

The number of the slain, however, was very great; and multitudes of the fugitives—it is said nearly fifteen hundred—were drowned in a vain attempt to ford the Tweed. Amongst those who fell, besides Swinton and Gordon, were Sir John Levingston of Calendar, Sir Alexander Ramsay of Dalhousie, Sir Roger Gordon, Sir Walter Scott, and Sir Walter Sinclair, with many other knights and esquires, whose followers mostly perished with their masters. Besides the leaders, Douglas and Lord Murdoch, eighty knights were taken prisoners, and a crowd of esquires and pages, whose names and numbers are not ascertained. Among the first were three French knights, Sir Piers de Essars, Sir James de Helsey, and Sir John Darni;¹ Sir Robert Erskine of Alva, Lord Montgomery, Sir James Douglas Master of Dalkeith, Sir William Abernethy of Salton, Sir John Stewart of Lorn, Sir John Seton, Sir George Lesly of Rothes, Sir Adam Forrester of Corstorfin, Sir Walter Bickerton of Luffness, Sir Robert Stewart of Durisdeer, Sir William Sinclair of Hermanston, Sir Alexander Home of Dunglas, Sir Patrick Dunbar of Bele, Sir Robert Logan of Restalrig, Sir Lawrence Ramsay, Sir Helias Kinmont, Sir John Ker, and Fergus Macdowall of Galloway, with many others whose names have not been ascertained.²

The fatal result of this day completely proved the dreadful power of the English bowmen; for there is not a doubt that the battle was entirely gained by

¹ Parliamentary History of England, vol. ii. p. 71.

² Fordun a Goodal, vol. ii. pp. 434, 435.

the archers. Walsingham even goes so far as to say, that neither earl, knight, nor squire, ever handled their weapons, or came into action, but remained idle spectators of the total destruction of the Scottish host; nor does there seem any good reason to question the correctness of this fact, although, after the Scots were broken, the English knights and horsemen would, of course, join in the pursuit. It was in every way a most decisive and bloody defeat, occasioned by the military incapacity of Douglas, whose pride was probably too great to take advice, and his judgment and experience in war too confined to render it unnecessary. Hotspur might now rejoice that the shame of Otterburn was effectually defaced; and March, if he could be so base as to enjoy the triumph, must have been amply satiated with revenge; for his rival, Douglas, was defeated, cruelly wounded, and a captive.¹

The battle was fought on the day of the Exaltation of the Holy Cross, being the 14th September, in the year 1402; and the moment that the news of the defeat was carried to Westminster, the King of England directed his letters to the Earl of Northumberland, with his son Henry Percy, and also to the Earl of March, commanding them, for certain urgent causes, not to admit to ransom any of their Scottish prisoners, of whatever rank or station, or to suffer them to be at liberty under any parole or pre-

¹ Fordun a Goodal, vol. ii. pp. 434, 435. Rymer, *Fœdera*, vol. ix. p. 26. Walsingham, p. 366. *Extracta ex Chronicis Scotiæ*, MS. p. 250.

text, until they should receive further instructions upon the subject. To this order, which was highly displeasing to the pride of the Percies, as it went to deprive them of an acknowledged feudal right which belonged to the simplest esquire, the monarch subjoined his pious thanks to God for so signal a victory, and to his faithful barons for their bravery and success; but he commanded them to notify his orders regarding the prisoners to all who had fought at Homildon, concluding with an assurance, that he had no intention of ultimately depriving any of his liege subjects of their undoubted rights in the persons and property of their prisoners; a declaration which would not be readily believed.¹ If Henry thus defeated the objects, which the victory might have secured to him, by his precipitancy and imprudence, Hotspur stained it by an act of cruelty and injustice. Teviotdale, it may perhaps be remembered, after having remained in the partial possession of the English for a long period, under Edward the Third, had at last been entirely wrested from them by the bravery of the Douglasses; and as the Percies had obtained very large grants of land in this district, upon which many fierce contests had taken place, their final expulsion from the country they called their own, was peculiarly irritating. It happened, that amongst the prisoners was Sir William Stewart of Forrest, a knight of Teviotdale, who was a boy at the time the district "was Anglicised," and, like many others, had been compelled to embrace a virtual allegiance to England, by a

¹ Rymer, *Fœdera*, vol. viii. p. 278.

necessity which he had neither the power nor the understanding to resist. On the miserable pretence that he had forfeited his allegiance, Hotspur accused him of treason, and had him tried by a jury; but the case was so palpably absurd and tyrannical, that he was acquitted. Percy, in great wrath, impanelled a second jury, and a second verdict of acquittal showed their sense and firmness; but the fierce obstinacy of feudal revenge was not to be so baffled, and these were not the days when the laws could check its violence. A third jury was summoned, packed, and overawed, and their sentence condemned Sir William Stewart to the cruel and complicated death of a traitor. It was instantly executed, and his quarters, with those of his squire, Thomas Ker, who suffered along with him, were placed on the gates of York; the same gates upon which, within a year, were exposed the mangled remains of Percy himself.¹ The avidity with which Hotspur appears to have thirsted for the blood of this unhappy youth, is only to be accounted for in the supposition of some deadly feud between the families; for on no other occasion did this celebrated soldier show himself naturally cruel, or unnecessarily severe.²

The events which followed the defeat of the Scots at Homildon are of a very interesting nature, and merit particular attention. Not long after the victory, the Percies began to organize that celebrated conspiracy against Henry the Fourth, the monarch

¹ Winton, vol. ii. p. 403.

² Fordun a Hearne, pp. 1150, 1151.

whom their own hands had placed on the throne, which ended in the battle of Shrewsbury, and the defeat and death of Hotspur ; but as the plot was yet in its infancy, an immediate invasion of Scotland was made the pretext for assembling an army, and disarming suspicion, whilst Percy, in conjunction with the Earl of March, talked boldly of reducing the whole of the country as far as the Scottish sea.¹ It is probable, indeed, that previous to this, the defeat at Homildon had been followed by the temporary occupation of the immense border estates of the Earl of Douglas by the Earl of Northumberland ; as, in a grant of the whole earldom of Douglas, which was about this time made to Northumberland by the King of England, the districts of Eskdale, Liddesdale, with the forest of Ettrick and the lordship of Selkirk, are noticed as being in the hands of the Percies ; but so numerous were the vicissitudes of war in these border districts, that it is difficult to ascertain them with precision ;² and it is certain, that the recovery of the district was almost simultaneous with its occupation. In the meantime, the combined army of March and the two Percies took its progress towards Scotland, and commenced the siege of the tower of Cocklaws, commanded by John Greenlaw, a simple esquire,³ and situated on the borders. The spectacle of a powerful

¹ The Firth of Forth usually went by this name.

