

# NOTES AND ILLUSTRATIONS.

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## LETTER A, page 6.

DR LINGARD, in his History of England, vol. iii. p. 119, observes, that “the Scottish king consented to an arrangement, by which, although he eluded the express recognition of feudal dependence, he seems to have conceded to Henry the whole substance of his demand.” And the same historian has remarked, in the same volume, “that when the Scottish king received a grant of land in Tynedale and at Penrith, and consented to perform a new homage for these possessions, the question as to the homage demanded for Scotland was left undecided.” If the reader will take the trouble to turn to the first volume of the *Fœdera*, pages 374, and 428, he will at once perceive the strange inaccuracy of these assertions. The legitimate inference to be drawn from the documents in Rymer, is, that the question as to any homage due by Alexander the Second for his kingdom of Scotland, was decided against Henry in 1237, and that the English king acquiesced in the decision; for it will be observed, the homage then paid was for his new acquisition,<sup>1</sup> and there is no reservation of the claim of homage for Scotland. Again it appears, that this decision was virtually enforced and repeated in the charter granted by Alexander in 1244. Henry’s demand was, that Alexander should perform homage to him *for his kingdom of Scotland*. Alexander, who at that time held lands in England, was reported, says Mathew Paris, to have “answered bitterly, that he never did, and never would, hold a particle of land *in Scotland* under Henry,”<sup>2</sup> but he at the same time was ready to take the oaths to Henry as his liege lord. This surely cannot be called “a concession to Henry of the whole substance

<sup>1</sup> Rymer, *Fœdera*, vol. i. p. 576.

<sup>2</sup> Math. Paris, p. 432.

of his demand." By the very same process of reasoning, it might be proved that Edward the First held his kingdom of England under the King of France, as his feudal superior. See Rapin's *Acta Regia*, vol. i. p. 78. The charter by Alexander the Second to Henry the Third, alluded to in the text, is as follows :

" Alexander, *Dei gratia, Rex Scotiæ, omnibus Christi fidelibus hoc scriptum visuris, vel audituris, salutem.*

" Ad vestram volumus pervenire notitiam, nos pro nobis et hæredibus nostris concessisse, et fideliter promississe, charissimo et ligio Domino nostro Henrico Tertio, *Dei gratia, Regi Angliæ illustri, Domino Hybernæ, Duci Normanniæ et Aquitaniæ, et Comiti Andegaviæ, et ejus hæredibus, quod in perpetuum bonam fidem ei servabimus pariter et amorem :*

" Et quod nunquam aliquod fœdus inibimus per nos, vel per aliquos alios, ex parte nostra, cum inimicis Domini Regis Angliæ, vel hæredum suorum, ad bellum procurandum vel faciendum, unde damnum eis, vel Regnis suis Angliæ et Hybernæ, aut cæteris terris suis, eveniat, vel possit aliquatenus evenire, nisi nos injuste gravent :

" Stantibus in suo robore conventionibus inter nos et dictum Dominum Regem Angliæ initis ultimo apud Eboracum, in præsentia Domini Ottonis, tituli Sancti Nicholai in Carcere Tulliano, Diaconi Cardinalis, tunc Apostolicæ Sedis Legati in Anglia; et salvis conventionibus factis super matrimonio contrahendo inter filium nostrum et filiam dicti Domini Regis Angliæ :

" Et, ut hæc nostra concessio et promissio, pro nobis et hæredibus nostris, perpetuæ firmitatis robur obtineant, fecimus jurare in animam nostram Alanum Ostiarium, Henricum de Bailloil, David de Lindesie, Willielmum Giffard, quod omnia prædicta, bona fide, firmiter, et fideliter observabimus.

" Et similiter jurare fecimus venerabiles patres David, Willielmum, Galfridum, et Clementem, Sancti Andreae, Glasconensem, Dunkeldensem, et Dunblanensem, Episcopos.

" Et præterea fideles nostros, Patricium Comitem de Dumbar, Malcolmum Comitem de Fife, Malisium Comitem de Stratherne, Walterum Cumin de Meneteth, Willielmum Comitem de Mar, Alexandrum Comitem de Buchan, David de Hastingsia Comitem

Athorl, Robertum de Bruis, Alanum Ostiarum, Henricum de Bailloil, Rogerum de Mumbri, Laurentium de Abrinthia, Richardum Cumin, David de Lindesie, Richardum Siward, Willielmum de Lindesia, Walterum de Moravia, Willielmum Giffard, Nicolaum de Sully, Willielmum de Veteri Ponte, Willielmum de Bevire, Aleumum de Mesue, David de Graham, et Stephanum de Smingham, quod, si nos, vel hæredes nostri, contra concessionem et promissionem prædictam, quod absit, venerimus, ipsi, et hæredes eorum, nobis, et hæredibus nostris, nullum, contra concessionem et promissionem prædictam, auxilium vel concilium impendent, aut ab aliis pro posse suo impendi permittent.

“ Imo bona fide laborabunt erga nos et hæredes nostros, ipsi et hæredes eorum, quod omnia prædicta a nobis et hæredibus nostris, necnon ab ipsis et eorum hæredibus, firmiter et fideliter observentur in perpetuum.

“ In cujus rei testimonium, tam nos, quam prædicti prælati, Comites et Barones nostri, præsens scriptum sigillorum nostrorum appositione roboravimus.

“ Testibus Prælati, Comitibus, et Baronibus superius nominatis, anno Regni nostri, &c.

“ *Ista signa apposita fuerunt incontinenti, scilicet Regis Scotiæ Alexandri, Willielmi de Bevire, Willielmi de Veteri Ponte, Willielmi de Lindesai, Stephani de Smingham.*

“ *Aliorum sigilla apposita fuerunt postea. Et ipsum scriptum Regi Anglorum transmissum, ad natale Domini proximo sequens, per Dominum Priorem de Thinemua.*”

LETTER B, page 12.

Rymer, Fædera, page 326, new edit.—“ We find that the Earl of Hertford, William de Fortibus, Earl of Albemarle, and R. Walerand, seneschal, accompanied Gloucester and Maunsell. The Scottish Barons, with whom they are directed to co-operate against the party of the Cumings, and who are proscribed as rebels, are Patricius Comes de Dunbar, Males Comes Straern, Nigellus Comes de Karrike, Robertus de Brus, Alexander Seneschallus Scotiæ, Alanus Hostiarius, David de Lindes, Willielmus de Brethun, Walterus de

Murrenya, Robertus de Mesneres, Hugo Giffard, Walterus le Seneschal, Johannes de Crawford, Hugo de Crauford, and Willielmus Kalebraz."

LETTER C, page 18.

Lord Hailes calls this assertion of the Comyns, that the King was in the hands of excommunicated persons, a hypocritical pretence. He forgot, however, that although in the nineteenth century, we can despise the terrors of a sentence of excommunication, the Scottish barons could not treat it as lightly in the thirteenth; and that at this dark period the victims of such a sentence were regarded with universal horror. He adds, that when the same faction accused the queen of having excited her father "to invade Scotland, and extirpate the nation," they were circulating a slander which was basely devised to operate on the two great passions of the vulgar—fear and national pride. The words, "invade Scotland, and extirpate the nation," are marked by Hailes as if they were a quotation from Mathew Paris. If, however, the historian had turned to Mathew Paris, p. 644, he would have seen, that what the Comyns asserted was not that the young queen had advised her father to invade Scotland and extirpate the nation, but that "she had incited her father, the King of England, to come *against them* with an army in a hostile manner, and make a miserable havoc:" a charge which, so far from being absurd or slanderous, was strictly founded on fact.

LETTER D, page 18.

I subjoin the treaty between the party of the Comyns, and Llewellyn, Prince of Wales, taken from Rymer, vol. i. p. 653. The page in the text refers to the new edition of the *Fœdera*, at present in the course of publication.

