stabbed the young Earl 26 times and threw his body out of a castle window. While many consider the actions of the King and his supporters a spontaneous, spur-of-the-moment deed, I believe the actions of the King *et al* were premeditated with the hope that the murder of the Earl would end any plans, real or imagined, to replace the Stewart King with a Douglas one.

After the death of Earl William, his brother James succeeded as 9th Earl of Douglas and 3rd Earl of Avondale. Earl James married his brother's widow, Margaret Douglas, 'the Fair Maid of Galloway'. With this marriage in 1452, the threat to the crown had returned and with it a civil war between the House of Douglas and the House of the Royal Stewarts which was to culminate in the Battle of Arkinholm. As many of us know, Arkinholm broke the power of the 'Black' Douglasses and brought about the death of all the remaining brothers of James, 9th Earl.

With the death of the 9th and Last Earl of Douglas in 1488, the line of 'Black' Douglasses *supposedly* came to an end. I say supposedly because the end of the 'Black' Douglasses is very much dependent upon when one assumes the beginning of the line of 'Black' Douglasses. (There is also the matter of legitimate female heirs.) Yet, regardless of whom we consider the first in the line of 'Black' Douglasses, at Arkinholm the line of the 'Black' Douglas Earls of Douglas ended... but the House of Douglas endured. The descendants of 'Black' Douglas lords would be among the most influential and privileged men in Scotland and Britain.

Curiosities regarding the 'Black' Douglas descendants

While it makes sense that King James II wanted nothing further to do with the children of James Douglas, 7th Earl of Douglas, from a genealogical standpoint, the heirs of the last of the 'Black' Douglas daughters -- in fact, the heirs of any of the 'Black' Douglas daughters -- have been passed over completely when discussing any possible Chief of the House of Douglas. I find it odd that illegitimate sons would have hereditary rights over legitimate daughters' sons. What special legislation or action by the king was required to bypass the hereditary rights of legitimate daughters? As I stated early on, I am no expert on monarchical successions, noble title successions, Scottish Law, Scotland-in-general, or British Common Law. When considering legitimate females lines of the 'Black' Douglas family, four curiosities appeared in my research. While I am certain that a more thorough digging through genealogy charts will likely present others, I will share the four I have found.

Curiosity 1. Sir Archibald Douglas, younger brother of ‘the Good Sir James’, was the father of William Douglas, 1st Earl of Douglas and Mar. William, 1st Earl, was succeeded by his son James Douglas, 2nd Earl of Douglas and Mar but William, 1st Earl also had a daughter, Isabel Douglas. James, 2nd Earl died at Otterburn in 1388 without leaving any legitimate children. After the 2nd Earl’s death, the Earldom of Douglas passed, through special entail, to Archibald ‘the Grim’ Douglas, the illegitimate son of the ‘Good Sir James’; but the unentailed parts of the estate of Douglas passed to Isabel Douglas.

When Isabel Douglas died, also without issue, all of the family estates destined for heirs-general of the Douglas family should have passed to her cousin, James Sandilands, son of Eleanor Douglas and her husband James Sandilands, and nephew of William Douglas, 1st Earl of Douglas. Yet James Sandilands (for some unknown consideration) was induced to convey his right of succession to the Douglas estates to his cousin George ‘the Red’ Douglas, illegitimate son of James Douglas, 2nd Earl of Douglas.

Curiosity 2. For whatever reason, Archibald ‘the Grim’ Douglas, though illegitimate, succeeded to the Earldom of Douglas as 3rd Earl. Maxwell had this to say about Archibald ‘the Grim’ in his *History of the House of Douglas*:

It is contrary to modern practice that a bastard – a “love-bairn”, as Scots charitably term it – not only should succeed to the possessions of his kinsman, to the prejudice of heirs of the legitimate line, but also to the earldom. Yet this is precisely what Archibald did, his name having been inserted in the entail upon the resignation of the “Dull Douglas” in 1342. His succession was disputed by Sir Malcom Drummond, husband of Sir James’ [2nd Earl] sister Isabel, but Drummond’s claim was set aside by Parliament in Holyrood [April 1389]. [Maxwell, Herbert. *A History of the House of Douglas: 1& 2*. London: Freemantle, 1902. Print.; p 115]

Archibald’s legitimate male heirs all had hereditary rights to the Earldom. But it is apparent that the same rights were not available to the legitimate females of the line. One of those female heirs, Margaret Douglas, ‘the Fair Maid of Galloway’, daughter of Archibald Douglas, 5th Earl of Douglas and 2nd Duke of Touraine, was the great granddaughter of King Robert III and first cousin (once removed) of King James I. By right of birth from the 5th Earl of Douglas and right of marriage from the 8th and 9th Earls of Douglas, Margaret should have had clear claim to become Countess of Douglas in her own right. Margaret had no children with either Earl of Douglas. She married thirdly, John Stewart, 1st Earl of Atholl and had two daughters. Surprisingly, even though the daughters married and had children, none of these appear to have been considered for the Earldom of Douglas.

Curiosity 3. Beatrice Douglas, eldest daughter of James Douglas, 7th Earl of Douglas married William Hay, 1st Earl of Erroll. Hay was the grandson of Princess Elizabeth Stewart, the youngest child of King Robert II. Francis Hay, 9th Earl of Erroll, married Lady Elizabeth Douglas, daughter of William Douglas, 6th Earl of Morton. Here we have a merging of the (female) ‘Black’ Douglas and (male) Morton lines. If matrilineal lines matter in finding a Chief, perhaps more research should be directed toward the Earls of Erroll.

Curiosity 4. Henry Douglas of Borg (third son of the James Douglas of Morton and Dalkeith who married Princess Elizabeth Stewart, daughter of King Robert II and Marjorie Bruce) married Margaret, youngest daughter of James Douglas, 7th Earl of Douglas (and sister of James, 9th Earl of Douglas and all the brothers who were killed during or as a result of the battle of Arkinholm). Once again we have a merging of the (matrilineal) ‘Black’ Douglas and Dalkeith/Morton lines. The couple had four sons: Patrick (who must have died young), Hugh, James, and John.

According to Burke’s Peerage, in 1474 Henry Douglas of Borg renounced all rights to Dalkeith to his cousin, 1st Earl of Morton. [Mosley, Charles, editor. *Burke’s Peerage, Baronetage & Knightage*, 107th edition, 3 volumes. Wilmington, Delaware, U.S.A.: Burke’s Peerage (Genealogical Books) Ltd, 2003]

According to *Stirnet*, Henry’s son, Hugh Douglas of Borg renounced the Earldom of Douglas in 1474 -- probably because his uncle, James, 9th Earl, was still living. [Stirnet-Douglas03: <http://www.stirnet.com/genie/data/british/dd/douglas03.php>]

After the death of James, 9th Earl of Douglas, in 1488, was the offer of the earldom of Douglas renewed to Hugh or his brothers or was the earldom declared extinct? Research into these three has proved to be a dead end. Being Douglas **and** cousins of King James II, did James II see the boys as another generation of Douglas threats and eliminate this branch of the Douglas line to safeguard his throne? Perhaps someone reading this will have the answer.

Before we leave the topic of **Curiosities...**, there remains another curiosity that probably should be addressed, namely: Is **the Morton branch** of the Douglas family *the senior* cadet branch of the ‘Black’ Douglases or is it a wholly separate

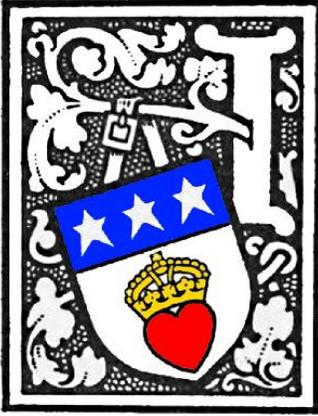
non-Black Douglas branch? If it is the senior branch, would it have rights of precedence over any other branch of the House of Douglas? This really is an important question since,

- (1) if the Douglasses of Dalkeith (later Earls of Morton) are a cadet branch of the 'Black' Douglas line, the legitimate male line is unbroken from Andrew Douglas, brother of William 'Longleg' Douglas, to John Stewart Sholto Douglas, 22nd Earl of Morton, and
- (2) if the Douglasses of Dalkeith (later Earls of Morton) are a separate non-Black Douglas branch, where do the hereditary rights of this branch stand in comparison to legitimate 'Black' Douglas daughters' heirs and illegitimate 'Black' Douglas sons' heirs such as the Marquess of Queensberry or the Duke of Hamilton?