² *Rotuli Scotiæ*, vol. ii. p. 163.

³ *Ibid.* vol. ii. p. 172. It appears by a MS. letter of the Earl of Northumberland, that on 30th May, he and his son had indentures for the delivery of *Ormiston* Castle on the 1st of August, if not delivered by battle. *Pinkerton's History*, vol. i. p. 77.

army, commanded by the best soldier in England, proceeding to besiege a paltry march-tower, might have been sufficient to convince Henry, that the real object of the Percies was not the invasion of Scotland; and their subsequent proceedings must have confirmed this opinion. Assaulted by the archers, and battered by the trebuchets and mangonels, the little tower of Cocklaws not only held its ground, but its master, assuming the airs of the governor of a fortress, entered into a treaty with Hotspur, by which he promised to surrender at the end of six weeks, if not relieved by the King of Scotland, or Albany the governor.¹ A messenger was dispatched to Scotland with the avowed purpose of communicating this agreement to Albany, but whose real design was evidently to induce him to become a party to the conspiracy against Henry, and to support the Percies, by an immediate invasion of England. Nor was the mission unsuccessful; for Albany, anxious to avenge the loss sustained at Homildon, and irritated by the captivity of his eldest son, at once consented to the proposal, and assembled a very numerous army, with which he prepared to enter England in person.² In the meantime, the Earl of Douglas, Sir Robert Stewart of Durisdeer, and the greater part of the barons and men-at-arms, who were made prisoners at Homildon, eagerly entered into the conspiracy, and joined the insurgents with a large force; but the Earl of March continued faithful to the King of Eng-

¹ Fordun a Goodal, vol. ii. pp. 435, 436.

² Ibid. vol. ii. p. 436.

land, actuated more, perhaps, by his mortal enmity to the Douglasses, than by any great affection for Henry. Another alarming branch of the rebellion was in Wales, where Owen Glendour had raised an army of ten thousand men ; and besides this, many of the English barons had entered into a correspondence with Percy, and bound themselves to join him with their power, although at the last most deserted him, and thus escaped his ruin.

All things being thus prepared, Henry Percy and the Earl of Douglas at once broke off the prosecution of their Scottish expedition, and, having joined the Earl of Worcester, began their march towards Wales, giving out at first that it was their design to assist the king in putting down the rebel Glendour. Henry, however, was no longer to be deceived ; and the representations of the Earl of March convinced him of the complicated dangers with which he was surrounded. It was his design to have delayed proceeding against the insurgents, until he had assembled such an overwhelming force as he thought gave a certainty of victory ; but the Scottish earl vehemently opposed all procrastination, maintaining the extreme importance of giving battle to Percy before he had formed a junction with Glendour ; and the king, following his advice, pushed on by forced marches, and entered Shrewsbury at the moment that the advance of Percy and Douglas could be seen marching forward to occupy the same city. On being anticipated by their opponent, they retired, and encamped at Hartlefield,

within a mile of the town. Henry immediately drew out his army by the east gate, and, after a vain attempt at treaty, which was broken off by Percy's uncle, the Earl of Worcester, the banners advanced, cries of St George and Esperance, the mutual defiances of the king and Percy, rent the air ; and the archers on both sides made a dreadful slaughter, even with the first discharge. As it continued, the ranks soon became encumbered with the dead, " who lay as thick," says Walsingham, " as leaves in autumn ;" and the knights and men-at-arms getting impatient, Percy's vaward, which was led by Douglas, and consisted principally of Scottish auxiliaries, made a desperate charge upon the king's party, and had almost broken their array, when it was restored by the extreme gallantry of Henry, and his son the Prince of Wales, afterwards Henry the Fifth. After this, the battle continued for three hours to be most obstinately contested, English fighting against English, and Scots against Scots, with the utmost cruelty and determination. It could not indeed be otherwise. The two armies were fourteen thousand strong on each side, and included the flower not only of the English chivalry, but of the English yeomen. Hotspur and Douglas were reckoned two of the bravest knights then living, and if defeated, could hope for no mercy ; whilst Henry felt that, on his part, the battle must decide whether he was to continue a king, or to have the diadem torn from his brow, and to be branded as a usurper. At one time he was in imminent danger ; for Hotspur and Douglas, during the heat of the battle,

coming opposite to the royal standard, made a desperate attempt to become masters of the person of the king, and had so nearly succeeded, that the Scottish earl slew Sir Walter Blunt, the standard-bearer, struck down the Earl of Stafford, and had penetrated within a few yards of the spot where Henry stood, when the Earl of March rushed forward to his assistance, and prevailed on him not to hazard himself so far in advance. On another occasion, when unhorsed, he was rescued by the Prince of Wales, who this day gave promise of his future military genius; but with all his efforts, seconded by the most determined courage in his soldiers, the obstinate endurance of the Scots, and the unwearied gallantry and military skill of Hotspur were gradually gaining ground, when this brave leader, as he raised his visor for a moment to get air, was pierced through the brain by an arrow, and fell down dead on the spot. His fall, which was seen by both sides, seems to have at once turned the fortune of the day. The rebels were broken and dispersed, the Scots almost entirely cut to pieces, Sir Robert Stewart slain, and the Earl of Douglas once more a captive, and severely wounded.¹

In the meantime, whilst the rebellion of the Percies was thus successfully put down, Albany, the governor, assembled the whole strength of the kingdom, and, at the head of an army of fifty thousand men, advanced into England. His real object, as discovered by his subsequent conduct, was to second the

¹ Walsingham, pp. 368, 369.

insurrection of Hotspur; but, ignorant as yet that the rebellion had openly burst forth, he concealed his intention, and gave out to his soldiers that it was his intention to give battle to the Percies, and to raise the siege of Cocklaws.¹ On arriving before this little border strength, instead of finding Hotspur, he was met by the news of his entire defeat and death in the battle of Shrewsbury, and, after ordering a herald to proclaim this to the army, he at once quietly retired into Scotland. Discouraged by the inactivity of the Welsh, by the death of Percy, the captivity of Douglas, and the submission of the Earl of Northumberland, Albany judiciously determined that this was not the most favourable crisis to attack the usurper, and for the present resumed a pacific line of policy. In their account of the rebellion of the Percies, and the expedition of Albany, our ancient Scottish historians exhibit a singular instance of credulity in describing the investing of the border fortalice by Hotspur, and the subsequent progress of Albany to raise the siege, as really and honestly engaged in by both parties; and it is difficult not to smile at the importance which the tower of Cocklaws and its governor assume in their narrative.