*Littera continens quod Scoti et Wallenses non facient pacem cum Rege Angliæ sine mutuo consensu et assensu.*

"Omniſus sanctæ Matris Ecclesiæ filiis, hoc scriptum visuris

vel auditoris, Walt. Cumin Comes de Meneth. Alex. Cumyn Comes de Buchan Justic. Scotiæ, Willielmus Comes de Mar, Willielmus Comes de Ros, Joannes Comyn Justiciar. Galwedici, Aimeris de Makeswel Camerarius Scotiæ, Fresekums de Moravia, Hug. et Walter. de Berkeleya fratres, Bernardus de Mohane, Riginaldus Cheyn, David Lochor, Johannes Dundemor, Willielmus de Erck, Ector de Barrit. et eorum amici præsentis et alligati universi, salutem.

“ Noverint nos, anno Gratiæ millesimo ducentesimo quinquagesimo octavo, decimo octavo die mensis Martii, de communi nostrum consensu et assensu, cum Domino Lewelino filio Griffini, Principe Walliæ, et David filio Griffini fratre suo, Vcino Grufud fil. Maduc Domino de Bromfeld, Mareduud fil. Ris, Mareduud filio Ovenir, Reso Jumori, Oweyn filio Mareduud, Madant filio Wenwywym, Mareduud Seis Lewelin, Vechan Owem, Mareduud filio Leweliner Domino de Methem, Owen filio Gruffud, Madant Parvo, Owen filio Bledyn, Howell filio Mareduud, Elisse et Grufud filio Jornith, Gorone filio Edvenet ; Jornith Grugman, Eumay Vechan, Tudar filio Mad, Enmaun filio Karaduc, Jornith filio Mareduud, David filio Enviayn, Jenev Chich Roys filio Ednevet, et eorum amicis et alligatis, hanc fecisse conventionem mutuæ confœderationis et amicitiæ ; videlicet :

“ Quod, sine communi consensu et assensu præfatorum Principis et Magnatum, de cætero nullam pacem, aut formam pacis, treugam aut formam treugæ, faciemus cum Domino Rege Angliæ, aut aliquo Magnate Regni Angliæ, aut Regni Scotiæ, qui tempore confectio- nis præsentis scripti, præfatis Principi, et Magnatibus, et terris suis, et nobis contrarii extiterint et rebelles, nisi illi ad omnem hanc eandem considerationem pariter nobiscum teneantur.

“ Nos etiam contra præfatos Principem et Magnates nullam potentiam, utpote exercitum equitum aut peditum, exire permittemus de Scotia ; nec in aliquo contra ipsos præfato Regi Angliæ succursum præstabimus aut favorem ; immo eisdem Principi et Magnatibus, et terræ suæ, fideliter auxiliantes erimus et consulentes.

“ Et, si contingat quod cum Domino Rege Angliæ, aut quocunque viro, præfatis Principi, et Magnatibus, aut nobis, jam adversante, per Domini nostri Regis Scotiæ præceptum, pacem aut treugam iniurè compellamur ; nos in bona fide, quantum poterimus et

sciemus, ad præfatorum Principis, et Magnatum suorum, et terræ suæ commodum et honorem hoc fieri procurabimus cum effectu.

“ Nequaquam de voluntate nostra, nisi per præfati Domini nostri districtam compulsionem hoc mandatum fuerit et præceptum, in aliquo contra præsentem confœderationem faciemus ; immo Dominum nostrum, pro hac eadem confœderatione nobiscum facienda et observanda, quantum poterimus, inducemus.

“ Mercatoribus etiam Walliæ, cum ad partes Scotiæ cum suis negotiationibus venire valeant, licentiam veniendi, et prout melius poterunt negotiationes suas vendendi, pacem etiam et protectionem nostram salvo et secure morandi, et sine quacumque vexatione, cum eis placuerit, recedendi, concedimus ex affectu.

“ Mercatoribus etiam Scotiæ ad partes Walliæ, de licentia nostra, cum suis venire negotiationibus persuadebimus ex corde.

“ Ad prædicta omnia et singula, in fide prædicti Domini Regis Scotiæ fideliter, integre, et illæse, et sine fraude et dolo, et in bona fide observanda, unusquisque nostrum in manu Gwyd. de Bangr. Nuncii præfatorum Principis et Magnatum, fidem suam præstitit, et, tactis sacrosanctis Evangeliis, corporale sacramentum.

“ In cujus rei testimonium huic scripto, per modum Cyrographi confecto, et penes præfatos Principem et Magnates remanenti, quilibet nostrum sigillum suum fecit apponi.

“ Prædicti vero Princeps et Magnates in manu Alani Yrewyn, Nuncii nostri, similiter præstitis fide sua, et tactis sacrosanctis Evangeliis, juramento, consimili scripto hujus confœderationis et amicitiae, penes nos remanenti, in testimonium, singula sigilla sua apposuerunt.”

#### LETTER E, page 71.

The letter of the “ Community of Scotland, directed to Edward the First, from Brigham,” is important and curious. It contains the names of the Bishops, Earls, Abbots, Priors, and Barons of Scotland, as they stood in 1289. I subjoin it from the *Fœdera*, vol. ii. p. 471.

“ *Litera Communitatis Scotiæ, per quam consulunt Regi Angliæ quod Matrimonium fiat inter Primogenitum suum et Natam Re-*

*gis Norwegiæ, Hæredem Scotiæ ; et etiam per quam petunt quod Rex Angliæ, concedat eis Petitionem suam, quam petituri sunt per Nuncios suos, in Parlamento ipsius Regis.*

“ A Tres noble Prince Edward, par la grace de Deu, Roy de Engletterre, Seygnur de Yrland, et Duk de Aquitain.

*Guillame, e Robert, par meme cele grace, de Seint Andreu et de Glosgu Evesques.*      *Guillame, de Sotherland, et Johan de Catenes.*

Abbes.

<i>Johan Comyn, et</i>	<i>De Kelquou,</i>
<i>James Seneschal de Escoce,</i>	<i>De Meuros,</i>
<i>Gardeyns du Reaume de Escoce.</i>	<i>De Dunfermlin,</i>
	<i>De Aberbrothok,</i>
<i>Maheu, Evesque de Dunkeldin,</i>	<i>De la Seinte Croys,</i>
<i>Archebaud, Evesk de Moref,</i>	<i>De Cambushinet,</i>
<i>Henry, Eveske de Abirdene,</i>	<i>De Kupre,</i>
<i>Guillame, Evesque de Dunblain,</i>	<i>De Driburgh,</i>
<i>Marc, Evesque de Man,</i>	<i>De Newbotil,</i>
<i>Henry, Evesque de Gallway,</i>	<i>De Passelay,</i>
<i>Guillame, Evesque de Brechin,</i>	<i>De Tedeworth,</i>
<i>Alayn, Evesque de Catenes,</i>	<i>De Londors,</i>
<i>Robert Evesque de Ross, et</i>	<i>De Balmorinaute,</i>
<i>Laurence, Evesque de Ergaythil.</i>	<i>De Glenluce,</i>

Contes.

<i>Maliz, de Stratherne,</i>	<i>De Incheufranc,</i>
<i>Patrick, de Dunbar,</i>	<i>De Culros,</i>
<i>Johan Comyn, de Buchan,</i>	<i>De Dundraynan,</i>
<i>Dovenald, de Mar,</i>	<i>De Darwongvil,</i>
<i>Gilbert de Humfranvil, de Ane-</i>	<i>De Kinlos,</i>
<i>gos,</i>	<i>De Deer,</i>
<i>Johan de Asceles,</i>	<i>De Ylecolunkile, et</i>
	<i>De Tungeland.</i>

*Gauter, de Meneteth,*

*Roberd de Brus, de Carrik,*

*Guillame, de Ros,*

*Malleolom, de Lovenaus,*

Priours.