So the question remains... After the line of the 'Black' Douglasses failed, who became head, or Chief, of the House of Douglas? With all these branches of the House of Douglas and all the prominent heirs, surely someone deserves the honor. But who is the person living today who could or should assume the designation of ***Chief of Douglas*** and be given the right to wear three eagle feathers? Is the answer obvious? Would a quick check of Wikipedia tell us all we need to know? And if the answer is so obvious, why does the House of Douglas ***still*** have no Chief?

In **Part 3** of **Who do you think *should be* Chief of the House of Douglas?**, we will look at the significant branches of the Family of Douglas. From these branch studies, we should be able to make a list of the more likely candidates – and perhaps, a few suggestions for unlikely candidates -- for the Seat of Chief.





Who do you think should be Chief of the House of Douglas?

by Harold Edington, CDSNA Asst VP and *Dabb Gblase* Editor

Part 3: Branches of the Douglas Family

The Morton branch of the Douglas family began with Andrew Douglas of Douglas, also of Hermiston, believed to be the younger son of Archibald I, Lord of Douglas and uncle of William 'le Hardy.' Andrew was the progenitor of **the Douglasses of Dalkeith, the Earls of Morton, and the Douglasses of Mains**. Many authorities consider this branch the senior cadet branch of the House of Douglas.

Douglasses of Dalkeith and the Earls of Morton descend from Andrew Douglas of Douglas, said to be the younger son of Sir Archibald de Douglas and brother of William 'Longlegs' Douglas of Douglas. His son, William Douglas of Herdmanston married Elizabeth Stewart, daughter of Alexander, the High Stewart. William's grandson, the celebrated Sir William Douglas, remembered as 'the Knight of Liddesdale' and the 'Flower of Chivalry', was murdered in 1353 by his kinsman, William Douglas, 1st Earl of Douglas, thus consolidating the predominate power of the Douglasses in the 'Black' Douglas line. 'The Knight of Liddesdale' is believed to have married Marjory Graham, heir to the lands and castle of Dalkeith (southeast of Edinburgh). Consequently, the lands were resigned in favor of the Douglas family, thus ending two hundred years of the Graham line at Dalkeith.

Sir James Douglas of Dalkeith, nephew of the 'Knight of Liddesdale', married twice. With his first wife Agnes Dunbar, he received from her half-brother, George Dunbar, 10th Earl of March, the lands of Mordington and Whittinghame, and the castle and lands of Morton in Lothian. James and Agnes had five children. The youngest of these, Janet Douglas, married Sir John Hamilton, 4th of Cadzow, becoming an ancestress of the Dukes of Hamilton. As his third wife, Sir James married Egida, half-sister of King Robert II, but there were no children from this union. Egida and Robert II had different mothers.

The Dalkeith-Morton branch of the Douglas family also made its mark in Scottish history and the Morton history includes four marriages into the Scottish Royal (Stewart) family -- (1) James Douglas of Dalkeith married Egida, half-sister of King Robert II, as we have seen, but whether or not the marriage should be described as a marriage into the Royal family is debatable. (2) James Douglas of Morton and Dalkeith married Princess Elizabeth Stewart, daughter of King Robert II and Marjorie Bruce. He was created Lord Dalkeith in 1430. (3) His grandson, James Douglas, 3rd Lord Dalkeith, married Joanna, the deaf and mute daughter of King James I and was created the Earl of Morton. (4) His grandson, James Douglas, 3rd Earl of Morton, married Katherine, an illegitimate daughter of King James IV. Unfortunately, the 3rd Earl left only three daughters. One daughter married James Douglas (of the Angus branch) who became 4th Earl of Morton and was executed in 1580 for his alleged part in the murder of Lord Darnley. Another daughter married Robert, 6th Lord Maxwell and their son, John, 8th Lord Maxwell, was created 5th Earl of Morton, but the creation was later revoked causing confusion when the Earldom of Morton again passed to the Angus branch and Archibald, 8th Earl of Angus succeeded as 5th Earl of Morton. Archibald Douglas, 8th Earl of Angus and 5th Earl of Morton had no sons so the Earldom of Morton returned to the Morton branch (where it has remained to this day) when William Douglas of Lochleven succeeded as the 6th Earl of Morton.

The current Earl of Morton, John Stewart Sholto Douglas, 22nd Earl of Morton, enjoys an unbroken legitimate male lineage through William Douglas of Lochleven, 6th Earl of Morton, all the way to Andrew Douglas of Douglas. The Earl can also claim a direct connection to 'the Good Sir James'. After spending a couple of hours using *Stirnet* and *Burke's Peerage*, I was able to find three connections between 'the Good Sir James' and the current Earl through daughters of James 'the Gross', 7th Earl of Douglas. I am sure other amateur genealogists with spare time can find other connections.

The Earldom of which Morton? One confusing aspect of the Morton branch for some (myself included -- until my research made it clear to me) is that the Earldom of Morton had little to do with the lands and castle of Morton in Dumfriesshire situated about a mile (give or take) from Drumlanrig Castle. The Earldom of Morton is derived from the lands of Morton in the Lothians lying between the southern shore of the Firth of Forth and the Lammermuir Hills. The lands and castle of Morton in Dumfriesshire, now part of the Queensberry estate owned by the Duke of Buccleuch, were once part of the holdings of Thomas Randolph, nephew of Robert the Bruce and later the first Earl of Moray. The lands of Morton in Dumfriesshire passed to the earls of March, who probably built (or rebuilt) the existing castle in the early 15th century. In the mid-15th century the lands were given by King James II to James Douglas of Dalkeith, who became 1st Earl of Morton (although the earldom is named for the Morton lands in Lothian). The lands and castle of Morton in Dumfriesshire were sold to William Douglas, 1st Earl of Queensberry, in 1608.

Regarding Dalkeith Castle (now Dalkeith Palace) [<http://www.glasgowarchitecture.co.uk/dalkeith-castle>]:

"The castle originally belonged to the Grahams and was given to the Douglas family in the early 14th century. Cardinal Beaton was imprisoned in the Castle in 1543. The Castle was destroyed by the English in 1547. When James Douglas of Dalkeith became the 4th Earl of Morton in the mid-15th century' Dalkeith Castle became the Douglas stronghold and was fortified around 1575. King James VI visited the Palace in 1617. Many years later, the 8th Earl of Morton sold the Castle and Estate to King Charles I and the Policies became his hunting ground. Dalkeith Castle and grounds were resold to Morton and then again in 1642 to the 2nd Earl of Buccleuch."^[1]

The 2nd Earl of Buccleuch's daughter married the Duke of Monmouth, eldest natural son of King Charles II: they became Duke and Duchess of Monmouth & Buccleuch. When the Duke of Monmouth died his widow, Anne, asked James Smith to use William of Orange's Palace in Holland as a model for Dalkeith Palace. James Smith completed this large Scottish Country House in 1701-11: it was deemed the grandest of Scottish Classical Houses."

Douglasses of Mains are a cadet branch of the Mortons. Nicholas Douglas, said to be the sixth son of John Douglas and grandson of William Douglas 'the Knight of Liddesdale' married Janet, daughter of William Galbraith of Gartconnell in 1372 and, through the marriage, received the lands of Manys in Dumbartonshire. Alexander Douglas, 6th of Mains, married Margaret Stewart, daughter of Matthew, 2nd Earl of Lennox. A later family member, John Douglas of Ferguson and Mains, married his cousin Mary Douglas. Their eldest daughter, Mary, married John Campbell of Woodside. From this marriage are descended the Monteath Douglasses, the Douglasses of Douglas-Support and the Campbell-Douglas Barons of Blythswood. Apparently, different generations of the Campbell-Douglas descendants would drop one surname or the other, keeping Campbell in one generation and Douglas in another – but all were Campbells rather than Douglasses.

The Sandilands branch are considered in law heirs-general of the house of Douglas from the marriage of Sir James Sandilands (who died fighting the English in 1333 at Halidon Hill) to Eleanor Douglas, only daughter of Sir Archibald Douglas, younger brother of 'the Good Sir James' Douglas. Through this connection, the Sandilands are also considered a sept of Douglas even though they have their own clan chief, Lord Torphichen. Sir James and Eleanor Sandilands are the ancestors of Lord Torphichen and the lands of West Calder given to Eleanor by her father, Sir Archibald Douglas, or perhaps by her brother William, 1st Earl of Douglas, are still owned by James Andrew Douglas Sandilands, 15th Lord Torphichen (b. 1946). The name Sandilands comes from lands by that name in Clydesdale. The family to bear the name may have originally fled to Scotland from Northumberland in the reign of King Malcolm III of Scotland.