If Albany's government seemed destined to be inglorious in war, his civil administration was weak and vacillating, disgraced by the impunity, if not by the encouragement, of feudal tyranny and unlicensed oppression. Of this a striking instance occurred a little prior to the rebellion of the Percies

¹ Fordun a Hearne, pp. 1158, 1159.

Sir Malcolm Drummond, brother to the late Queen of Scotland, had married Isabella, Countess of Mar in her own right, whose estates and vassalage were amongst the most powerful in Scotland. When resident in his own castle, this baron was attacked by a band of armed ruffians, overpowered, and cast into a dungeon, where the barbarous treatment he experienced ended in his speedy death. The suspicion of this lawless act rested on Alexander Stewart, a natural son of the Earl of Buchan, brother to the king, who emulated the ferocity of his father, and became notorious for his wild and unlicensed life. This chief, soon after the death of Drummond, appeared before the strong castle of Kildrummie, the residence of the widowed countess, with an army of ketherans, stormed it in the face of every resistance, and, whether by persuasion or by violence is not certain, obtained her in marriage. To murder the husband, to marry the widow, and carry off the inheritance from her children, were deeds which, even under the misgovernment of Albany, excited the horror of the people, and called loudly for redress; but before this could be obtained, an extraordinary scene was acted at Kildrummie. Stewart presented himself at the outer gate of the castle, and there, in presence of the Bishop of Ross and the assembled tenantry and vassals, was met by the Countess of Mar, upon which, with much feudal pomp and solemnity, he surrendered the keys of the castle into her hands, declaring that he did so freely and with a good heart, to be disposed of as she plea-

sed. The lady then, who seems to have forgotten the rugged nature of the courtship, holding the keys in her hands, declared that she freely chose Alexander Stewart for her lord and husband, and that she gave him in marriage the earldom of Mar, the castle of Kildrummie, and all other lands which she inherited. The whole proceedings were closed by solemn instruments or charters being taken on the spot ; and this remarkable transaction, exhibiting in its commencement and termination so singular a mixture of the ferocity of feudal manners and the formality of feudal law, was actually legalized and confirmed by a charter of the king, which ratified the concession of the countess, and permitted Stewart to assume the titles of Earl of Mar, and Lord of Garvyach.¹ Yet he who was murdered, to make way for this extraordinary intrusion of the son of Buchan, was the king's brother-in-law, and there seems to have been little doubt that the successful wooer, and the assassin of Drummond, were one and the same person. Nothing could give us a more striking proof of the pusillanimity of the sovereign, the weakness of the law, and the gross partialities of Albany.

The unquiet and suspicious times of Henry the Fourth, whose reign was marked by an almost uninterrupted succession of conspiracies, rendered it an object of great moment with him to keep at peace with Scotland ; and it was evidently the interest of that

¹ Sutherland Case, by Lord Hailes, chap. v. p. 43. Winton, vol. ii. p. 404.

kingdom to cultivate an amicable relation with England. Her present danger consisted not so much in any fears of invasion, or any serious attempts at conquest, as in the dread of civil commotion and domestic tyranny under the unprincipled administration of Albany. The murder of the Duke of Rothsay, and the impunity permitted to the worst crimes committed by the nobles, clearly proved that the governor would feel no scruples in removing any further impediment which stood in the way of his ambition ; and that he looked for indulgence from the favour with which he treated similar crimes and excesses in the barons who composed his court, and with whom he was ready to share the spoils which he had amassed, or the honours which he had wrested from their legitimate possessors. Under a government like this, the king became a mere shadow. Impelled by his natural disposition, which was pacific, gentle, and contemplative, he had at first courted retirement, and willingly resigned much of the active management of the state to his brother ; and now that the murder of Rothsay had roused his paternal anxieties, that the murmurs of the people loudly accused this brother of so dreadful a crime, and branded him as the author and abettor of all the disorders which distracted the country, he felt, yet dreaded, the necessity of interference ; and, while he trembled for the safety of his only remaining son, he found himself unequal to the task of instituting the proper measures for his security, or of reassuming, in the midst of age and infirmities, those toils of government, to which, even in

his younger years, he had experienced an invincible aversion. But although the unfortunate monarch, thus surrounded with difficulties, found little help in his own energy or resources, friends were still left to him who pitied his condition, and felt a just indignation at the successful tyranny of the governor. Of these, the principal was Henry Wardlaw, Bishop of St Andrews, a loyal and generous prelate, nephew to the Cardinal Wardlaw, and, like him, distinguished for his eminence as a scholar, and his devotion to literature. To his charge was committed the heir of the throne, James Earl of Carrick, then a boy in his fourteenth year, who was bred up in the castle of St Andrews, under the immediate eye of the prelate, in the learning, exercises, and accomplishments befitting his high rank, and already promising abilities.

In the meantime, the captivity of so many of her nobles and gentry, who had been recently taken at Nesbit Moor, and in the battles of Homildon Hill and Shrewsbury, had a manifest effect in quieting the country, encouraging its pacific relations, and increasing its commercial intercourse with England. The years which succeeded this fatal conflict, are occupied with numerous expeditions of the Scottish captives, who, under the safe conducts of Henry, travelled into their own country, and returned either with money, or with cargoes of wool, fish, or live stock, with which they discharged their ransom and procured their liberty.¹ The negotiations also, con-

¹ Rotuli Scotiae, vol. ii. pp. 164, 166, 167, 172, 173, 177.

cerning the ransom of Murdoch the son of Albany, the Earl of Douglas, and other eminent prisoners, promoted a constant intercourse, whilst the poverty of Scotland in its agricultural produce, is seen in the circumstance, that any English captives are generally redeemed in grain, and not in money. Some Norfolk fishermen, who had probably been pursuing their occupation upon the Scottish coast, having been captured and imprisoned, Henry permitted two mariners of Lynne to carry six hundred quarters of grain into Scotland for their redemption; and, at the same time, granted a license to an Irish merchant to import corn, flour, and other victuals and merchandise, into that country, during the continuance of the truce.¹ Upon the whole, the commercial intercourse between the two countries appears to have been prosecuted with great activity, although interrupted at sea by the lawless attacks of the English cruizers,² and checked by the depredations of the borderers, and broken men of both nations.

One cause, however, for jealousy and dissatisfaction upon the part of Henry still remained, in the perpetual reports which proceeded from Scotland, with regard to Richard the Second being still alive in that country, where, it was said, he continued to be treated with the utmost kindness and distinction. That these assertions, as to the reappearance of the dethroned

¹ Rotuli Scotiae, vol. ii. p. 172.