*De Seint Andreu,*

*De Coldingham, et*

*De Leasmahagu,*  
*De Pluscardin,*  
*De Beaulou,*  
*De Hurward,*  
*De Wytherne,*  
*De Restinoth,*  
*De May,*  
*De Cononby,*  
*De Blantir.*

## Barons.

*Roberd de Brus, Seygnur de Val*  
*de Anaunt,*  
*Guillame de Moref,*  
*Guillame de Soulys,*  
*Alisaundre de Ergayl,*  
*Alisaundre de Bayliol, de Kaners,*  
*Geffray de Moubray,*  
*Nicol de Graham,*  
*Nicol de Lugin,*  
*Inkeram de Bailiol,*  
*Richard Siward,*  
*Herbert de Macswell,*  
*David le Mariscal,*  
*Ingeram de Gynes,*  
*Thomas Randolph,*  
*Guillame Comyn, Seygnur de*  
*Kirketolac,*  
*Simon Fraser,*  
*Renaud le Chen le Pere,*  
*Renaud le Chen le Fitz,*

*Andreu de Moref,*  
*Johannes de Soules,*  
*Nicol de la Haye,*  
*Guillame de la Haye,*  
*Roberd de Cambrou,*  
*Guillame de Seincler,*  
*Patrick de Grame,*  
*Johannes de Estrivelin,*  
*Johannes de Kalentir,*  
*Johan de Malevile,*  
*Johan le Seneschal,*  
*Johan de Glenesk,*  
*Alisaundre de Bonkyll,*  
*Bertram de Cardenes,*  
*Donenald le fit Can.*  
*Magnus de Fetherich,*  
*Roberd le Fleyming,*  
*Guillam de Moref, de Drumser-*  
*gard,*  
*David de Betume,*  
*Guillame de Duglas,*  
*Alisaundre de Lyndeseye,*  
*Alisaundre de Meneteth,*  
*Alisaundre de Meners,*  
*Guillame de Muhaut,*  
*Thomas de Somervil,*  
*Johan de Inchemartin,*  
*Johan de Vaus,*  
*Johan de Moref,*  
*Mallcolom de Ferendrauc, et*  
*Johan de Carniauth.*

“ Du Realme de Escose saluz, et totes honors.

“ Pur la vostre bone fame, et pur la droyture ke vous fetes si communement a tut, et pur le bon voysinage et le grant profit, que le Reaume de Escoce a rescu de vous, et voustre Pere, et de vous Auncestres, du tens cea en arere,

“ Sumes nus mut leez et joyus de ascones noveles, que *mult de*

*gent parlent*, ke le Apostoyll deust aver otree et fet dispensation, ke Mariage se puist fere entre mun *Sire Edward, vostre Fitz, et Dame Margaret Reyne de Escoce, nostres treschere Dame*, non ostant procheinete de Saunk; et prium vostre hautesse ke vous *plese certefier nous de ceste chose*.

“Kar, si la dispensacion graunte, vous seite graute, nus des hore, ke le mariage de eus face, otreom e nostre acord, et nostre assent ydonom; *et ke vous facez a nuz les choses, que nos messages, que nous enverrom a voustre Parlement, vous mustrunt de par nus, que resonables serrunt*.

“Et, si ele seit a purchacer, nus, pur les grant biens e profit, que purrunt de cos avenir al’un e le autre Reaume, mettrom volenters conseyl, ensemblement ovesque vous, coment ele seit purchace.

“E, pur ceste chose, e autres, ke tuchent l’estat du Reaume de Escoce, Sur queux nous aurom mester de aver seurte de vous; nous, avauntdit Gardeyns, Evesques, Countes, Abbez, Priurs, e Barons, envoioms a vous, a Londres, a voustre *Parlement de Pasch prochein* avenir, de bone gent du Reaume de Escoce, pur eus, et pur tote la Commune de Escoce.

“Et, en tesmoignance de avauntdites choses, nous, Gardeyns du Reaume, Prelats, Countes, e Barons avauntditz, en nom de nous, et de tote la Commune, la Seel Conun, que nus usom en Escoce, ou nun de nostre Dame avauntdyte, auvom fet mettre a ceste lettre.

“Done a Briggeham, le Vendrede prochein apres la Feste Saint Gregorie, le an de nostre Seygnur, 1289.”

#### LETTER F, page 118.

Lord Hailes is at a loss to settle the exact chronology of this surrender by Baliol, but Prynne enables us to do this with considerable accuracy. The scroll of the resignation was prepared at Kincardine on the 2d July. The penance took place in the churchyard at Strathkathro on the 7th of the same month;<sup>1</sup> and the deed recording it is of the same date: after which, on the 10th July, at the

<sup>1</sup> I find in Mr Chambers’s amusing work, entitled a Picture of Scotland, vol. ii. p. 255, that the tradition of the country affirms the penance of Baliol to have been performed at Strathkathro.

castle of Brechin, in the presence of Edward himself, Baliol made his final resignation, and a second instrument was drawn up exactly in the same terms as the scroll prepared at Kincardine. Bower, in his additions to Fordun, is evidently in an error, when he states that Baliol underwent his penance and made his resignation at Montrose. Prynne, *Edw. I.*, pp. 647, 651. Baldred Bisset, the Scots envoy at Rome, who was sent there to confute the claims of Edward to the superiority over Scotland, may perhaps have founded his accusation, that Edward had forged the instrument of Baliol's resignation, upon this discrepancy in the dates.

#### LETTER G, page 121.

A Diary of the Expedition of Edward in the year 1296, preserved in the Cottonian Collection, gives the following account of his progress. - It is chiefly valuable from its fixing dates and places, being extremely meagre in detail. It is written in old French, and is probably nearly coeval with the events it describes. The corruption of the Scottish names in it is very great. It is about to be published in a valuable Miscellany edited by the Bannatyne Club.<sup>1</sup>

On the 28th March, 1296, being Wednesday in Easter Week, King Edward passed the Tweed, and lay in Scotland,  
At Coldstream Priory.

Hatton, or Haudene, 29th March, Thursday.

Friday, being Good-Friday, 30th March. Sack of Berwick.

Battle of Dunbar, April 24, 26, 27.

Edward marches from Berwick to Coldingham, 28th April; to  
Dunbar.

Haddington, Wednesday, Even of Ascension, May 3.

Lauder, Sunday, May 6.

Rokisburgh, Monday, May 7, where Edward remained fourteen  
days.

<sup>1</sup> The Antiquarian Society of London, however, have anticipated the Bannatyne Club, for I find the Diary printed, with a learned preface, by Mr Nicolas, in the volume of their Transactions which has lately appeared. A coincidence of this kind shows that there is a valuable spirit of research at work in both countries.

Jedworth, May 23.

Wyel, Thursday, May 24th ; Friday, 25th, to Castleton ; Sunday, 27th, again to Wyel.

Jedworth, Monday, May 28.

Rokisburgh, Friday, June 1.

Lauder, Monday, June 4.

Newbattle, Tuesday, June 5.

Edinburgh, Wednesday, June 6. Siege of Edinburgh.

Linlithgow, June 14.

Stirling, Thursday, June 14. At Outreard, June 20.

Perth, Thursday, June 21, where he remained three days.

Kinclevin, on the Tay, June 25.

Cluny, Tuesday, June 26. Abode there till July 1.

Entrecoit, Monday, July 2.

Forfar, Tuesday, July 3.

Fernwell, Friday, July 6.

Montrose, Saturday, July 7. Abode till the 10th.

Kincardine in the Mearns, Wednesday, July 11.

Bervie, Thursday, July 12.

Dunn Castle, Friday, July 13.

Aberdeen, Saturday, July 14.

Kinkell, Friday, July 20.

Fyvie, Saturday, July 21.

Banff, Sunday, July 22.

Invercullen, Monday, 23.

In tents on the river Spey, district of Enzie, Tuesday, July 24.

Repenage, in the county of Moray, Wednesday, July 25.

Elgin, Thursday, July 26. Remained for two days.

Roths, Sunday, July 29.

Innerkerack, Monday, July 30.

Kildrummie, Tuesday, July 31.

Kincardine in the Mearns, Thursday, August 2.

Brechin, Saturday, August 4.

Aberbrothoc, Sunday, August 5.

Dundee, Monday, August 6.

Baligarnach, the Redcastle, Tuesday, August 7.

St Johnston's, Wednesday, August 8.

Abbey of Lindores, Thursday, August 9. Tarried Friday.  
 St Andrews, Saturday, August 11.  
 Markinch, Sunday, August 12.  
 Dunfermline, Monday, August 13.  
 Stirling, Tuesday, August 14. Tarried Wednesday 15th.  
 Linlithgow, Thursday, August 16.  
 Edinburgh, Friday, August 17. Tarried Saturday 18th.  
 Haddington, Sunday, August 19.  
 Pykelton, near Dunbar, Monday, August 20.  
 Coldingham, Tuesday, August 21.  
 Berwick, Wednesday, August 22.