The son of the James Sandilands and Eleanor Douglas, also called James, married Jean Stewart, a daughter of King Robert II. This James was the presumptive heir to the estates and titles of the 'Black' Douglasses and was in line to have inherited them when the 2nd Earl of Douglas died (hence the Sandilands' quartering the Douglas arms), however the lands and titles went to George Douglas of the 'Red' Douglas branch, instead.

According to the Clan Sandilands history found on ScotClans [<http://www.scotclans.com/scottish-clans/clan-sandilands/sandilands-history/>],

The Sandilands and Douglasses differed when it came to their support of James II^[2]. The Douglas clan had an unshakeable belief in the king, which the Sandilands didn't. This brought a lot of tension between the two close families, even to the point of murder. On the orders of members of Clan Douglas, Patrick Thornton assassinated both the chief of Clan Sandilands, John Sandilands, and his uncle James. John's son, James, inherited the Sandilands

^[1] The Dukes of Buccleuch inherited the Dukedom of Queensberry. More about this later when we discuss the Drumlanrig, Queensberry, and Kelhead branch.

estates. James married Margaret Kinlock of Cruvie, and their son James Sandilands of Cruvie began the line of Sandilands who went on to become the Lords of Abercrombie^[3].

Sir James Sandilands of Calder was the preceptor of the Knights of St John (Knights Hospitaller), a powerful religious and military order whose headquarters were at the Priory of Torphichen in West Lothian. After the Order was suppressed, Sandilands managed to gain a grant for a lot of the lands. However, this grant came at the cost of ten thousand crowns in gold to the Crown, and a further annual rent of five hundred merks. The preceptors used to sit as peers in Parliament under the title of 'Lord St. John of Torphichen', a rare instance at the time of a title belonging to an office rather than being hereditary and descending down through any one family.

In February 1564 Sir James surrendered the Preceptory lands to the Crown, i.e. his relative, Mary, Queen of Scots, whereupon she 'gave' the lands back to him, with the secular title Lord Torphichen, for a payment of 10,000 gold crowns and a further annual rent of five hundred merks.

The half-brother of the first Lord Torphichen, Sir James Sandilands of Slamannan, was a Gentleman of the Bedchamber to James VI and then later on he was the guardian of Blackness Castle (which stands on the shores of the Firth of the Forth.) The 4th Lord Torphichen, John Sandilands (son of the second and brother of the third), was a Royalist, supporting Charles I during the Civil War. However, after King Charles had been handed over to Parliamentarians by the Scots army, Sandilands was against the plan, known as the Engagement, to rescue the king by invading England, believing the plan to be ill-conceived. Cromwell routed the Engagers army at the Battle of Preston in 1648.

James, 7th Lord Torphichen, was a politician and a soldier. He first took his seat in the Scottish Parliament in 1704 and supported the 1707 Treaty of Union. As a soldier, he served on the European mainland returning to Scotland at the outbreak of the rising of 1715 to fight against the Jacobites on side of the British government. He led his Sandilands men at the Battle of Sheriffmuir, where they gained a strategic victory over the Jacobite rebels. Seven years later, he was appointed as one of the Commissioners of Police by King George I. During the second Jacobite uprising of 1745, James's eldest son was wounded and later died from tuberculosis and Walter, the second son, inherited the title as 8th Lord Torphichen. Walter served as sheriff of Midlothian and also had a successful career in law. His son James was a colonel in the Coldstream Guards, and sat in the House of Lords as an elected representative peer between 1790 and 1800. James's first cousin, also called James, succeeded him as 10th Lord Torphichen, and it is from the 10th Lord that the current Lord Torphichen, James Andrew Douglas Sandilands, 15th Lord Torphichen, is lineally descended.

The Drumlanrig, Queensberry, and Kelhead branch of the family has never had a color designation but I have always imagined them as the 'White' Douglasses based on an angelic interpretation of the wings in the family's "crowned and winged heart" motif. These 'White' Douglasses originated with an illegitimate son of James Douglas, 2nd Earl of Douglas and Mar. The son, William Douglas, was given the barony of Drumlanrig by his father. Knighted before 1405, William Douglas of Drumlanrig died in France during the *Hundred Years' War*. Another Sir William Douglas, 10th of Drumlanrig, was created Viscount of Drumlanrig and, a few years later in 1633, Earl of Queensberry. William Douglas, 3rd Earl of Queensberry, was created Marquess of Queensberry in 1682 and Duke of Queensberry in 1684. Yet another William Douglas, second son of the 1st Duke, was created Earl of March in 1697. His grandson, also William Douglas, 3rd Earl of March succeeded his cousin in 1778 as 4th Duke of Queensberry. The 4th Duke was known as "Old Q."

^[2] In retrospect, the 'Black' Douglasses' support of James II was obviously misplaced. The Sandilands lack of support for James II may explain why lands and titles passed to the 'Red' Douglasses rather than to the Sandilands after the death of the 2nd Earl of Douglas.

^[3] James Sandilands, 2nd Lord Abercrombie (1645–1681), was the son of James Sandilands, 1st Lord Abercrombie. He died unmarried in 1681, and the peerage became extinct.

- (1) The Dukedom of Queensberry, along with a number of other titles and lands, devolved on Henry Scott, 3rd Duke of Buccleuch. Buccleuch was the son of Francis Scott, 2nd Duke of Buccleuch and Jean Douglas, daughter of James Douglas, 2nd Duke of Queensberry and Mary Boyle.
- (2) The Earldom of March, along with a number of other titles and lands, passed to Francis Douglas, 8th Earl of Wemyss. Wemyss was the descendant of David Wemyss, 4th earl of Wemyss and his first wife Lady Anne Douglas, the only daughter of William Douglas, 1st Duke of Queensberry.
- (3) The Marquessate and Earldom of Queensberry, along with a number of other titles and lands, devolved on a male cousin, Charles Douglas, 5th Baronet of Kelhead, descended from the second son of the 1st Earl of Queensberry. Charles Douglas was also the son-in-law of Henry Scott, 3rd Duke of Buccleuch.

Upon the death of "Old Q", the intricacies of the Scottish laws of inheritance were called into play to sort through his various Douglas heirs and the inheritances of title and property. The details are rather tedious so I present only a three-point overview of the settlement.

The Drumlanrig/Queensberry branch did have a couple of cross-overs with the Angus/'Red' Douglas branch. Sir James Douglas, 7th of Drumlanrig, married a daughter of George Douglas, Master of Angus, son of Archibald 'Bell the Cat' Douglas. In 1657, William Douglas, 3rd Earl (and later Duke) of Queensberry married Isabel Douglas, daughter of William Douglas, 11th Earl of Angus and 1st Marquess of Douglas.

How did the Drumlanrig/Dukes of Queensberry branch become the Douglas/Scott/Dukes of Buccleuch branch? James, Duke of Monmouth was the illegitimate son of King Charles II Stuart. With the marriage of the Duke of Monmouth to Anne Scott, Countess of Buccleuch, Monmouth adopted the surname Scott and he and Lady Anne were created Duke and Duchess of Buccleuch. Their son, James Scott, Earl of Dalkeith (Dalkeith was a Buccleuch possession at this time) was the father of Francis Scott, 2nd Duke of Buccleuch. Francis Scott married Jane (or Jean, depending on the source), youngest child of James Douglas, 2nd Duke of Queensberry. As was mentioned above, after the death of "Old Q", The Dukedom of Queensberry, along with a number of other titles and lands, devolved on Henry Scott, 3rd Duke of Buccleuch. Essentially, the Dukedom of Queensberry rests with a Stuart descendant rather than a Douglas.

The often overlooked Marquess of Queensberry branch. With the death of 'Old Q', the dukedom and marquessates of Queensberry were split. As mentioned above, the marquessate and earldom of Queensberry, along with a number of other titles and lands, devolved on a male cousin, Charles Douglas, 5th Baronet of Kelhead, descended from the second son of the 1st Earl of Queensberry, who now stood as senior male representative of this branch. The other heirs of 'Old Q' – Buccleuch and Wemyss – were descended from female lines.

John Sholto Douglas, 9th Marquess of Queensberry, was a Scottish nobleman, remembered for lending his name and patronage to the "Marquess of Queensberry Rules" that formed the basis of modern boxing. His third son, Lord Alfred "Bosie" Douglas, was the close friend and lover of the famous author and poet Oscar Wilde. The second son of the Marquess, Percy Douglas, 10th Marquess of Queensberry succeeded to the title.