² Fœdera, vol. viii. pp. 411, 420, 450; and MS. Bibl. Cot. F. vii. No. 22, 89, 116, 117, 118, quoted in M'Pherson's Annals of Commerce, vol. i. p. 615.

monarch, long after his reputed death, had a foundation in truth, there seems good reason to believe;¹ but whether true or not, it was no unwise policy in Albany to abstain from giving any public contradiction to the rumour, and at times even to encourage it, as in this manner he essentially weakened the government of Henry; and by affording him full employment at home, rendered it difficult for him to engage in any schemes for the annoyance of his neighbours.

In 1404, a gentleman named Serle, who had formerly been of Richard's bedchamber, repaired secretly to Scotland, and on his return, positively affirmed that he had seen the king. The old Countess of Oxford, mother to Robert de Vere, Duke of Ireland, the favourite of Richard, eagerly gave credit to the story; and by the production of letters, and the present of little silver harts, the very gifts which the late king had been fond of distributing amongst his favourites, she had already contrived to persuade many persons to credit the report, when her practices were discovered, and the execution and confession of Serle put an end to the rumour for the present. It was asserted, that Serle had actually been introduced, when in Scotland, to a person whom he declared to bear so exact a resemblance to Richard the Second, that it was not astonishing many should be deceived by it; and it was evident, that if Albany had not lent himself in any open manner to en-

¹ See Appendix, at the end of the volume.

courage, he had not, on the other hand, adopted any means to expose or detect, the alleged impostor.¹

But this plot of Serle and the Countess of Oxford was followed by a conspiracy of far greater moment, in which Scotland was deeply concerned, yet whose ramifications, owing to the extreme care with which all written evidence, in such circumstances, is generally concealed or destroyed, are extremely difficult to be detected. Its principal authors were, the Earl of Northumberland, the father of Hotspur, Scrope, the Archbishop of York, whose brother Henry had beheaded, and the Earl Marshal of England, with the Lords Hastings, Bardolf, and Faulconbridge ; but it is certain that they received the cordial concurrence of some party in the Scottish state, as Northumberland engaged to meet them at the general rendezvous at York, not only with his own followers, but with a large reinforcement of Scottish soldiers, and it was calculated that they would be able to take the field with an army of twenty thousand men.² Besides this, they had engaged in a correspondence with the French king, who promised to dispatch an expedition, which, at the moment they took up arms in England, was to make a descent on Wales, where Owen Glendour, the fierce and indefatigable opponent of Henry, had promised to join them ; and this formidable opposi-

¹ Walsingham, p. 371.

² Hall's Chronicle, p. 35. Edition 1809. London, 4to. Hardyng's Chronicle, p. 362. Edition 1812. London, 4to.

tion was to be further strengthened by a simultaneous invasion of the Scots.

Northumberland's intentions in this conspiracy are very clearly declared, in an intercepted letter, which he addressed to the Duke of Orleans, and which is preserved in the Parliamentary Rolls. "I have embraced," says he, "a firm purpose, with the assistance of God, with your aid, and that of my allies, to sustain the just quarrel of my sovereign lord King Richard, if he is alive; and if he is dead, to avenge his death; and moreover, to sustain the right and quarrel, which my redoubted lady, the Queen of England, your niece, may have to the kingdom of England; for which purpose I have declared war against Henry of Lancaster, at present Regent of England."¹

A rebellion, so ably planned that it seemed almost impossible that it should not succeed, and hurl Henry from the throne, was ruined by the credulity of the Earl Marshal and the Archbishop, who became the victims of an able adherent of the king's, Nevil Earl of Westmoreland. This nobleman, who had received intelligence of the plot, artfully represented himself as warmly interested in its success; and having prevailed upon Scrope and Moubray to meet him in a private conference, seized them both as they sat at his table, and hurried them to the king at Pontefract, by whose orders they were instantly beheaded. Northumberland, however, with his little grandson Henry Percy, and the Lord Bardolf, had the good fortune

¹ Rolls of Parliament, vol. iii. p. 605.

to escape into Scotland, where they were courteously received by Albany.

In this country, notwithstanding his advanced age and frequent failures, Percy continued to organize an opposition to the government of Henry; visiting for this purpose the court of France and the Flemish states, and returning to stimulate the exertions of his friends. Although unsuccessful in his Continental negotiations, it is evident, from the orders issued by Henry for the immediate array of the fighting men in the counties of York and Lancaster, as well as in Derby, Lincoln, and Nottingham, that Albany had been induced to assemble an army, and that the king had received intelligence of an intended invasion by the Scots, to be led, as the king expresses it, "by his common adversary, Robert Duke of Albany, pretending to be Governor of Scotland."¹ Previous, however, to any such expedition, an event took place which effectually altered the relations between the Governor and the English monarch; and introduced very material changes into the state of the different parties in Scotland.

The continuance of his own power, and the adoption of every means by which the authority of the king, or the respect and affection due to the royal family, could be weakened or destroyed, was the principle of Albany's government,—a principle which, although sometimes artfully concealed, was never for a moment forgotten by this crafty statesman. In his designs,

¹ Rymer, *Fœdera*, vol. viii. p. 414.

he had been all along supported by the Douglasses, a family whom he attached to his interest by an ample share in the spoils with which his lawless government enabled him to gratify his creatures. Archibald Earl of Douglas, the head of the house, we have seen become his partner in the murder of the Duke of Rothsay, and rewarded by the possession of the immense estates of the Earl of March, —a baron next to Douglas,—the most powerful of the Scottish aristocracy, but compelled, by the affront put upon his daughter, to become a fugitive in England, and a dependent upon the bounty of a foreign prince.

The battle of Homildon-hill made Douglas a captive, whilst many of his most powerful adherents shared his fate; and Albany, deprived of the countenance of his steadiest supporters, found the friends of the old king gradually gaining ground. A natural jealousy of the designs of the Governor, against a youth who formed the only impediment between his own family and the succession to the crown, induced these persons to adopt measures for the security of the Earl of Carrick, now an only son. It was with this view that they had placed him under the charge of the Bishop of St Andrews, a man of uncorrupted honour and integrity; and whilst the studies of the young prince were carefully conducted under the eye of a prelate, whose devotion to literature made him admirably qualified for the task, the presence and advice of the warlike Earl of Northumberland, who, with his grandson, young Henry Percy, had found an

asylum in the castle of the bishop, must have been of eminent service in promoting his nurture in the chivalrous exercises of the age. It was soon seen, however, that with all these advantages, Scotland was then no fit place for the residence of the youthful heir to the throne. The intrigues of Albany, and the unsettled state of the country, filled the bosom of the fond and timid monarch with constant alarm; he became anxious to remove him for a season from Scotland, and as France was at this time considered the best school in Europe for the education of a youth of his high rank, it was resolved to send the prince thither, under the care of the Earl of Orkney¹ and Sir David Fleming of Cumbernauld, an intimate friend and adherent of the exiled Earl of Northumberland.