Having spent twenty-one weeks in his expedition.

LETTER H, page 142.

Lord Hailes laughs at Buchanan and other historians for their credulity and inaccuracy, yet he sometimes nods himself. Thus, he observes, p. 253, vol. i., that "Buchanan, following Blind Harry, reports that the bridge broke down by means of a stratagem of Wallace." Buchanan, however, expressly says, that the "bridge broke down either by the artifice of the carpenter who had loosened the beams, as our historians assert, or from the weight of the English horse, foot, and machinery;" so that there is truly no room for Lord Hailes's remarks upon his love of the marvellous in this instance.

LETTER I, page 164.

Hemingford, vol. i. p. 165, says, these compact bodies were in a circular form—"qui quidem circuli Schiltronis vocabantur." Schiltron seems to denote nothing more than a compact body of men. It is thus used by Barbour in his poem of *The Bruce*, where he describes the battle of Bannockburn—

"For Scotsmen that them hard essayed,  
 That then were in a schiltrum all."

Walsingham, p. 75, affirms, that Wallace fortified the front of his

position with long stakes driven into the ground, and tied together with ropes, so as to form a hedge. I find no mention of this in Hemingford; nor in Fordun, Winton, or Trivet. Walsingham's account is vague, and unlike truth. He tells us, that Edward first commanded the attack to be made by the Welsh, and that they refused; upon which a certain knight addressed the king in two monkish rhyming verses, in Latin. Hemingford's account, on the other hand, which I have chiefly followed, is strikingly circumstantial and interesting. He speaks, in his narrative of the battle of Stirling, as if he had the particulars from eye-witnesses; and Lord Hailes conjectures, that this account of the battle of Falkirk was taken from the lips of some who had been present. It is strange, that feeling its excellence, he has yet omitted some of the most important and graphic incidents.

LETTER K, page 167.

Trivet, p. 313, says, these two religious knights were slain in the beginning of the battle; but I prefer the authority of Hemingford, p. 165, and Robert de Brunne, p. 305-6. Lord Hailes, following Mathew of Westminster, p. 431, says that Brian de Jay was Master of the Knights Templars in England; but it is certain, from the *Rotuli Scotiæ*, 29. Edward I. mm. 12. 11., that he was Master of that Order in Scotland. We there find, "Brianus de Jaye, Preceptor Militiæ Templi in Scotia."

There is a long note in Hailes upon the battle of Falkirk, *Annals*, vol. i. p. 262, which it may be proper to notice for a moment. Its object is to prove, that every account of the battle of Falkirk which has been given by Scottish historians, from Fordun to Abercromby, is full of misrepresentation, and that his own narrative, which he has drawn up from the English historians, is alone to be trusted. In this "trash" he includes the assertion, "that there were disputes between Wallace and the Scottish nobles, that some of these nobles were guilty of treachery in abandoning the public cause, and that, on the first onset, the Scottish cavalry withdrew, without striking a blow."

That there was treachery among the Scottish nobles, is satisfacto-

rily proved by Hemingford, one of those English historians whom Hailes asserts he has followed in his narrative ; but, as already observed in the note, p. 162, the historian has omitted all notice of the circumstance which establishes this. That the Scottish horse fled without striking a blow, "*absque ullo gladii ictu*," when the battle had just begun, is asserted by the same historian, Hemingford ; yet, it is singular, this does not appear to Hailes to be any thing like treachery. The Scottish cavalry were a body of a thousand armed horse, amongst whom were the flower of the Scottish knights and barons ; and we are called upon to believe that these, from mere timidity, fled, before a lance was put in rest, and upon the first look of the English. There are innumerable instances to prove that the Scottish knights in the days of Wallace were not composed of such very nervous and timid materials. But Hailes has also forgotten that the note is strikingly inconsistent with his own statement at p. 254, where, in giving an account of the feelings of the Scottish barons with regard to Wallace, he asserts, that " his elevation wounded their pride ; his great services reproached their inactivity in the public cause ;" that it was the language of the nobility, " We will not have this man to rule over us ;" and that " the spirit of distrust inflamed the passions and perplexed the counsels of the nation." This was the picture given by Hailes himself, of the sentiments of the Scottish nobles on 29th March, 1298. Yet when the Scottish historians venture to observe, that at the battle of Falkirk, only four months after this, the Scottish nobility were weakened by dissensions, and their army enfeebled by envy of Wallace, the account is sneered at as " trash and misrepresentation." Why that which is given as authentic history in March, becomes trash in July, is not easily explained. At the end of this tirade against the Scottish historians, Hailes ascribes the incredible story of the Congress between Bruce and Wallace to Fordun, who says not a syllable about it. The author of the tale is Bower, Fordun's continuator. Fordun a Hearne, p. 980, and Fordun a Goodal, vol. ii. p. 175.\*

\* Since writing the first volume of my History, and the Notes and Illustrations, I have seen Mr Aikman's Translation of Buchanan's History, and I am happy to find, that he has noticed (pages 410, 413, and 416) Lord Hailes's partiality in his accounts of the battles of Falkirk and Roslin, and

## LETTER L, page 168.

Wherfor the Kyng, upon the Maudelyn day,  
 At Fowkyrke fought with Scottes in great array.  
 Where Scottes fled and forty thousand slaine ;  
 And into Fiffes he went, and brent it clene,  
 And Andrew's toune he wasted then full plaine ;  
 Blackmanshyre and Menteth, as men mene,  
 And on the ford of Tippour, with host I wene,  
 Bothbile, Glasgowe, and to the toune of Are,  
 And so to Lanarke, Lochmaban, and Annand there.

Hardynge's Chronicle, 8vo, London, 1543, fol. clxv.

## LETTER M, page 177.

The negotiations between Philip and Edward, in 1297, on the point of including the kingdom of Scotland under the truce and pacification entered into at Tournay, were unknown to Lord Hailes, as the document which contains so full and explicit an account of them was not published at the time he wrote his history. They throw an important light on the conduct of Comyn, and the higher Scottish nobility, who refused to join Wallace in his resistance to Edward, as they prove, that one motive for their refusal might be, the hope that Philip's representations would induce Edward to include them and their country in the articles of truce, and in the subsequent treaty of peace, of which these articles were understood to be the basis. Even so late as the battle of Falkirk, July 22, 1298, Comyn, who drew off his vassals and took no part in the day, might have indulged some hope that Philip's mediation, and the representations of the Pope, would succeed in restoring peace to Scotland, and thus save his own lands, and the estates of the Scottish nobles. For Edward did not give his final answer,

his apology for Menteth. I have not yet studied Mr Aikman's original matter, as his continuation of Buchanan has not yet appeared in his second edition. His notes to Buchanan form a valuable addition to that classical, but often inaccurate historian.

by which he totally excluded Scotland, and all its subjects, from the articles of truce and pacification, till the 19th August, 1298, (Rymer, vol. i. new edit. p. 898,) when he was in camp at Edinburgh. At the same time, although these negotiations give some explanation of the motives which might have influenced the nobles of Scotland in refusing to act with Wallace, they afford no excuse for their weak and selfish conduct.

LETTER N, page 196.

This account of the battle of Roslin is taken from the English historians, Hemingford, Trivet, and Langtoft, and from our two most valuable and authentic Scottish historians, Winton and Fordun. Lord Hailes, who generally follows the English historians, and this even when he acknowledges that he suspects them of concealment and partiality, has given a description of the battle more in the shape of a critical note, than an accurate or characteristic narrative. He appears to have been ignorant, when he composed his text, of the curious and minute account given by Peter Langtoft, vol. ii. p. 319, although he afterwards quotes him in the corrections and additions. So far from attempting to throw any veil over the events of the day, Langtoft is open and candid as to the entire defeat of the English. Hailes has omitted many circumstances which give a spirit and characteristic reality to this singular battle. And not only this; he misunderstands the fact, in saying that Segrave, instead of falling back, rashly advanced and attacked the Scots. Segrave was surprised and attacked in his encampment by the Scots; and so complete was the surprise, that his son and brother were taken in bed. As to the ridiculous story of Sir Robert Neville miraculously retrieving the day, and the invulnerable qualities conferred on those present at mass, it is a monkish tale, utterly unworthy of belief, as Langton informs us that Neville was slain. How it should be admitted into Hailes's text, it is impossible to say. The manner in which this historian has recounted the battle of Roslin, is a warning how far a timid spirit, and a desire of general popularity, will go to destroy the truth and dilute the spirit and vigour of history. He was aware, he tells us, that the English historians, whom he follows, gave a partial account; yet this account

he incorporates into his text. He could bring no well-grounded argument against the narrative of Winton and Fordun, which is supported by the English historian, Langtoft; yet he insinuates that the Scottish historians *may* have exaggerated the successes of the Scottish army at Roslin; and with this affectation of superiority to national prejudice, he quietly passes them over. Tyrrel, vol. iii. p. 153, says, quoting Walsingham and the Chron. Abingdonense, that Wallace headed the Scots in this battle, but I find no authority in the Scottish writers for such an assertion.