The current Marquess of Queensberry, David Harrington Angus Douglas, 12th Marquess of Queensberry (b. 1929) descends from an unbroken line of legitimate Douglas males to William Douglas, 1st of Drumlanrig, illegitimate son of James Douglas, 2nd Earl of Douglas.

The Douglasses of Cavers are descended from Archibald Douglas, called "Black Archibald", the illegitimate son of James, 2nd Earl of Douglas and Mar. The lands of Cavers were awarded to 'the Good Sir James' Douglas by King Robert the Bruce for services rendered to the King and were later in the possession of Lady Isabel Douglas, Countess of Mar and sister of James Douglas, 2nd Earl of Douglas. Lady Isabel Douglas granted the lands of Cavers to her nephew "Black Archibald" Douglas.

James Douglas, Esq. of Cavers (1822-78), who, in the 1830s played a significant role in Britain's campaign to abolish slavery, was the 20th and last in the male line of the Douglasses of Cavers. Mary Douglas, sister of James Douglas, Esq., married William Elphinstone Malcolm in 1857. She produced a daughter, Mary, in 1859, but died tragically in childbirth. Malcolm married again in 1866, but had no more children. Mary had inherited from her mother the great estate of Cavers near Hawick. She married Capt. Edward Palmer in 1879 and produced a son and heir to both properties – Archibald Palmer Douglas. When Mary died in 1949, aged 90, the death duties payable on her estate were fatal to the family's fortunes. Her son had pre-deceased her, so her eldest grandson, James, took over Cavers. The ruins of Caver Castle and ten acres surrounding it are currently (in 2016) up for sale. In its day, the castle was a grand 64-room family residence situated on an estate in excess of 100,000 acres.

The 'Red' Douglas line of Angus Earls originated through an illegitimate child of William, 1st Earl of Douglas after an affair between the Earl and Margaret (Stewart), Countess of Angus. Their son, George, is said to have had red hair and that is the reason for the 'Red' designation. Countess Margaret resigned the earldom of Angus to her son George. Another George, 4th Earl of Angus, was a third cousin of James, 9th Earl of Douglas but was more closely aligned to his Royal Stewart cousins. As a result, the 'Red' Douglasses sided with King James II at Arkinholm and contributed greatly to the fall of the 'Black' Douglasses. The 'Red' Douglas line added much to the history of Scotland. Archibald 'Bell-the-Cat' Douglas, 5th Earl of Angus, played a major part in the hanging some of the favorites of King James III. Archibald lost two sons at the Battle of Flodden Field in September of 1513 but he was not present at the battle. He died about a

month later. James Douglas, a great grandson of 'Bell-the-Cat' married one of the daughters of James Douglas, 3rd Earl of Morton (of the Morton line) and James Douglas (of the Angus line) became the 4th Earl of Morton.

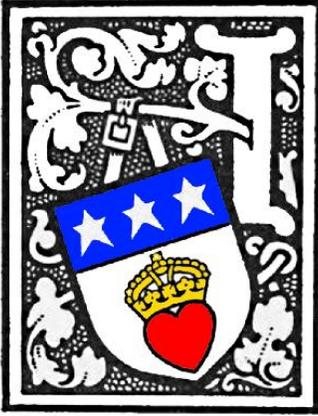
As 4th Earl of Morton, James (of the Angus line), took a leading part in the murder of Rizzio, Queen Mary Stuart's favorite, and was also implicated in the death of his cousin Lord Darnley, the husband of Queen Mary. After the 4th Earl's death, the earldom of Morton passed briefly to the Maxwell family and then returned to the Angus branch of the Douglas family when the 8th Earl of Angus was also the 6th Earl of Morton. After the death of the 8th Earl of Angus, the earldom of Morton returned to the Morton branch where it has remained.

My research turned up six royal marriages within the Angus branch of the Douglas family but I am sure, with more digging, others will be found. (1) George Douglas, illegitimate son of William, 1st Earl of Douglas, married Princess Margaret, daughter of King Robert III. Their son was William, 2nd Earl of Angus. (2) Archibald, 6th Earl of Angus married Margaret Tudor, widow of King James IV and daughter of King Henry VII of England. The Earl and Queen Consort were the parents of (3) Margaret Douglas who married Matthew Stuart, 13th Earl of Lennox and these were the parents of (4) Henry Stewart "Lord Darnley", 1st Duke of Albany, husband of Mary, Queen of Scots and father of King James VI & I. As granddaughter of King Henry VII, Margaret Douglas was in line for the English throne. (5) William Alexander Douglas-Hamilton, 11th Duke of Hamilton, married Princess Marie Amélie of Baden, daughter of the Grand Duke Charles of Baden and Stéphanie de Beauharnais, the adopted daughter of Napoleon I. Their daughter (6) Lady Mary Victoria Douglas-Hamilton first married Prince Albert, only child and heir of Charles III, Prince of Monaco. Mary Victoria bore Prince Albert a single son, Louis, who would take the throne of Monaco upon his father's death. Their marriage was annulled by the Church on 3 January 1880 (although civilly it was dissolved only on 28 July 1880 by the Order of Prince Charles III). Mary Victoria was the great-grandmother of Prince Rainier III of Monaco. For many members of Clan Douglas, I am sure it will come as a surprise that Albert II, Prince of Monaco, is a Douglas descendant.

The 'Red' Douglas connection to the Dukes of Hamilton and the Earls of Selkirk. Within the Peerage of Scotland, the Duke of Hamilton also holds the titles **Marquess of Douglas**, Marquess of Clydesdale, **Earl of Angus**, Earl of Lanark, Earl of Arran and Cambridge, Lord Abernethy and Viscount of Jedburgh Forest. William Douglas, 11th Earl of Angus, was created Marquess of Douglas in 1633. His fourth son, William Douglas, was created Earl of Selkirk before he married Anne Hamilton, 3rd Duchess of Hamilton in her own right (daughter of the 1st Duke of Hamilton and niece of the 2nd Duke of Hamilton), and became the Duke of Hamilton. His son James Douglas-Hamilton, 4th Duke of Hamilton, hyphenated the surname and is the ancestor of the Douglas-Hamilton line of the Dukes of Hamilton. The title 'Earl of Selkirk' is typically passed to the second son of the Duke of Hamilton. If the male line of Selkirk fails, the title will revert back to the Duke of Hamilton until a second son is created Earl of Selkirk.

The Douglasses of Bonejedward and Timpendean, another, although less talked about branch of the House of Douglas, originated with Margaret Douglas, illegitimate daughter of William, 1st Earl of Douglas and Mar. Margaret was the (half-)sister of both George, ancestor of the 'Red' Douglas line, and James, the 2nd Earl of Douglas and Mar. Margaret married Thomas Johnson (or Johnston) and he changed his last name to Douglas ... so, the Bonejedward and Timpendean branch is Douglas through a maternal connection only and the males of this branch are actually Johnstons.

So the question remains... Who is the person living today who could or should assume the designation of **Chief of Douglas** and be given the right to wear three eagle feathers? We are getting closer to an answer but we must first exhibit some due diligence. In **Part 4 of Who do you think should be Chief of the House of Douglas?**, we will look at the last recognized Chief and at the major candidates – living today – for the seat of Chief of the House of Douglas.



Who do you think should be Chief of the House of Douglas?

by Harold Edington, CDSNA Asst VP and *Dabb Gblase* Editor

Part 4: Candidates for the seat of Chief of the House of Douglas

Who was the last Chief of the House of Douglas? Arguably, the last Chief of the House of Douglas was Archibald Douglas, 1st Duke of Douglas who died in 1761. I use the term “arguably” because after the death of the 1st Duke, the question of who was truly his heir had to be argued in courts of law in three countries and finally settled by the House of Lords in 1769, eight years after the death of the Duke.

The Duke of Douglas was the second son of James Douglas, 2nd Marquess of Douglas, by his second marriage, and succeeded his father in 1700. On 10 April 1703, he was created Duke of Douglas, Marquess of Angus and Abernethy, Viscount of Jedburgh Forest, and Lord Douglas of Bonkill, Prestoun, and Robertoun. Late in life, he married Margaret Douglas, daughter of James Douglas, 12th of Mains but the couple had no children. Without an heir, the titles, estates and wealth of the Duke would be passed to the nearest heir-male, the Duke of Hamilton.