At this crisis, a secret negotiation took place between the English monarch and the Duke of Albany, regarding the delivery of Northumberland and Lord Bardolf; and it appears, that the party of the Governor and the Douglasses had embraced the treacherous plan of sacrificing the lives of two unfortunate exiles, who had found an asylum in Scotland, to procure in return the liberty of Murdoch, the son of the Governor, the Earl of Douglas, and other noble captives who had been taken at Homildon. A baser project could not well be imagined; but it was accidentally discovered by Percy's friend, David Fleming, who instantly revealed it to the

¹ Rymer, *Fœdera*, vol. viii. p. 415.

parties, and advised them to consult their safety by flight.

This conduct of Albany, which afforded a new light into the thorough blackness of his character, accelerated the preparations for the young Prince's departure ; and all being at length ready, the Earl of Carrick, then a boy in his fourteenth year, took his progress through Lothian to North Berwick, accompanied by the Earl of Orkney, Fleming of Cumberland, the Lords of Dirlton and Hermandston, and a strong party of the barons of Lothian. The ship which was to convey him to France lay at the Bass ; and having embarked, along with the Earl of Orkney and a small personal suite, they set sail with a fair wind, and under no apprehensions for their safety, as the truce between England and Scotland was not yet expired, and the only vessels they were likely to meet were English cruisers. But the result showed how little was to be trusted to the faith of truces, or to the honour of kings ; for the Prince had not been a few days at sea, when he was captured off Flamborough-head, by an armed merchantman belonging to the port of Wye, and carried to London, where Henry instantly committed him and his attendants to the Tower.¹

In vain did the guardians of the young prince remonstrate against this cruelty, or present to Henry a letter from the king his father, which, with much simplicity, recommended him to the kindness

¹ Walsingham, p. 375. Winton, vol. ii. p. 413.

of the English monarch, should he find it necessary to land in his dominions. In vain did they represent that the mission to France was perfectly pacific, and its only object, the education of the prince at the French court. Henry merely answered by a poor witticism, declaring that he himself knew the French language indifferently well, and that his father could not have sent him to a better master.¹ So flagrant a breach of the law of nations, as the seizure and imprisonment of the heir apparent, during the time of truce, would have called for the most violent remonstrances from any government, but that of Albany. To this usurper of the supreme power, the capture of the prince was the most grateful event which could have happened ; and to detain him in captivity, became, from this moment, one of the principal objects of his future life. We are not to wonder, then, that the conduct of Henry not only drew forth no indignation from the Governor, but was not even followed by any request, that the prince should be restored to liberty. Yet if Albany's satisfaction was great at this unfortunate event, his indignation, and that of the Douglasses, at the conduct of Sir David Fleming, in attempting to convey the heir apparent to a place of safety, and in facilitating the escape of Northumberland, was proportionably fierce and unforgiving ; nor was it quenched till they had taken a deep and bloody revenge. At the moor of Langhermandston, the party which had accom-

¹ Walsingham, p. 375. Extracta ex Chronicis Scotiæ, p. 253.

panied the prince to North Berwick were attacked by James Douglas of Abercorn, second son of the Earl of Douglas, and Alexander Seton, where, after a fierce conflict, Fleming was slain, and the most of the barons who accompanied him made prisoners. A procession, which passed next day through Edinburgh, conveying to Holyrood the body of this noble knight, who was celebrated for his courage, tenderness, and fidelity, excited much commiseration; but the populace did not dare to rise against the Douglasses, and Albany openly protected them. Those bitter feelings of wrath, which are appeased under a just and regular government by a spectacle of public justice, now broke out into interminable feuds and jealousies, which, ramifying throughout the whole line of the vassals of these two powerful families to the remotest degree, continued for many years to agitate the minds of the people, and disturb the tranquillity of the country.¹

The aged monarch, already worn out by infirmity, and now broken by disappointment and sorrow, did not long survive the captivity of his son. It is said, the melancholy news were brought him as he was sitting down to supper in his palace of Rothsay in Bute; and that the effect was such upon his affectionate but feeble spirit, that he drooped from that day forward, refused all sustenance, and died soon after of a broken heart. His death took place on the

¹ Winton, vol. ii. p. 413. Fordun a Goodal, vol. ii. p. 439. Extracta ex Chronicis Scotiæ, p. 153.

4th of April, 1406, in the sixteenth year of his reign ; and Albany, his brother, immediately succeeded to the prize which had so long been the paramount object of his ambition, by becoming the unfettered governor of Scotland. The character of this monarch requires little additional developement. It was of that sweet, pacific, and indolent nature which unfitted him to subdue the pride, or overawe and control the fierce passions and resentments of his barons ; and although the generosity and affectionate feelings of his heart inclined him, on every occasion, to be the friend of the poorer classes of his subjects, yet energy and courage were wanting to make these good wishes effectual ; and it might almost be said, that in the dread of making any one his enemy, he made no one his friend. All the virtues of domestic life he possessed in a high degree ; but these, as well as his devotion to intellectual accomplishments, were thrown away upon the rude times in which he lived. His wisdom, which was far before his age, saw clearly that the greatest blessing which could be conferred upon the country was peace ; but it required firmness, and almost violence, to carry these convictions of his understanding into the active management of the government, and these were qualities which Robert could not command. Had he been born in the rank of a subject, he would have been amongst the best and wisest men in his dominions ; but as a king, his timidity and irresolution rendered all these virtues of none avail, and permitted the government to fall into the hands of an usurper, who systema-

tically abused his power for the purposes of his own aggrandisement.

In person, Robert was tall, and of a princely presence; his countenance was somewhat florid, but pleasing and animated, whilst a beard of great length, and silvery whiteness, flowed down his breast, and gave a look of singular sanctity to his appearance. Humility, a deep conviction of the vanity of human grandeur, a sense of his own sinfulness, and aspirations for the happiness of a better world, were sentiments which he is said to have deeply felt, and frequently expressed; and nothing could prevail on him, in the custom of the age, and after the example of his father and grandfather, to provide a monument for himself. It is said, that his queen, Annabella, remonstrated with him on this occasion, when he rebuked her for speaking like one of the foolish women. "You consider not," said he, "how little it becomes a wretched worm, and the vilest of sinners, to erect a proud tomb for his miserable remains; let them who delight in the honours of this world so employ themselves. As for me, cheerfully would I be buried in the meanest shed on earth, could I thus secure rest to my soul in the day of the Lord."¹ He was interred, however, in the abbey church of Paisley, before the high altar.