#### LETTER O, page 200.

The fortalice at Lochindorb is thus described by Mr Lewis Grant, in his Account of the Parish of Cromdale: "A thick wall of mason work, twenty feet high even at this period, and supposed to have been much higher, surrounds an acre of land within the loch, with watch-towers at every corner, all entire. The entrance to this place is a gate built of freestone, which has a grandeur in it easier felt than expressed. Several vestiges of houses are found within the walls, besides those of a church, which, without difficulty, can still be traced in the ruins. Great rafts, or planks of oak, by the beating of the waters against the old walls, occasionally make their appearance. Tradition says, and some credit is due to the report, that the particular account of this building was lost in the days of King Edward the First of England." Had the worthy clergyman who wrote this, studied the history of Scotland in Fordun, infinitely the most valuable of all our historians, he would there have found that Edward, "in propria persona ad Lochindorb pervenit, et ibidem aliquamdiu moram faciens, partes boreales ad pacem cepit." It is very delightful to find tradition thus throwing its shadowy reflection upon history, and history its clear and certain light upon tradition.

#### LETTER P, page 200.

Kildrummie, of which there are still considerable remains, will be found described in Stat. Account, vol. xviii. p. 416.—Edward's

progress, as ascertained by dates and authentic instruments in Rymer and Prynne, was as follows :—

Newcastle, 7th May.—Prynne, p. 1016.

Morpeth, 9th May.—Prynne, pp. 1015, 1016.

Rokesburgh, 21st May.—Prynne, p. 1017.

Edinburgh, 4th June.

Linlithgow, 6th June.—Rymer, vol. ii. old edit. p. 931.

Perth, 10th June.—Rymer, vol. ii. p. 934.

Clackmannan, 12th June.

Perth again, 28th June.—Prynne, p. 1016.

Same town, 10th July.—Prynne, p. 1009.

Kincardin, 17th August.—Prynne, p. 1012.

Aberdeen, 24th August.

Banff, 4th September.—Prynne, p. 1021.

Kinloss, in Moray, 20th September.

Kildrummie, 8th October.—Prynne, p. 1017.

Kinloss again, 10th October.

Dundee, 20th October.—Prynne, p. 1015.

Cambuskynel, 1st November.—Prynne, p. 1022.

Kinross, 10th November.

Dunfermline, 11th December.

#### LETTER Q, page 203.

Lord Hailes observes, p. 276, that “ the Scots fondly imagined that Edward would attempt to force the passage, as the impetuous Cressingham had attempted in circumstances not dissimilar ; but,” he adds, “ the prudence of Edward frustrated their expectation ; having discovered a ford at some distance, he passed the river at the head of his whole cavalry.” This is quite erroneous ; and Trivet, p. 337, whom he quotes on the margin as his authority, says something very different. He tells us, that Edward *did intend to pass the river by the bridge*, which, on his arrival, he found had been already destroyed by the Scots, that all passage thereby might be cut off. Baulked in his expectation, “ Edward pitched his tents and prepared for dinner, when John Comyn approached on the opposite bank with the whole power of the Scots ; upon whose appearance the English army, seizing their arms, mounted their horses,

and with these the king himself, entering the river, found, by the direction of the Lord, a ford for himself and his soldiers." Edward, therefore, whose prudence Lord Hailes commends, because he did not imitate the impetuous Cressingham, had actually intended to follow his example, and pass the river by the bridge; and the Scots, whom he represents as fondly imagining he would do so, evidently entertained no such idea, because they burnt the bridge to prevent him from passing the river.

#### LETTER R, page 204.

Dr Lingard, so far as I have yet examined his History, is considerably inaccurate and prejudiced in his narrative of Scottish affairs. Of his remarks upon the character and career of Wallace I shall speak elsewhere. Meanwhile I may be permitted to put him right as to a fact which, had he carefully read the authorities which he quotes, he could scarcely have stated in the terms which he has used. Speaking, p. 328, vol. iii., of the conditions offered by Edward to Comyn, the Bishop of Glasgow, Sir Simon Fraser, and the rest, he adds,—“When the rest of his countrymen made their peace with England, his (that is, Wallace’s) interests were not forgotten. It was agreed, *that he also* might put himself on the pleasure and grace of the king, if he thought proper;” and he adds this note—“Et quant a Monsieur Guilliam de Galeys est accordé qu’il se mette en la volonte, et en la grace notre le Seigneur le Roi, si lui semble que bon soit.” Lord Hailes “thinks it doubtful, whether the words ‘si lui semble’ refer to Wallace or the king; but they evidently refer to Wallace. *The offer is made in the same manner* to the Bishop of Glasgow, the Stewart, &c. ‘si leur semble que bon soit.’” By these expressions of Dr Lingard, the reader is led to believe, that Edward’s conduct to his Scottish rebels was not ungenerous or harsh; and that to Wallace the same, or nearly the same, terms were offered as to the rest of his countrymen. This is the impression made by the words, “it was *agreed that he also*,” and by the observation, “the offer is made in the same manner.” Had Dr Lingard consulted the state paper published in Prynne’s Edward the First, pp. 1119, 1120, he would have found, that to Comyn, the Bishop of Glasgow, Sir Simon Fraser, and the rest, Edward expressly stipulated, “*that their*

*life and limbs should be safe*—that they should not suffer punishment or lose their estates—and that the ransom they should pay, and the fines to be levied on them for their misdemeanors, should be referred by them to the good pleasure of the king.” This last condition related only to Comyn, and those who surrendered themselves along with him. Wishart the Bishop of Glasgow, Sir Simon Fraser, James the Stewart of Scotland, John Soules, and a few others, were promised security for life and limb, freedom from imprisonment, and that they should not lose their lands ; but, according to their degrees of guilt in Edward’s mind, a fine of more or less extent, and a banishment for a longer or shorter time, was inflicted on them ; which conditions they were to accept, no doubt, “ if to them seemed proper ; ” “ *si lour semble que bon soit.* ” And what, by the same authentic deed, was promised to Wallace ? The terms were, *an unconditional surrender of himself to the will and mercy of the king.* It is impossible Dr Lingard should be ignorant, that these terms were almost equivalent to a declaration, that he was doomed to be executed the moment he was taken ; and yet he gravely tells us, “ Wallace’s interests were not forgotten.” Had the doctor consulted Langtoft, p. 324, he would have found, that Wallace did, like the rest, propose to surrender himself, on the assurance of safety in life, limbs, and estate ; but that Edward cursed him by the fiend for a traitor, and set a price of three hundred marks on his head. This was an attention to his interests with which, we may presume, he would willingly have dispensed.