The Duke’s only sister, Lady Jane Douglas, secretly married John Stuart late in life – she was 47 and he was 60 -- and the discovery of the marriage caused a major rift between the Duke and his sister. In 1748, Lady Jane, despite being about 50 years old, claimed to have given birth to twins, Archibald and Sholto, in Paris. Seven years later, both Lady Jane and young Sholto were dead leaving Archibald, the remaining twin, the presumed legitimate heir of the Duke. However, the legitimacy of the twins was highly suspect -- some say Lady Jane bought and adopted the twins abroad and fabricated the story of giving birth to create an heir for her brother’s wealth. Through the efforts of Duchess Margaret, the Duke finally accepted his presumed nephew Archibald as his heir. Some historians have hinted that Duchess Margaret pressed the Duke to accept young Archibald because of her dislike for the Hamiltons. After the Duke’s death, a long and expensive court case over the family’s inheritance regarding the legitimacy of young Archibald and his right to inherit ensued between the Duke of Hamilton and young Archibald. One estimate put the costs of the legal action at about £100,000 (over \$130,000); that would be about £10 million (more than \$13 million) in today’s terms. The case, known as the *Douglas Cause*,* resulted in the marquessate of Douglas and the earldom of Angus devolving on the Duke of Hamilton while the Douglas estates, armorial bearings *and the Douglas chiefship* [emphasis mine] passed to young Archibald. In 1790, Archibald Stuart was created Lord (Baron) Douglas of Douglas. But was the claim of chiefship valid?

In 1857, on the death of the 4th Baron Douglas, son of the 1st Baron, the title “Baron Douglas of Douglas” became extinct but the Douglas estates devolved upon his niece, Lady Elizabeth Douglas of Douglas, Countess of Home. However, after the marriage of Lady Elizabeth to Cospatrick Home, 11th Earl of Home, the Earl added the name Douglas (becoming Douglas-Home) and was created Baron Douglas of Douglas. The 11th Earl of Home was the great-great-grandfather of the current Earl of Home.

After the *Douglas Cause*, one might believe the question of WHO should be Chief of the House of Douglas was settled. And yet, we still find ourselves today a clan without a chief. Is the presumed chief the Earl of Home, the Duke of Hamilton, or some other titled noble found in the House of Douglas?

* For more information regarding “The Douglas Cause”, see:

[1] <http://www.scotlandmag.com/magazine/issue50/12009649.html>,

[2] <http://www.caxtonclub.org/reading/2014/feb14.pdf>,

[3] <http://www.dailymail.co.uk/news/article-1051437/How-scrawled-note-solve-260-year-old-mystery-lady-lied.html>

Who are the likely candidates living today being considered for the honor of Chief of the House of Douglas?

Before we look at **WHO**, perhaps we should take a moment and review what we saw in **Part 1** regarding **What is required to be Chief of the Family of Douglas?**

- (1) To be a Chief, one must be from the **FAMILY** of Douglas. There is a hereditary component that must be satisfied, if one is to become the Chief of Family/Clan/House of Douglas. Tradition holds that the seat of the Chief passes from father to oldest living son -- or father to oldest living daughter, if the Chief has no sons -- following the rules of primogeniture.
- (2) To be a Chief, one must have the **NAME** of Douglas. In Scotland, no individual can be Chief of more than one family at a time. As such, hyphenated surnames are not permitted. [Editor's Note: Well... they are not supposed to be permitted but we see exceptions to this rule when we note the Chief of Clan Hamilton, the Duke of Hamilton, has a hyphenated surname as does the Chief of Clan Home, the Earl of Home. The Dukes of Buccleuch carried the surname Montagu-Douglas-Scott for a few generations but the hyphens were dropped to allow for a single surname Scott.]
- (3) To be a Chief, one must be an **ARMIGER** (arms bearer) or one entitled to be an *armiger*, as part of an *armigerous clan*. According to *The Society of Scottish Armigers*, "An armiger is an individual with heraldic arms. A clan is a group of people who recognize a specific armiger as their chief and wear his or her crest surrounded by a strap and buckle bearing the chief's motto or slogan." If a person is not entitled to arms, there is no possibility of there being a crest for a clan badge. Wikipedia describes *armigerous clan* as "a Scottish clan, family or name which is registered with the Court of the Lord Lyon and once had a chief who bore undifferenced arms, but does not have a chief currently recognized as such by Lyon Court."

Since Douglas is an armigerous clan, if we want to determine who should be Chief of Douglas, we need to find someone who is part of the family of Douglas with the surname of Douglas who also has a superior claim of being descended from the last known Chief of Douglas or the recognized common ancestor of the last known Chief.

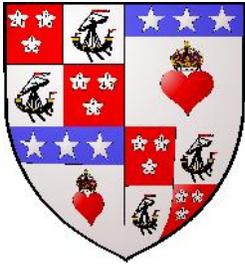
We also need to consider that in Scotland, no individual can be Clan Chief of more than one family at a time. Of the nine candidates listed below, four of them are currently recognized as chiefs of other clans. For any of the gentlemen below serving as the standing chief of another clan to become Chief of the House of Douglas, the claim to the chiefship of the current clan would have to be renounced before consideration for the House of Douglas could be entertained.

Furthermore, the question raised (and settled by the House of Lords in 1769) regarding the **Douglas Cause** and the counter claims of both the Dukes of Hamilton and the Earls of Home may still be a hindrance today when involving the Lyon Court and the determination of a Chief of Douglas. Remember... the Lord Lyon and the Lyon Court have no legal authority to decide who should be Chief of a clan. Any disputed claims would need to be settled on legal grounds in a court of law.

Below I offer a list of the claimants and the connection of each to the House of Douglas. The lines are convoluted and often intersect at points but I believe I have made the connections easy to understand. I also should mention the claimants are listed in order of peerage preeminence (as a courtesy) and not in order of likelihood to be given the seat of Chief. Each of these individuals can be found in a Google search and, with a little online research time, the facts presented for each can be verified. Also note, unless those candidates now serving as the chief of another clan are willing to renounce the chiefship of the other clan, they will not be eligible to be Chief of the House of Douglas.

What is not included in the list of candidates is any reference to those heirs of the House of Douglas who descend from legitimate female lines other than the Sandilands. Those more curious are encouraged to follow lines of descent from the females mentioned in the Curiosities regarding the 'Black' Douglas descendants in Part 2 (Dubh Ghlase, Dec 2016)

1. Alexander Douglas Douglas-Hamilton, 16th Duke of Hamilton and 13th Duke of Brandon



The Duke of Hamilton, who sits as *de facto* **Chief of Clan Hamilton**, also holds the titles of **Marquess of Douglas and Earl of Angus** – the ‘Red’ Douglas line – that descends through George Douglas, Earl of Angus, the illegitimate son of William Douglas, 1st Earl of Douglas. The 11th Earl of Angus was created Marquess of Douglas. Lord William Douglas -- eldest son of William Douglas, 1st Marquess of Douglas by his second wife Lady Mary Gordon – was created Earl of Selkirk before he married Anne Hamilton, 3rd Duchess of Hamilton in her own right, and became 3rd Duke of Hamilton. After the death of the 1st (and only) Duke of Douglas, second son of the James Douglas, 2nd Marquess of

Douglas, and as a result of the court case known as ‘the Douglas Cause*’, the titles of Marquess of Douglas and Earl of Angus passed to his male-heir, the Duke of Hamilton.

Although the surname is hyphenated, the Duke is in the male line of Douglas and considered heir-male of the House of Douglas. He is not heir-male of The House of Hamilton, although he is the Duke. The heir-male of The House of Hamilton is The Duke of Abercorn. (I know! This is so confusing!) For the Duke of Hamilton to become Chief of the House Douglas, he would need to assume the single surname of Douglas and renounce chiefship of the House of Hamilton. Even if he did these things, the Duke might encounter opposition to the seat of the Chief of Douglas from the Earl of Morton and the Earl of Home.

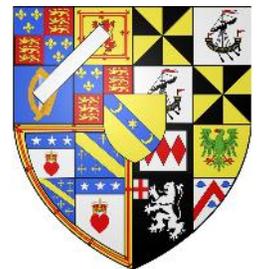
After the death of the 1st (and only) Duke of Douglas, second son of the James Douglas, 2nd Marquess of Douglas, and as a result of the court case known as ‘the Douglas Cause*’, the titles of Marquess of Douglas and Earl of Angus passed to his male-heir, the Duke of Hamilton.