It has hitherto been believed by our Scottish historians, that there were born to him only two sons, David Duke of Rothsay, and James Earl of Carrick, who succeeded him in the throne. It is certain, how-

¹ Fordun a Goodal, vol. ii. p. 440.

ever, that the king had a third son, Robert, who probably died very young, but whose existence is proved by a record of unquestionable authority.¹

Upon the king's death, the three Estates of the realm assembled in parliament at Perth, and having first made a solemn declaration that James Earl of Carrick, then a captive in England, was their lawful king, and that the crown belonged of undoubted right to the heirs of his body, the Duke of Albany, being the next in succession, was chosen Regent,² and it was determined to send an embassy to the French court, for the purpose of renewing the league of mutual defence and alliance which had so long subsisted between the two countries. For this purpose, Sir Walter Stewart of Ralston, Lawder, Archdeacon of Lothian, along with two esquires, John Gil and John de Leth, were selected to negotiate with France; and their mission, as was to be expected from the exasperated feelings which were common to both countries with regard to their adversary of England, was completely successful. Charles the Sixth, King of France, Louis his brother, Duke of Anjou, and the Duke of Berry, by three separate deeds, each acting in his own name, ratified and confirmed the treaties formerly entered into between their country and the late King of Scotland; and assured the Duke of Albany, then regent

¹ Chamberlain Accounts, vol. ii. p. 231. "Et Dno David Comiti de Carrick percipienti pro se et heredibus suis de corpore suo legitime procreandis, quibus forte deficientibus, Roberto seneschallo fratri ipsius, et heredibus suis."

² Winton, vol. ii. pp. 417, 413.

of that kingdom, of their resolution to maintain the same firm and inviolate in all time to come.¹

With regard to England, Albany now earnestly desired the continuance of peace; and it was fortunate that the principles which influenced his government, although entirely selfish, and calculated for the preservation of his own power, proved, at this moment, the best for the interests of the country; whilst the English king, in the possession of the young heir to the throne, and master, also, of the persons of the chief nobility who had remained in captivity since the battle of Homildon-hill, was able to assume a decided tone in his negotiations, and exerted an influence over the governor, which he had not formerly enjoyed. A short time previous to the king's death, negotiations had been renewed for the continuance of the truce, and for the return of the Earl of Douglas to Scotland. The high value placed upon him, and the power of weakening Scotland which the English king possessed at this time, may be estimated from the circumstance, that he would not permit the return of this potent baron to his country, until thirteen hostages, selected from the first families in the country, had repaired to Westminster and delivered themselves to the king.² It was one happy effect of the power and wealth which the capture of many noble prisoners necessarily conferred on those to whom they surrendered, that it softened the atro-

¹ Robertson's Parliamentary Records, pp. 137, 138.

² Rotuli Scotiae, vol. ii. p. 177.

cities of war, and diminished the effusion of blood. The only impediments to the continuance of peace arose out of the piracies of English cruisers and armed merchantmen, which, on the slightest provocation, were ready to make prize of any vessels they met, French, Flemish, Genoese, or Scottish; and it is a singular circumstance, that, at this early period, we find the English ships beginning to insist on their superior right to the dominion of the seas, which they afterwards so proudly maintained. In 1402, a formal complaint was presented to Henry the Fourth by the magistrates of Bruges, which stated that two fishermen, one belonging to Ostend, and the other to Briel, when engaged in the herring fishery of the North Sea, had been captured by the English and carried into Hull, although they lowered their sails the moment they were hailed.¹

On the other hand, the Scots were not slow to make reprisals; although their power at sea, which we have seen so formidable to England during the reigns of Edward the Second and Third, appears to have experienced a very sensible diminution. In 1404, the fishery on the coast of Aberdeenshire, a source of very considerable wealth, had been invaded by the English; a small fleet of Scottish ships was immediately fitted out by Sir Robert Logan, who attacked and attempted to destroy the English vessels; but his

¹ Rymer, *Fœdera*, vol. viii. p. 274, “*quanquam ad primam vocem ipsorum Anglicorum idem Johannes Willes, velum suum declinavit.*” M·Pherson’s *Annals of Commerce*, vol. i. p. 612.

force was insufficient, his ships were taken, and he himself carried prisoner into the port of Lynne in Norfolk.¹ Stewart, Earl of Mar, with whose singular courtship and marriage we are already acquainted, after amusing his taste for adventures in foreign war,² leading the life of a knight errant, and dividing his time between actual fighting and the recreations of tilts and tournaments, became latterly a pirate, and with a small squadron infested the coast between Berwick and Newcastle, destroying or making prizes of the English vessels. These hostile invasions, however, which appear to have been mutually committed on each other by the English and the Scottish merchantmen, were not openly countenanced by either government; no regular maritime laws for the protection of trade and commerce had as yet been practically established in Europe; the vessels which traded from one country to another, were the property not of the nation, but of individuals, who, if their own gain or interest interfered, did not consider themselves bound by treaties or truces, and when a ship of greater strength met a small merchantman richly laden, and incapable of resistance, the temptation to make themselves master of her cargo was generally too strong to be resisted.³ Henry, however, showed himself willing to redress the grievances suffered by the Scottish merchants, as well as to put an end to the frequent infractions of the truce which were

¹ Walsingham, p. 364.

² Juvenal des Ursins, Histoire de Charles VI. p. 196.

³ Rymer, Fœdera, vol. viii. pp. 203, 420.

committed by the borderers of both nations, and the perpetual grants of letters of safe conduct to natives of Scotland travelling through England on purposes of devotion, commerce, or pleasure, and eager to show their prowess in deeds of arms, or to seek for distinction in continental war, evinced a sincere anxiety to keep up an amicable relation between the two countries, and to pave the way for a lasting peace.¹

The return to their country of the two most powerful barons in the state, the Earls of Douglas and of March, with the “stanching of that mortal feud which had long continued between them,” was another event that promised the best effects. The immense estates of March, which during his exile had been occupied by Douglas, were restored to him, with the exception of the lordship of Annandale, and the castle of Lochmaben. These were retained by Douglas, and, in addition to the thirteen noble persons who were compelled to remain in England as hostages for his return, Henry extorted from him a ransom of a thousand marks before he consented to his departure.² Amongst the hostages were Archibald Douglas, eldest son of the Earl, and James his son, James, the son and heir of James Douglas, Lord of Dalkeith, Sir William Douglas of Niddesdale, Sir John Seton, Sir Simon Glendinning, Sir John Mont-

¹ *Rotuli Scotiæ*, pp. 176, 177, 178, 179, 180. Rymer, vol. viii. pp. 416, 430, 445, 450.