#### LETTER S, page 211.

The best, and evidently the most authentic, accounts of this memorable siege, are to be found in Langtoft’s valuable Chronicle, in Hemingford, Trivet, and Walsingham. Math. Westminster, in his turgid, and somewhat apocryphal work, entitled the Flowers of History, has given us a lengthy narrative, interwoven with speeches of his own composition, which he puts into the mouth of Edward. The last scene of the surrender of Olifant is in King Cambyses’ vein ; but there is a great want of keeping in Mathew’s composition. Edward, on receiving the suppliants, and hearing their appeal to his mercy, tells them, it is his pleasure that they should be hanged

and quartered ; after which he bursts into tears. The names of the leaders in this defence of Stirling are preserved in Rymer. They are the following :—

Domini Willielmus Olyfard,	Domini Andreas Wychard,
Willielmus de Dupplyn,	Godefridus le Botiller,
milites,	Johannes le Naper,
Fergus de Ardrossan,	Willielmus le Scherere,
Robinus de Ardrossan,	Hugo le Botiller,
frater ejus,	Joannes de Kulgas,
Willielmus de Ramseya,	Willielmus de Anant,
Hugo de Ramseya,	Robertus de Ranfru,
Radulfus de Haleburton,	Walterus Taylleu,
Thomas de Knellhulle,	Simon Larmerer,
Thomas Lellay,	Frater Willielmus de Keth ordi-
Patricius de Polleworche,	nis Sancti Dominici Prædica-
Hugo Olyfard,	torum,
Walterus Olyfard,	Frater Petrus de Edereston de
Willielmus Gyffard,	domo de Kelsou ordinis Sanc-
Alanus de Vypont,	ti Benedicti.

Rymer, *Fœdera*, new edit. p. 966.—The capitulation is dated July 24, 1304.

#### LETTER T, page 214.

The fact, that Wallace's four quarters were sent to different parts of Scotland and England, is mentioned by most ancient historians ; but I find the notice of the towns to which they were sent in the MS. Chron. of Lanercost alone, a valuable historical relic, preserved in the library of the British Museum, (Cotton Library, Claudian, D. vii. Art. 13.,) some extracts from which were communicated by Mr Ellis to Dr Jamieson. See Preliminary Remarks to Wallace, p. 12. This is the passage—"Captus fuit Willelmus Waleis per unum Scottum, scilicet per Dominum Johannem de Mentiphe, et usque London ad Regem adductus, et adjudicatum fuit quod trahe-retur, et suspenderetur, et decollaretur, et membratim divideretur, et quod viscera ejus comburerentur, quod factum est ; et suspensum

est caput ejus super pontem London, armus autem dexter super pontem Novi Castri super Tynam, et armus sinister apud Berwicum, pes autem dexter apud villam Sancti Johannis, et pes sinister apud Aberdene." Fol. 211.

LETTER U, page 216.

I have elsewhere observed that Lord Hailes is fond of displaying his ingenuity in white-washing dubious characters, and that, with an appearance of hypercritical accuracy, in his remarks upon other historians, he is sometimes singularly inaccurate himself. His note upon Sir John Menteth is an instance of this. He represents the fact, that his friend Menteth betrayed Wallace to the English, as founded upon popular tradition—and the romance of Blind Harry, Wallace's rhyming biographer; whom, he adds, every historian copies, but none but Sir Robert Sibbald ventures to quote; and in his Corrections and Additions, he observes, that "his Apology for Menteth has been received with wonderful disapprobation by many readers, because it contradicts vulgar traditions, and that most respectable authority, Blind Harry."

In the face of this general assertion, I have to observe, that the fact of Wallace being betrayed and taken by Sir John Menteth, is corroborated by a mass of ancient historical authority, both from English and Scottish writers, superior to what perhaps could be brought for most other events in our history; and that as these writers lived long before Blind Harry, he may have copied from them, but it is impossible that they could have copied from him. I shall shortly give the English and Scottish authorities for the fact, and leave the reader to make his own inferences as to Hailes's accuracy and impartiality.

We have already seen from the last Note, that the Chronicle of Lanercost Priory, a valuable MS. of the thirteenth century, preserved in the British Museum, Claudian D. vii. 13., has this passage, "*Captus fuit Willelmus Waleis per unum Scottum, scilicet per Dominum Johannem de Mentiphe, et usque London ad Regem adductus, et adjudicatum fuit quod traheretur, et suspenderetur, et decollaretur.*" Folio 211. We cannot be surprised that Lord Hailes should have been ignorant of this passage, as he tells us,

Annals, vol. ii. p. 316, he had not been able to discover where the MS. Chronicle of Lanercost was preserved.

The same excuse, however, will not avail him as to the next piece of evidence of Menteth's having seized Wallace. It is contained in Leland's extract from an ancient MS. chronicle, which Hailes has elsewhere quoted. I mean the Scala Chronicle, preserved in Corpus Christi Library, Cambridge. In Leland's Collect. vol. i. p. 541, we have this passage from the chronicle. "*Wylliam Waleys was taken of the Counte of Menteth about Glaskow, and sent to King Edward, and after was hangid, drawn, and quarterid, at London.*" This is only Leland's abridgement of the passage, which in all probability is much more full and satisfactory in the original. Yet it is quite satisfactory as to Menteth's guilt.

The next English authority is Langtoft's Chronicle, which Hailes has himself quoted in his Notes and Corrections, vol. ii. p. 346. It is curious, and, as to Menteth's guilt, perfectly conclusive.

Sir Jon of Menetest sewed William so nehi,  
 He took him when he wend lest, on nyght his leman bi;  
 That was thortht treson of Jak Schort his man;  
 He was the encheson, that Sir Jon so him nam.—P. 329.

We learn from this, that Sir John Menteth prevailed upon Wallace's servant, Jack Short, to betray his master, and came under cover of night and seized him in bed, "his leman by," and when he had no suspicion of what was to happen. How Hailes, after quoting this passage, which was written more than two centuries before Blind Harry, should have represented this poor minstrel as the only original authority for the guilt of Menteth, it is indeed difficult to determine.

Fordun, who must have been born in the earlier part of the reign of Robert the First, received materials for his history from Wardlaw, Bishop of Glasgow. This prelate died in 1386. Say that Fordun concluded his history in 1376, ten years before Wardlaw's death, it will follow that it was ninety-four years before the poem of Blind Harry, the date of whose poem is somewhere about 1470. Let us hear how he speaks of the death of Wallace.

"Anno Domini M.CCCV., Willelmus Wallace *per Johannem*

*de Menteth fraudulentè et prodicionalitèr capitur, Regi Angliæ traditur, Londoniis demembratur.*" Vol. iv. p. 996.

Winton, against whose credit as a historical authority Hailes could not possibly have objected, finished his chronicle in 1418, fifty-two years before Blind Harry's poem was written. Yet Winton thus speaks of the capture of Wallace, vol. ii. p. 130 :

" A thousand thre hundyr and the fyft yere  
Efter the byrth of our Lord dere,  
*Schyre Jon of Menteth in tha dayis*  
Tuk in Glasco Willame Walays."

And the chapter where this is mentioned, is entitled,

*Quhen Jhon of Menteth in his dayis,*  
*Dissawit gud Willame Walays.*

Bower, the continuator of Fordun, and who possessed his manuscripts, was born in 1385, and is generally believed to have published his Continuation about 1447, sixty-two years before Blind Harry's poem. He preserves, however, the very words of his master, Fordun, as to the guilt of Menteth, and afterwards refers to him in some additions of his own, as the acknowledged traitor who had seized Wallace. Vol. II. pp. 229, 243.

With these authors, Fordun, Winton, and Bower, Hailes was intimately acquainted. He has, indeed, quoted the last of them, Bower, on the margin. He must have known that they were dead before the author of the Metrical Romance of Wallace was born. Annals, vol. i. p. 281. And yet he labours to persuade the reader that the tale of Wallace's capture by Menteth rests on the single and respectable authority of Blind Harry! He has also remarked, that he has yet to learn that Menteth had ever any intercourse or friendship and familiarity with Wallace. Yet that Menteth acted in concert with Wallace, is proved by the following passage from Bower, preserved in the *Relationes Arnaldji Blair*. "In hoc ipso anno (1298) viz. 28 die mensis Augusti, Dominus Wallas Scotiæ custos, cum Johanne Grahame, et Johanne de Menteith, militibus necnon, Alexandro Scrymgeour, Constabulario villæ de Dundee et vexillario Scotiæ, cum quinquagentis militibus armatis, rebelles

Gallovidienses punierunt, qui Regis Angliæ et Cuminum partibus sine aliquo jure steterunt.”<sup>1</sup>

Having given these authorities, all of them prior to Blind Harry, it is unnecessary to give the testimony of the more modern writers. The ancient writers prove incontestably that Sir John de Menteth, a Scottish baron, who had served along with and under Wallace against the English, deserted his country, swore homage to Edward, and employed a servant of Wallace to betray his master into his hands; that he seized him in bed, and delivered him to Edward, by whom he was instantly tried, condemned, and hanged. It was natural that the voice of popular tradition should continue from century to century, to execrate the memory of such a man. Whether Menteth was the intimate friend of Wallace, or what precise degree of familiarity existed between them, it is now not easy to determine—nor is it of much consequence as to his guilt. Indeed it is impossible to regard without a smile the weak and inconclusive evidence, if it deserves so grave a name, on which Hailes has founded what he calls his Apology for Menteth, which, after all, seems to be borrowed from Carte, vol. ii. p. 289.