The Duke of Hamilton and Brandon is Hereditary Keeper of the Palace of Holyroodhouse, the official royal residence in Scotland, where he maintains large private quarters. He is also, as Lord Abernethy and in this respect successor to the Gaelic Earls of Fife, the Hereditary Bearer of the Crown of Scotland. Traditionally, the Duke of Hamilton enjoys the exclusive right to remove the Scottish Crown Jewels from the City of Edinburgh. He also regularly attends sittings in the Court of Lord Lyon as a hereditary assessor, sitting on the bench beside Lord Lyon. [from Wikipedia]

The courtesy titles used by heirs apparent are "Marquess of Douglas and Clydesdale" (the eldest son of the Duke) and "Earl of Angus" (the eldest son of a Marquess of Douglas and Clydesdale). No Duke has had a great-grandson in direct line to the titles, but it is likely that such an heir would be styled "Lord Abernethy" (the Lordship of Abernethy and Jedburgh Forest being the most senior available title). Before the Dukes succeeded to the Marquessate of Douglas and its subsidiary titles, the heirs apparent were styled initially "Earl of Arran" (which had previously been used as a courtesy title by the Marquesses of Hamilton) and later "Marquess of Clydesdale" (the former style then being adopted for a grandson in direct line). The heir apparent to the Earldom of Lanark (before that title merged with the Dukedom) was styled "Lord Polmont". [from Wikipedia]

2. Richard Walter John Montagu Douglas Scott, 10th Duke of Buccleuch and 12th Duke of Queensberry

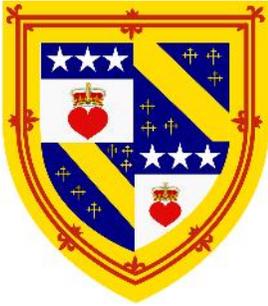
The Duke of Buccleuch, who sits as Chief of Clan Scott **, is a descendant of William Douglas of Drumlanrig, illegitimate son of James, 2nd Earl of Douglas. After the death of William Douglas “Old Q”, the 4th Duke of Queensberry, the Dukedom of Queensberry and Drumlanrig Castle passed to his second cousin once removed, Henry Scott, 3rd Duke of Buccleuch. Henry Scott was the fourth child of five born to Francis, Earl of Dalkeith (son of Francis Scott, 2nd Duke of Buccleuch) and his wife, Jane, daughter of James Douglas, 2nd Duke of Queensberry. In an earlier generation, Walter Scott, 4th Baron of Buccleuch had married Margaret Douglas, daughter of David Douglas, 7th Earl of Angus and sister of Archibald Douglas, 8th Earl of Angus. However, the 1st Duke of Buccleuch, James (Stuart), 1st Duke of Monmouth, was the illegitimate son of King Charles II (Stuart).



** The Duke’s surname, Montagu Douglas Scott, at one time was the compound surname Montagu-Douglas-Scott but the hyphens were dropped to give the family a single surname and allow the family to assume the seat of Chief of Clan Scott.

The Duke of Monmouth adopted the name Scott upon his marriage to Anne Scott, 4th Countess of Buccleuch. With the marriage, the two were created Duke and Duchess of Buccleuch. This makes the 1st Duke a Stuart rather than a Douglas (or a Scott) and the evidence of this has been strengthened by yDNA tests showing the Duke has the same Y chromosome as a distant Stuart cousin. It is also evident that the Dukes of Buccleuch inherited the Queensberry titles through a female Douglas.

3. David Harrington Angus Douglas, 12th Marquess of Queensberry

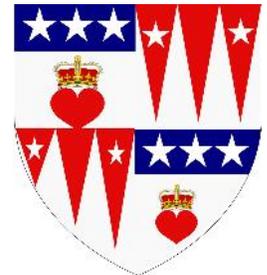


Another heir to William Douglas of Drumlanrig, illegitimate son of James, 2nd Earl of Douglas, the Marquess descends from an unbroken male line of Douglases. The dukedom and marquessate of Queensberry were both held by the same person, William Douglas "Old Q", 4th Duke of Queensberry until his death in 1810 when the dukedom passed to Buccleuch and the marquessate passed to his fourth cousin once removed -- and also third once removed -- Sir Charles Douglas, 5th Baronet Kelhead, descendant of Sir William Douglas of Kelhead, second son of the 1st Earl of Queensberry. Since that time, the Baronets have held the title Marquess of Queensberry.

In my opinion, the Marquess has a better claim to the Seat of Chief than that of the Duke of Buccleuch and Queensberry simply by fact that the marquessate represents the senior male line of the Drumlanrig/Queensberry branch and the Marquess is truly a Douglas by male descent.

4. John Stewart Sholto Douglas, 22nd Earl of Morton

The Earls of Morton descend from Andrew Douglas, presumed to be the son of Archibald, Lord of Douglas (and younger brother of William 'Longleg' Douglas who was the father of William 'le Hardi' Douglas.) James Douglas, 4th Lord of Dalkeith, was created 1st Earl of Morton in 1458. The Morton line of the Douglas family is the only line of unbroken legitimate male descent found in the Douglas family today.



Regarding the Morton branch of the Douglas family, the question, as I see it, is this: Are the Morton branch of the Douglas family considered heirs-general of the Douglas family? Most genealogies will list William Douglas (c. 1174 – 1214) as the 'Lord of Douglas', thus making his descendants heirs of Douglas. Research into the Douglas family reveals a number of heirs-general -- the Sandilands, the Douglas-Hamiltons, the Douglas-Homes -- but the Mortons never appear to have that designation. The answer to the question may be due to the obscurity of history as to whether or not Andrew Douglas was actually the son of Archibald Douglas. Andrew is presumed to be son of Archibald (Johnston in *Heraldry of the Douglases...*); both tradition and written genealogy attest to that. Assuming yDNA science is irrefutable, the question could be easily be put to rest with a comparison of the yDNA of both the Earl of Morton and the Duke of Hamilton or the Marquess of Queensberry, since both of these are unbroken male lines within the Family of Douglas. Comparative testing may have already occurred but I am not aware. I welcome any correction regarding this.

In the late 1990s, the 21st Earl of Morton, encouraged by the Clan Douglas Society of North America, submitted a petition to the Lord Lyon of Scotland asking to declare the Earl Chief of the House of Douglas claiming he had the right as the only branch of the Douglas family that can claim a line of unbroken legitimate male descent found in the Douglas family today and from the fact he was a descendant of the 'Good Sir James.' At the time of the petition, the only objection to the petition was lodged by the Earl of Home and the seat of Chief was not confirmed for Morton.

The first part of the claim -- unbroken legitimate male descent to Andrew Douglas -- can be verified by **Stirnet** and Johnston's *Heraldry of the Douglases...* But there may remain that question about Andrew Douglas being the son of Sir Archibald of Douglas and brother of Sir William of Douglas.

The second part of the claim -- descent from the 'Good Sir James' -- may seem improbable unless one takes into account descent through a female descendant of the 'Good Sir James.' With a few hours using the online resources of **Stirnet** and having access to copies of *Burke's Peerage* and **Douglas's Peerage of Scotland**, I was able to find three lineal connections from the current Earl of Morton, through the 13th Earl of Morton back to daughters of James, 7th Earl of Douglas thence to the 'Good Sir James.' With all the intermarriages of the many branches of the Douglas family and marriages to families of note in Scotland, I am certain many lines of descent from the "Good Sir James" to the Earl of Morton can be found.

5. David Alexander Cospatrack Douglas-Home, 15th Earl of Home, Baron Douglas of Douglas



The Earl is also **presumed Chief of Clan Home** (but not currently recognized as such by the Standing Council of Scottish Chiefs because of his compound surname) and an heir-general to the House of Douglas. He owns Angus lands and Douglas lands (including Douglas Castle in Douglas and the St. Brides Kirk.) The Earl descends from the son of Alexander Home, 10th Earl of Home and Lady Elizabeth Scott, the daughter of Henry Scott, 3rd Duke of Buccleuch & 5th Duke of Queensberry. He is also a descendant of Henry James Montagu-Scott,

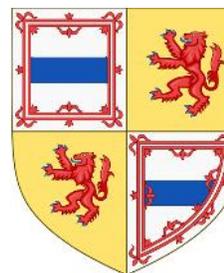


COA of the 12th
Earl of Home

2nd Baron Montagu of Boughton by his wife Jane Margaret Douglas, daughter of the first Baron Douglas by his first wife Lucy Graham. Their son adopted the surname of Douglas-Home in 1877 and succeeded as Baron Douglas of Douglas and Earl of Home in 1888. The Earl is an heir of Douglas through the female line – although there is controversy regarding even that, depending how one views the **Douglas Cause**. In the decisions regarding the **Douglas Cause**, it can be argued the 1st Baron Douglas of Douglas inherited the Douglas chiefship.