² *Rotuli Scotiæ*, vol. ii. pp. 182, 184. Harl. MS. 381, f. 212, quoted in Pinkerton's *History*, vol. i. p. 87. Fordun a Goodal, vol. ii. p. 444.

gomery, Sir John Stewart of Lorn, Sir William Graham, Sir William St Clair of Hermandston, and others of the first rank and consequence.¹ The residence of these persons in England, and the care which Henry bestowed upon the education of their youthful monarch, who, though still retained in captivity, was provided with the best masters, treated with uniform kindness, and waited on with the honours due to his rank, contributed to increase the amicable intercourse between the two countries, and to give to both a short and happy interval of peace.

It was in the midst of this pacific period that the doctrines of Wickliff for the first time appeared in Scotland, and the flames of war had scarcely ceased, when the more dreadful flames of religious persecution and martyrdom were kindled in the country. John Resby, an English priest of the school of this great reformer, in whose remarkable works are to be found the seeds of almost every doctrine of Luther, had passed into Scotland, either in consequence of the persecutions of Wickliff's followers, which arose after his death, or from a desire to propagate the truth. After having for some time remained unnoticed, the truth, the boldness, and the novelty of his opinions at length awakened the jealousy of the church; and it was found that he preached what were at that time esteemed the most dangerous heresies. He was immediately seized by Laurence of Lindores, an eminent doctor in theology, and

¹ Rotuli Scotiae, vol. ii. pp. 181, 182.

compelled to appear before a council of the clergy, where this inquisitor presided. Here he was accused of maintaining no fewer than forty heresies, amongst which the principal were, a denial of the authority of the Pope, as the successor of St Peter,—a contemptuous opinion of the utility of penances and auricular confession, and an assertion that a holy life was absolutely necessary in any one who dared to call himself the Vicar of Christ.¹

Although Resby was esteemed an admirable preacher by the common people, his eloquence, as may easily be supposed, was thrown away upon the bigoted bench of ecclesiastical judges, before whom he defended himself. Laurence of Lindores was equally triumphant in his confutation of the written conclusions, and in his answers to the spoken arguments by which their author attempted to support them; and the brave and pious disciple of the truth was condemned to the flames, and delivered over to the secular arm. The sentence was carried into immediate execution, and he was burnt at Perth in the year 1405, his books and writings being consumed in the same fire with their master. It is probable that the church was stimulated to this unwonted severity by Albany the governor, whose bitter hatred to all Lollards and heretics, and zeal for the purity of the Catholic faith, are particularly recorded by Winton.²

And here, in the first example of martyrdom for religious opinions which is recorded in our history,

¹ Fordun a Goodal, vol. ii. pp. 442, 443.

² Winton's Chronicle, vol. ii. p. 419.

the inevitable effects of persecution and proscription were clearly discernible in the increased zeal and affection which were evinced for the opinions which had been canonized by the blood of the preacher. The conclusions and little pamphlets of this early reformer were piously concealed and preserved by his disciples ; and any who had imbibed his opinions evinced a resolution and courage in maintaining them, which resisted every attempt to restore them to the bosom of the church. They did not dare, indeed, to disseminate them openly, but they met, and read, and debated in secret ; and the doctrines which had been propagated by Resby, remained secretly cherished in the hearts of his disciples, and re-appeared after a few years in additional strength, and with a spirit of more active and determined proselytism.¹ It is not improbable also, that amongst Resby's forty heretical conclusions, were included some of those doctrines regarding the origin and foundation of the power of the civil magistrate and the rights of the people, which, being peculiar to the Lollards, were regarded with extreme jealousy by the higher orders in the state ; and Albany's persecution of the heretics may have proceeded as much upon civil as on religious grounds.

Since the fatal battle of Durham, the castle of Jedburgh had been kept by the English. In its masonry, it was one of the strongest built fortresses in Scotland ; and its garrison, by their perpetual at-

¹ Fordun a Goodal, vol. ii. p. 442. Appendix to Dr M'Crie's Life of Melville, vol. i. p. 415.

tacks and plundering expeditions, had given the greatest annoyance to the adjacent country. The moment the truce expired, the Teviotdale borderers recommenced the war, by reducing this castle; but on attempting to destroy the fortifications, it was found that the induration and tenacity of the mortar was so great, that the whole walls and towers seemed one mass of solid stone; and that the expense of rasing and levelling the works would be very great. In a parliament held at Perth, a proposal was made to raise the sum required by a general tax of two pennies upon every hearth in the kingdom. But this the governor opposed, observing, that during the whole course of his administration, no such tax ever had been, or ever should be, levied; and that they who countenanced such an abuse, merited the maledictions of the poor. He concluded by giving orders that the sum required should be paid to the lords marchers out of the royal customs,—a liberality which was highly extolled, and gained him the highest credit with the people.¹ In the following year, a violent remonstrance was addressed by the English monarch to the Duke of Albany, complaining of the delay of the Earl of Douglas to fulfil his knightly word, by which he had solemnly engaged to return to his captivity, and threatening to use his hostages according to the laws of war, and to pursue the earl himself as a perjured rebel, if within a month he did not re-enter his person in ward. Douglas had in truth

¹ Fordun a Goodal, vol. ii. p. 444.

delayed his return to England a year beyond the stipulated period ; and as the castle of Jedburgh was situated within his territories, it was naturally supposed by Henry that he had not been over scrupulous in observing the strict conditions of amity, and adherence to the “ party of the King of England,” to which he had set his hand and seal before regaining his liberty. Matters, however, were amicably composed between the offended monarch and his prisoner ; and Douglas, having permanently purchased his liberty by the payment of a high ransom, once more returned to assume his wonted authority in the councils of the country.¹

For some time after the reduction of Jedburgh, the war presents few features of interest or importance. Fass Castle, a strength considered impregnable from its peculiar situation, had been occupied, during the convulsions of the times, by an English adventurer named Holder, who, combining the avocations of a freebooter on shore and a pirate at sea, became the terror of the country round his retreat. For such purposes the castle was admirably adapted. It was built upon a high rock overhanging the German ocean, so rugged and precipitous, that all attack on that side was impossible ; and it communicated with the adjoining country by a narrow neck of land, defended by a barbican, where a handful of resolute men could have defied an army. Notwithstanding these difficulties, Patrick Dunbar, son of the Earl of

¹ Rymer, *Fœdera*, vol. viii. pp. 478, 681.