Dr Lingard, in his History of England, vol. iii. pp. 328, 329, makes an artful attempt to diminish the reputation of Wallace. He remarks, that he suspects he owes his celebrity as much to *his execution* as to his exploits; that of all the Scottish chieftains who deserved and experienced the enmity of Edward, *he alone* perished on the gallows; and that on this account his fate monopolized the sympathy of his countrymen, who revered him as the martyr of their independence; he represents the accounts of his strength, gallantry, and patriotic efforts, as given by Scottish writers who lived a century or two after his death, and who therefore were of no credible authority; and he concludes with an eulogy on the clemency of Edward, who did not forget the interests of Wallace, when the rest of his countrymen made their peace with England. All this is a tissue of error and misrepresentation. It is not true, that of all the Scottish chieftains who deserved Edward's enmity, Wallace was the only

<sup>1</sup> Dr Jamieson, in his Notes on Wallace, p. 403, has ably combated the scepticism of Hailes as to Menteth. The above passage is quoted from the *Relationes Arnaldi Blair*, and seems to have been a part of Bower's additions to Fordun.

one who perished on the gallows. Sir Nigel Bruce, Sir Christopher Seton, John Seton, the Earl of Athol, Sir Simon Fraser, Sir Herbert de Morham, Thomas Boys, Sir David Inchmartin,<sup>1</sup> Sir John de Somerville, Sir Thomas and Sir Alexander Bruce, both brothers of the King, and Sir Reginald Crawford, were all hanged by Edward's orders in the course of the year 1306, within a year of the execution of Wallace. So much for the accuracy of the ground on which Lingard has founded his conjecture, that Wallace owes his celebrity "to his execution."

His next remark is equally unfortunate. The writers who have given us an account of the exploits of Wallace did not live, as Lingard imagines, a century or two after his death. John de Fordun, whom the historian, in his note on p. 328, includes amongst these writers, was born, as we have said, early in the reign of King Robert Bruce. He certainly received materials for his history from Bishop Wardlaw, who died in 1386. If we suppose that he began his history thirty years before; and that he was thirty years old when he commenced writing, this will give us 1326 for the year of his birth. So that Fordun was born twenty-one years after Wallace's execution. Even in the most favourable possible way in which the calculation can be taken, Fordun wrote his history only eighty-one years after Wallace's execution; and taking fifty as the average life, it will follow he was born only thirty-one years after that event. Winton finished his history in 1418. He was born probably not more than fifty or sixty years after Wallace's death, and might have received his information from old men who had known him.

As to Lingard's praise of the clemency of Edward towards Wallace, the unsubstantial grounds on which it is founded have been already noticed.<sup>2</sup> I cannot help remarking that Lingard's whole account of Wallace is artfully, and, as it appears to me, unfairly written. He begins, by throwing a doubt over his early history. "Historians conjecture," he says, "that Wallace was born at Paisley, and they assert that his hostility to the English originated more in the necessity of self-preservation, than the love of his country. He had committed a murder, and fled from the pursuit of

<sup>1</sup> See *supra*, 247 to 257, inclusive.

<sup>2</sup> Page 443, note R.

justice to the woods." Such may be the vague assertion of the English historians, but Bower, an excellent authority, intimates a contrary opinion. They assert that Wallace's hostility to the English arose from his despair at beholding the oppression of his relations and countrymen, and the servitude and misery to which they were subjected. Fordun a Goodal, vol. ii. p. 169.

He next observes, that after the surprise of Ormesby the Justiciary, by Wallace and Douglas, other independent chieftains arose in different counties, who massacred the English, and compelled their own countrymen to fight under their standards. These other independent chieftains are brought in "for the nonce" by Dr Lingard. They are utterly unknown to the contemporary historians, English or Scottish. But they do not appear upon the stage without a use. On the contrary, they first multiply, like Falstaff's men in buckram, "into numerous parties," and then act a principal part in the next sentence; for the historian goes on to observe, "that the origin and progress of *these numerous parties* had been viewed with secret satisfaction by the Steward of Scotland and Wishart the Bishop of Glasgow, who determined to collect them into one body, and to give their efforts one common direction. Declaring themselves the assertors of Scottish independence, they invited the different leaders to rally around them, and the summons was obeyed by Wallace and Douglas, by Sir Alexander Lindsay, Sir Andrew Moray, and Sir Richard Lundy." Vol. iii. p. 305. This last sentence is one of pure and gratuitous invention, without a shadow of historical authority to support it. The numerous independent parties and chieftains who rose in different counties, the secret satisfaction with which they were contemplated by the Bishop of Glasgow and the High Steward, their determination to collect them into one body and to give them one common direction, their declaring themselves the assertors of Scottish independence, their summons to the different leaders to rally round them, and the prompt obedience of this summons by Wallace, Douglas, and the rest, are facts created by the ingenuity of the historian. They seem to be introduced for the purpose of diminishing the reputation of Wallace, and the impression they leave on the mind of the reader appears to me to be one totally different from the truth. The Steward and the Bishop of Glasgow are the patriot chiefs under

whom Douglas, and Wallace, and many other independent chieftains, consent to act for the recovery of Scottish freedom, and Wallace sinks down into the humble partisan, whose talents are directed by their superior authority and wisdom. Now, the fact is exactly the reverse of this. The Steward and Wishart, encouraged by the successes of Wallace and Douglas, joined their party, and acted along with them in their attempt to free Scotland; but neither Fordun, nor Winton, nor Bower, gives us the slightest ground to think that they acted a principal part, or any thing like a principal part, in organizing the first rising against Edward. On the contrary, these historians, along with Trivet and Walsingham, Tyrrel and Carte, ascribe the rising to Wallace alone, whose early success first caused him to be joined by Douglas, and afterwards by the Bishop and the Steward, along with Lindsay, Moray, and Lundy. Indeed, instead of playing the part ascribed to them by Lingard, the patriotism of the Steward and the Bishop was of that lukewarm and short-lived kind which little deserves the name. It did not outlive eight weeks, and they seized the first opportunity to desert Wallace and the cause of freedom. The attack upon Ormesby the Justiciary took place some time in May 1297, and on the 9th of July of the same year, did Bishop Wishart, this patriot assertor of Scottish independence, negotiate the treaty of Irvine, by which he and the other Scottish barons, with the single exception of Wallace and Sir Andrew Moray of Bothwell, submitted to Edward. Lingard's other hero, the High Steward, who is brought in to divide the glory with Wallace, was actually in the English service at the battle of Stirling, and although he secretly favoured the Scottish cause, he did not openly join with his countrymen till he saw the entire destruction of Surrey's army. I may remark, in concluding this note, that the idea of an attack upon Wallace, and an eulogy of the clemency of Edward, has probably not even the merit of originality. It appears to be borrowed from Carte, vol. ii. p. 290; but it is only the idea which is taken. The clumsy and absurd argument of Carte is discarded, and a far more ingenious hypothesis, with a new set of facts, is substituted in its place. On reading over Hemingford again, I find one expression which may perhaps have suggested this theory of Lingard. Hemingford says, speaking of Bruce, p. 120, that he joined the Bishop of Glasgow and the Steward "qui tocius mali

fabricatores exstiterant." Yet this is inconsistent with his own account in p. 118, and is not corroborated, as far as I know, by any other historian.

LETTER V, page 233.