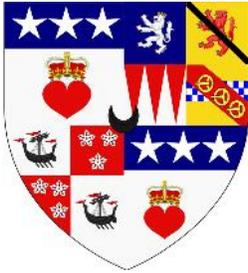
6. James Donald Charteris, 13th Earl of Wemyss, 9th Earl of March

The Earl is descended from Lady Anne Douglas, the only daughter of William, 1st Duke of Queensberry. After the death of William Douglas "Old Q", the 4th Duke of Queensberry, several Douglas titles and lands passed to his second cousin twice removed Francis Douglas, 8th Earl of Wemyss. The Earl currently sits as the **Chief of Clan Charteris** (old line of McDuff). The existence of male heirs for "Old Q" in the lines of the Queensberry branches makes the recognition of Earl James highly unlikely.



7. James Alexander Douglas-Hamilton, 11th Earl of Selkirk

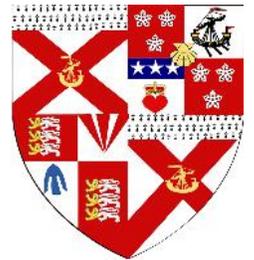
(who disclaimed his title in 1994 and was created a life peer as **Baron Selkirk of Douglas** in 1997)



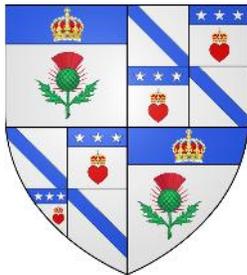
Another heir to the earldom of Angus – the ‘Red’ Douglas’ line – through George Douglas, Earl of Angus, the illegitimate son of William Douglas, 1st Earl of Douglas. The title resides in the Hamilton dukedom and is reserved for the second son of the duke. The current earl is uncle of the Duke of Hamilton. Lord Selkirk's heir apparent is his eldest son, John Andrew Douglas-Hamilton, Lord Daer (b. 1978). If the Douglas-Hamilton line is the senior male line of the House of Douglas, perhaps Lord Daer could assume the single surname of Douglas and petition the Lord Lyon to become Chief of Douglas. However, the Earl of Morton and Earl of Home may challenge the idea of the Hamiltons being the senior male line.

8. Oliver St John, 9th Earl of Orkney

Another heir to the earldom of Angus – the ‘Red Douglas’ line – through the illegitimate son of William, 1st Earl of Douglas, this line of the family descends from George Hamilton, younger brother of James, 4th Duke of Hamilton. Any application to be considered Chief of Douglas would likely meet with challenges from the Duke of Hamilton, Earl of Morton, Earl of Home, and Earl of Selkirk.



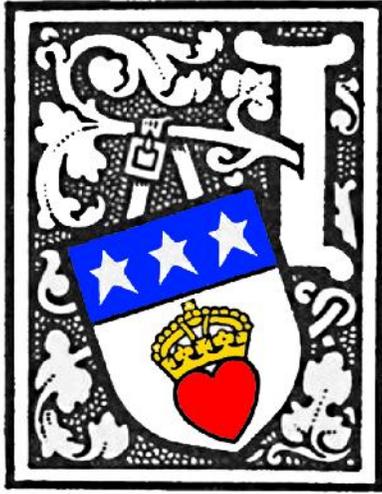
9. James Andrew Douglas Sandilands, 15th Lord Torphichen



Lord Torphichen is Chief of Clan Sandilands. But as was described earlier (in Part 1), the Sandilands are considered to be heirs-general of the House of Douglas from the marriage of Sir James Sandilands to Eleanor Douglas, only daughter of Sir Archibald Douglas, younger brother of ‘the Good Sir James’ Douglas.

In **Part 5** of **Who do you think should be Chief of the House of Douglas?**, we finally draw the discussion to a close and I will offer my opinion regarding who I think should be the Chief of the House of Douglas.





Who do you think should be Chief of the House of Douglas?

by Harold Edington, CDSNA Asst VP and *Dabb Ghlase* Editor

Part 5: A final Conclusion about

Who is most likely to be our next Chief

In this segment, we finally draw our discussion to a close and I offer my opinion regarding WHO I think should be the Chief of the House of Douglas.

In Part 4 of *Who do you think should be Chief of the House of Douglas?*, we looked at the nine main players within the greater House of Douglas having a claim for the seat of Chief. Each of the nine meet criterion (1) and criterion (3) of what is required to be Chief of the Family of Douglas; each is from the family of Douglas and each is an armiger.

(1) *To be a Chief, one must be from the **FAMILY** of Douglas. There is a hereditary component that must be satisfied, if one is to become the Chief of Family/Clan/House of Douglas. Tradition holds that the seat of the Chief passes from father to oldest living son -- or father to oldest living daughter, if the Chief has no sons – following the rules of primogeniture.*

(3) *To be a Chief, one must be an armiger (arms bearer) or one entitled to be an armiger, as part of an armigerous clan.*

Yet when criterion (2) is applied, the field shrinks considerably.

(2) *To be a Chief, one must have the **NAME** of Douglas. In Scotland, no individual can be Chief of more than one family at a time. As such, hyphenated surnames are not permitted.*

Only two from our list of candidates currently meet this requirement: the Marquess of Queensberry and the Earl of Morton both have a single surname, Douglas. How should the Lord Lyon choose between them? Each represents a cadet branch of the House of Douglas. Perhaps the question to be answered is this: which cadet branch constitutes the senior cadet branch? To answer this, it would need to be determined *WHEN* the 'Black Douglas' line began. We discussed this in Part 2 and came to no resolution.

But wait! Is all this simply a matter of surname? A surname can be changed legally and is often done so to inherit titles and lands. Any one of the other candidates from our list could ask the court for a surname change and be allowed to assume the sole surname of Douglas ... and let's say one or more did so. The only candidates from the list who would benefit are the Earl of Selkirk and the Earl of Orkney. The other candidates from the list doing so would still be disqualified by the second part of criterion (2) since "*no individual can be Chief of more than one family at a time.*" To become Chief of the Family of Douglas, The Duke of Hamilton, the Duke of Buccleuch, the Earl of Home, the Earl of Wemyss, or Lord Torphichen would first have to disenfranchise the family they currently lead as chief. But let us assume for a moment these gentlemen would abandon the seat of chief of their respective family for the seat of chief of the family of Douglas... what then?

If each of our nine candidates were to meet the three criteria required for claiming the seat of the family of Douglas, we would need a methodology suitable for weighing the connections and winnowing the field of eligibles to determine the most likely candidate for the seat of Chief.

In James MacKay's book *William Wallace: Brave Heart*, the author spells out the process Scotland underwent to determine a king after the death of the Maid of Norway. The process, known as the *Great Cause* (not to be confused with the *Douglas Cause*), was a prolonged legal engagement that resulted in a decision that eventually placed John Balliol on the throne of Scotland. Using a parallel process to the one employed in late 13th century to determine who was the rightful king of Scotland, perhaps we can determine who has the most legitimate claim to the seat of Chief of the House of Douglas.

Following the death of the Maid of Norway, there were thirteen (some sources say fourteen) claimants who came forward for the crown. The claims were made, for the most part, through rights of descent, as descendants of King David I, the last common ancestor of the majority of claimants. With the death of the Maid of Norway, the line of potential kings and queens descended from William 'The Lion' came to an end. One claimant, Erik II of Norway, husband of the sole daughter of Alexander III and father of the Maid of Norway, claimed the crown by right of marriage – but this was set aside since Margaret, the daughter of King Alexander III died before her daughter, the Maid of Norway. The other legitimate claims were made by the descendants of David, Earl of Huntingdon, through one of his three daughters. Several claimants were descended from royal bastards but claims through illegitimacy were set aside and not considered seriously.

One by one the claimants' claims were dismissed until two candidates remained: John Balliol and Robert Bruce.

) John Balliol, son of Devorgilla and John Balliol, was the great grandson of Earl David through David's oldest daughter Margaret, mother of Devorgilla. John Balliol had an older sister, Margaret, who married John 'the black' Comyn. Margaret and John were the parents of John 'the red' Comyn (whose bid for the crown was ended by the hand of Robert the Bruce – with an assist from Roger Kirkpatrick of Closeburn – on 10 February 1306 in front of the alter of Greyfriars Kirk in Dumfries.)

) Robert Bruce, 5th Lord of Annandale (and grandfather of the Robert Bruce who would become Scotland's king) was the son of Earl David's second daughter Isobel. Bruce was one generation closer to Earl David than Balliol.

The choice between Balliol and Bruce was not so clear. Just as there were two claimants, there were also two systems at play in Scotland for determining a king. Bruce claimed he was the rightful heir based on **proximity of blood**, or closeness in degree of kinship based on genealogy. But the Normans had introduced the concept of **primogeniture** "the right, by law or custom, of the legitimate, firstborn son to inherit his parent's entire or main estate, in preference to daughters, elder illegitimate sons, younger sons and collateral relatives" [Wikipedia].

The deliberations of the *Great Cause* took years and at the end of the deliberations, the final decision regarding who deserved the throne of Scotland was based squarely on the concept of **primogeniture** of the daughters. It was declared

"the more remote in degree of the first line of descent is preferable to the nearer in degree of the second line; therefore it is decreed that John Balliol shall have seisin over the kingdom of Scotland." [Hailes' **Annals**, Vol I, p. 268; quoting Rymer's **The Foedera**, Vol II, p. 589]

But here is where the question of **Who should be Chief of the House of Douglas** is (more?) convoluted. If primogeniture is the overriding factor – even the primogeniture of daughters (as it was between Balliol and Bruce), then why were the guidelines of primogeniture often set aside in selecting the heir to the House of Douglas? More than once we see legitimate daughters' sons being passed over and the chiefship handed to an illegitimate son (i.e. Archibald 'the Grim' rather than the sons of Sandilands; or George 'Red' Douglas, Earl of Angus rather than the sons of Margaret Douglas, 'the Fair Maid of Galloway', daughter of Archibald Douglas, 5th Earl of Douglas and 2nd Duke of Touraine; or the sons of Beatrice Douglas, eldest daughter of James Douglas, 7th Earl of Douglas. Was all of this through the capriciousness of the Stewart Kings? Were the decisions made for political/martial expediency? And does such capriciousness and/or expediency exist today – or do modern legal precedents carry more weight?

So let us look at our list of candidates through the filters of the "One Clan-One Name" rule and also the rule of primogeniture...

Our List

Alexander Douglas Douglas-Hamilton, 16th Duke of Hamilton and 13th Duke of Brandon
Richard Walter John Montagu Douglas Scott, 10th Duke of Buccleuch and 12th Duke of Queensberry
David Harrington Angus Douglas, 12th Marquess of Queensberry
John Stewart Sholto Douglas, 22nd Earl of Morton
David Alexander Cospatrick Douglas-Home, 15th Earl of Home, Baron Douglas of Douglas
James Donald Charteris, 13th Earl of Wemyss, 9th Earl of March
James Alexander Douglas-Hamilton, 11th Earl of Selkirk
Oliver St John, 9th Earl of Orkney
James Andrew Douglas Sandilands, 15th Lord Torphichen

We have seen that five of our nine candidates – the Duke of Hamilton, the Duke of Buccleuch, the Earl of Home, the Earl of Wemyss, and Lord Torphichen -- would be excluded from the chiefship of Douglas unless they were to first renounce their chiefship of another clan.

Seven of our nine candidates – the Duke of Hamilton, the Duke of Buccleuch, the Marquess of Queensberry, the Earl of Home, the Earl of Wemyss, the Earl of Selkirk, and the Earl of Orkney – would be excluded as the descendants of illegitimate sons.

Crossing these names off our list, we are left with one name; the Earl of Morton. But we have seen already (in Part 4) that the petition made by the 21st Earl of Morton was challenged by the Earl of Home – no doubt using the decision of the **Douglas Cause** to indicate that he himself was the heir to the chiefship of Douglas. However, if it were to be proven somehow that the young Archibald Stuart was not an actual heir but rather an elaborate fraud and the end result of the **Douglas Cause** were to be reversed, then the Duke of Hamilton would hold legal right to the chiefship.

But wait... if Lord Torphichen were to renounce his chiefship of Clan Sandilands, or if the Lord Lyon would allow a son of Lord Torphichen to renounce his right to inherit the chiefship of Sandilands and stand as a candidate for the chiefship of Douglas, would the rule of primogeniture then apply to the male descendant of the only known legitimate female line in the House of Douglas? Recall that Margaret Douglas, ‘the Fair Maid of Galloway’ was a legitimate daughter but she was a descendant of the illegitimate Archibald ‘the Grim’. And the Dukes of Hamilton, descending through the illegitimate ‘Red’ Douglas line, would be preceded by the son descending through a legitimate daughter of the ‘Black’ Douglas line.

And returning to the ‘Black’ Douglas line... are the descendants of Andrew Douglas (the Morton branch) of the line of ‘Black’ Douglases or are they not? If they are, wouldn’t the premier member of that branch, the Earl of Morton, be the rightful heir to the chiefship of the House of Douglas?

I think I need a drink... or maybe a lie down ... or both. It would seem no matter how the issue is parsed, the question remains ... **Who do you think should be Chief of the House of Douglas?**

Since this series of articles began as an opinion piece, I will give my opinion...

In my opinion, there may never again be a Chief of the House of Douglas. Any petition to the Lyon Court for recognition will be met with opposition by at least one of the other contenders. Any final resolution would require a prolonged and bank-breaking court battle and/or pronouncement of Parliament – much like in the **Douglas Cause**.

Then again, if real life has taught me nothing else, it has taught me to never say ‘never’. I imagine the entire issue could be laid to rest, if the Crown were to invest one of the principal stakeholders with the title of “Duke of Douglas.” This would create a simple fix (even if a rather anticlimactic one).

Perhaps many will find my opinion fatalistic. Perhaps it does sound hopeless for the House of Douglas. Yet I have to believe that the House of Douglas will continue to endure... even without a Chief.

For me, the lack of a Chief is less problematic than the lack of leadership within the House of Douglas. Currently, there are a few Douglas societies all over the world but each one exists independently and without any real oversight. It would be wonderful if all of these were somehow united under a single banner, but without a Chief, that does not seem likely.

We have all these titled men and not a single Chief. For me, this is reminiscent of the 1995 movie **Braveheart** moment when Wallace is trying to convince Bruce to assume the role of leader and king. The dialog went this way:

Robert the Bruce: I'm not a coward. I want what you want, but we need the nobles.

William Wallace: We need them?

Robert the Bruce: Aye.

William Wallace: Nobles. [laughs a little]

William Wallace: Now tell me, what does that mean to be noble? Your title gives you claim to the throne of our country, but men don't follow titles, they follow courage. Now our people know you. Noble, and common, they respect you. And if you would just **lead** them to freedom, they'd follow you. And so would I.

We members of the House of Douglas need our nobles; not one single noble but **all** of them. If we cannot have a Chief, could we have a -- **Council of Chieftains** -- where each of our noble titleholders could sit as equals, as governors, if you will, and, as a *Council*, make those decisions typically in the purview of a Chief? Within the House of Douglas, nearly every cadet branch of the family is represented by one or more nobles and these nobles could sit as our **Chieftains**. The **Council of Chieftains** would exist as an organizational focal point. Instead of several independent Douglas societies around the world, there could be one Douglas Society overseen by a Council. The *Council of Chieftains* could decide on a

Douglas clan crest – whether to use the “salamander in flames on a cap of maintenance” (more representative of the ‘Red’ Douglas branch), the “crowned, winged heart of Bruce” (more representative of the Drumlanrig/Queensberry branch), or some other different and new mutually agreed upon symbol. The *Council* could create a list of approved Sept and Allied Families names that all the Douglas societies would use.

I do not know if it would be possible for the nine gentlemen named earlier as modern contenders for the seat of Chief of the House of Douglas to sit as equals on a *Council of Chieftains* but I do believe that their doing so would be the best alternative for the Chief-less House of Douglas. If just two or three of them would accept the challenge to create a *Council of Chieftains*, perhaps the Lord Lyon could offer some form of official recognition to the *Council*. Yes ... this is a radical suggestion and a major “What if...” but it could also be *THE* solution for a Scottish House that has been Chief-less for nearly 250 years (and not for lack of a candidate). With the creation of a *Council of Chieftains*, one other major potential consequence of choosing a chief could be avoided: no family organization currently with one of these gentlemen as their chief would be disenfranchised through the loss of their chief.

So there it is: ***my opinion***. Do you agree with me or do you have a differing opinion? If you disagree, **Who do you think should be Chief of the House of Douglas?**