A MS. in the Cottonian, Vitell. A xx, entitled " *Historia Angliæ a Bruto ad ann. 1348,*" has this passage: " *Anno 1306. Kal. Feb. Robertus de Brus ad regnum Scotiæ aspirans, nobilem virum, J. de Comyn, quod sæ proditioni noluit assentire, in Ecclesia fratrum minorum de Dumfres interfecit; et in festo annuntiationis Virginis, gloriose in Ecclesia Canonorum regularium de Scone, per Comitissam de Bohan, se fecit in regem Scotiæ solemniter coronari. Nam germanus predictæ comitisse, cui hoc officium jure hereditario competebat, tunc absens in Anglia morabatur. Hanc Comitissam eodem anno Angli ceperunt, et in quadam domuncula lignea super murum Castri Berwyki posuerunt, ut eam possent conspicere trans-euntes.*" The original order of Edward for the imprisonment of the Countess of Buchan is to be found in Rymer, *Fœdera*, vol. ii. p. 1014. Lord Hailes treats the tale of the Countess of Buchan's criminal passion for Bruce with ridicule, and in this respect follows Abercromby, vol. i. p. 573, whose remarks upon this obscure story are exceedingly weak and trifling. If, however, we admit the fact, that the Countess of Buchan, whose brother was in the English interest, and whose husband, according to the authentic and accurate historian Hemingford, vol. i. p. 221, was so enraged that he sought to kill her for her treason, did, alone and unaccompanied, repair to Scone, and there crown Robert Bruce, it seems to give some countenance to the story of her entertaining a passion for the king. The circumstance that nothing of this second coronation is to be found in the Scottish historians, Barbour, Winton, or Fordun, rather confirms than weakens the suspicion.

LETTER W, page 246.

" *Hanc autem Comitissam eodem anno ab Anglicis captam cum*

quidam perimere voluissent, non permisit rex, sed in domuncula quadam lignea super murum Castri Berewici posita est, ut possent eam transeuntes conspiciere." Trivet, p. 342.—Lord Hailes, vol. ii. p. 10, has given an elaborate and anxious note, to prove the impossibility of there being any truth in Math. Westminster's assertion, p. 455, "that the Countess was in open day suspended at Berwick in a stone and iron chamber, formed like a crown, as a gaze to all passengers." He quotes the order preserved in the *Fœdera*, vol. ii. p. 1014, and then observes, that it is inconsistent with the story related by Math. Westminster. I confess that I can see no such inconsistency; on the contrary, the one completely corroborates the other. The place of confinement, as described in the express words of Edward, is "to be a cage constructed in one of the turrets of the castle of Berwick, latticed with wood, cross-barred, and secured with iron, in which the Chamberlain of Scotland, or his deputy, shall put the Countess of Buchan." Lord Hailes observes, that "to those who have no notion of any cage but one for a parrot, or a squirrel, hung out at a window, he despairs of rendering this mandate intelligible." I know not what called forth this peevish remark, but any one who has observed the turrets of the ancient feudal castles, which hung like crowns, or cages, on the outside of the walls, and within one of which the countess's cage was to be constructed, will be at no loss to understand the tyrannical directions of Edward, and the passage of Mathew Westminster. It is impossible not to remark, that, in his text, Lord Hailes has wholly omitted to notice the severity of Edward the First to the Countess of Buchan, simply observing, that she was committed to close confinement in England, and characterising Edward's orders as being ridiculously minute. Dr Lingard, vol. iii. p. 377, softens the severity of Edward by a supposition, which appears to me to be inconsistent with the tone and spirit of Edward's order.

LETTER X, page 248.

We know by the evidence of a remission under the Great Seal, communicated by Mr Thomson, the Deputy-Clerk Register, to Dr Jamieson, that the delivery of Sir Christopher Seton to the Eng-

lish was imputed to Sir Gilbert de Carric, but, upon investigation, not altogether justly, “minus juste ut verius intelleximus;” and the same remission proves, that the castle of Lochdon was, by the same knight, Sir Gilbert de Carric, delivered into the hands of the English. Mr Thomson considers the remission as showing for certain that Sir Christopher had taken refuge in the castle of Lochdon, of which Sir Gilbert de Carric was hereditary keeper; but this is rather a strong inference than a certainty. The conjecture of the Statistical Account, vol. xi. No. 4, Parish of Urr, in favour of the castle of Loch Urr, seems to be supported by pretty plausible evidence.

LETTER Y, page 251.

Dr Lingard observes that some of them were murderers. I know not on what authority he uses the plural “some of them.” Sir Christopher de Seton, indeed, is represented by Hemingford, p. 219, as having slain Comyn’s brother, Sir Robert; and Trivet, p. 345, points to the same thing in the sentence, “usque Dumfries ubi quendam militem de parte Regis occiderat;” but the authentic Scottish historians, Barbour and Fordun, say nothing of it; and I suspect that all that can be proved against Seton, is the being present with Robert Bruce when he stabbed Comyn. Indeed, one MS. of Trivet says, that Seton was condemned on account of a murder committed in a church *with his consent*. See Trivet, p. 345, and the various readings at the bottom. As to the others, I am not aware of a single act of murder which can be brought against them, on the authority either of English or of Scottish historians. The fealty sworn to Edward was extorted from them either by fetters, imprisonment, confiscation, or the fear of death.

LETTER Z, page 278.

Lord Hailes has been misled by an error of Rymer, who has erroneously placed a deed entitled “Gilbertus Comis Gloucestrie Capitaneus pro Expeditione Scotiæ,” on the 3d December 1309, instead of 1308. He conjectures, but on very slight grounds, that

the siege was raised. We may, perhaps, infer the contrary, from the orders issued by Edward, on the 12th of May 1309, to most parts of England, and to Ireland also, to provide corn, malt, peas, beans, and wine, for his various castles in Scotland, and in the enumeration of these, Rutherglen is not included. The castles mentioned are, Berwick, Roxburgh, Stirling, Edinburgh, Banff, Perth, Dundee, Dumfries, Caerlaverock, and Ayr. *Rotuli Scotiæ*, m. x. p. 63. Forfar is also mentioned, in a document dated 3d December 1308, as being at the time in possession of the English.

LETTERS AA, page 298.

Hume has entirely mistaken the numbers of the English army who fought at Bannockburn, and has been corrected by Hailes, vol. i. p. 41. Lingard has remarked, that it is impossible to ascertain the exact numbers of Edward's army. He says the most powerful earls did not attend; but he has omitted the important fact, that although they did not come in person, they sent their knights to lead their vassals into the field, and perform their wonted services. We may infer from the mention of the absence of the Earls of Warwick, Surrey, Arundel, and Lancaster, that if any of the other barons or counties had neglected to send their powers, the same historians would have noted the circumstance. The number given by Tyrrel, vol. iii. p. 260, is a hundred thousand men, and it is probable that this is rather under than above the fact.

LETTERS BB, page 323.

From the size of this volume, I shall include this note in the Illustrations of Volume Second.

LETTERS CC, page 416.

The leonine verses, called Bruce's testament, are as follows:—

“ *Scotica sit guerra pedites, mons, mossica terra :  
Silvæ pro muris sint, arcus et hasta, securis.*

Per loca stricta greges munientur. Plana per ignes  
 Sic inflammentur, ut ab hostibus evacuentur.  
 Insidiæ vigiles sint, noctu vociferantes.  
 Sic male turbati redient velut ense fugati  
 Hostes pro certo ; Sic Rege docente Roberto.”

I add the Scottish version from Hearne—

“ On fut suld be all Scottis weire,  
 Be hyll and moss thaimself to weire,  
 Lat wod for wallis be ; bow, and spier,  
 And battle-axe, their fechtig gear.<sup>1</sup>  
 That ennymeis do thaim na dreire,  
 In strait placis gar keip all stoire,  
 And birnen the planen land thaim befoire,  
 Thanan sall they pass away in haist  
 Quhen that thai find nathing bot waist ;  
 With wylles and wakenen of the nycht  
 And mekil noyse maid on hycht ;  
 Thanen shall thai turnen with gret affrai  
 As thai were chasit with swerd away.  
 This is the counsall and intent  
 Of gud King Robert’s testament.”

<sup>1</sup> In the translation of “securis,” I have adopted Ridpath’s conjecture—  
 Border History, p. 290.

END OF VOLUME FIRST.