March, made himself master of the castle, and delivered the country from the depredations of its ferocious lord ; but the particulars of the enterprise are unfortunately lost, and we only know that it was distinguished by the utmost address and courage.¹

About the same time, Gawin Dunbar, March's second son, and Archibald Douglas of Drumlanrig, attacked and gave to the flames the town of Roxburgh, then in possession of the English ; but these partial successes were more than counterbalanced by the losses sustained by the Scots. Sir Robert Umfraville, vice-admiral of England, with a squadron of ten ships of war, broke into the Forth, ravaged the country on both sides, and collected an immense booty, after which he swept the seas with his fleet, and made prizes of fourteen Scottish merchantmen. At the time of Umfraville's invasion there happened to be a grievous dearth of grain in England, and the quantity of corn which he carried off from Scotland so materially reduced the prices of provisions, that it procured him the popular surname of Robin Mendmarket. On another occasion, the same experienced leader, who had charge of the military education of Gilbert Umfraville, titular Earl of Angus, determined to hold a military array in honour of his youthful pupil, who had just completed his fourteenth year. His banner, accordingly, was raised for the first time amidst the shouts of his vassals, and the festivities were conclu-

¹ Fordun a Goodal, vol. ii. p. 444. "Non minus subtiliter quam viriliter."

ded by a border "raid," in which Jedburgh was sacked during its public fair, and reduced to ashes.

But the attention of the country was soon after this diverted from such brief and insulated hostilities to an event of a far more serious and formidable nature, which shook the security of the government, and threatened to dismember a portion of the kingdom. This was the rebellion of Donald, Lord of the Isles, of which the origin and the effects merit particular consideration. The ancient line of barons, which for a long period of years had succeeded to the earldom of Ross, ended at length in a female, Euphemia Ross, married to Sir Walter Lesley. Of this marriage there were two children : Alexander, afterwards Earl of Ross, and Margaret, married to Donald, Lord of the Isles. Alexander, Earl of Ross, married a daughter of the Duke of Albany, and had by her an only daughter, Euphemia, Countess of Ross, who became a nun, and resigned the earldom of Ross in favour of her uncle, John, Earl of Buchan. This destination of the property, the Lord of the Isles steadily and haughtily resisted. He contended, that by Euphemia taking the veil, she became civilly dead ; and that the earldom of Ross belonged lawfully to him, in right of Margaret his wife.¹ His plea was at once repelled by the governor ; and this noble territory, which included the Isle of Skye, and a district in the mainland equal in extent to a little kingdom, was declared to be the property of the Earl of Buchan.

¹ Sutherland Case, by Lord Hailes, chap. v. § 7.

But the island prince, who had the pride and the power of an independent monarch, derided the award of Albany, and, collecting an army of ten thousand men, prepared not only to seize the disputed county, but determined to carry havoc and destruction into the heart of Scotland. Nor, in the midst of these ferocious designs, did he want somewhat of a statesmanlike policy; for he engaged in repeated alliances with England, and, as the naval force which he commanded was far superior to any Scottish fleet which could be brought against him, his co-operation with the English in their attacks upon the Scottish commerce, was likely to produce very serious effects.¹

When his preparations were completed, he at once broke in upon the earldom at the head of his fierce multitudes, who were armed after the fashion of their country, with swords fitted both to cut and thrust, pole-axes, bows and arrows, short knives, and round bucklers formed of wood, or strong hide, with bosses of brass or iron. The people of the country readily submitted to him—to have attempted opposition, indeed, was impossible—and these northern districts had for many centuries been more accustomed to pay their allegiance to the Norwegian yarls, or pirate kings, whose power was at their door, than to acknowledge the remote superiority of the Scottish crown. At Dingwall, however, he was encountered by a formidable opponent in Angus Dhu, or Black Angus, who attacked him with great fierceness, but was overpower-

¹ Rymer, *Fœdera*, vol. viii. pp. 418, 527.

ed and made prisoner, after his brother Roderic Gald and the greater part of his men had been cut to pieces.

The Lord of the Isles then ordered a general rendezvous of his army at Inverness, and sent his summons to levy all the fighting men in Boyne and Enzie, who were compelled to follow his banner and to join the soldiers from the Isles; with this united force, consisting of the flower of the island and northern chivalry, he swept through Moray, meeting with none, or the most feeble resistance; whilst his soldiers covered the land like locusts, and the plunder of money, arms, and provisions, daily gave them new strength, spirits, and energy. Strathbolgy was next invaded, and the extensive district of Garryach, which belonged to his rival the Earl of Mar, was delivered up to cruel and indiscriminate havoc. It had been the boast of the Island Prince that he would burn the rich burgh of Aberdeen, and make a desert of the country to the shores of the Tay; and as the smoke of his camp-fires was already seen on the banks of the Don, the unhappy burghers began to tremble in their booths, and to anticipate the realization of these dreadful menaces.¹ But their spirits soon rose when the Earl of Mar, whose reputation as a military leader was of the highest order, appeared at the head of an army, composed of the bravest knights and gentlemen in Angus and the Mearns; and declared his resolution of instantly advancing against the invader. Mar had the advantage of having been bred

¹ Fordun a Goodal, vol. ii. p. 445.

up in the midst of Highland war, and at first distinguished himself, as we have seen, by his predatory expeditions at the head of the ketherans. But his marriage with the Countess of Mar, and his reception at court, appear to have effectually changed his character; the fierce and savage habits of his early life were softened down, and left behind them a talent for war, and an ambition for renown, which restlessly sought for employment wherever there was a chance of gaining distinction. When on the continent, he had offered his services to the Duke of Burgundy, and the victory at Liege was mainly ascribed to his skill and courage, so that his reputation abroad was as distinguished as at home. In a very short time he found himself at the head of the whole power of Mar and Garryach, in addition to that of Angus and the Mearns; Sir Alexander Ogilvy, sheriff of Angus, Sir James Scrymgeour, constable of Dundee, and hereditary standard-bearer of Scotland, Sir Alexander Irvine, Sir Robert Melville, Sir William de Abernethy, nephew to Albany, and many other barons and esquires, with their feudal services, joined him with displayed banner; and Sir Robert Davidson, the provost of Aberdeen, and a troop of the stoutest burgesses, came boldly forward to defend their hearths and their stalls from the ravages of the Island King.

Mar immediately advanced from Aberdeen, and marching by Inverury came in sight of the Highlanders at the village of Harlaw, on the water of Ury, not far from its junction with the Don. He found that his little army was immensely outnumbered, it

is said, by nearly ten to one; but it consisted of the bravest barons in these parts; and his experience had taught him to consider a single knight in steel as a fair match against a whole troop of ketherans. Without delay, therefore, he intrusted the leading of the vaward to the constable of Dundee, and Ogilvy, the sheriff of Angus, who had with them a small but compact battalion of knights and men-at-arms; whilst he himself followed with the rearward, composed of the main strength of his army, including the Irvings of Drum, the Maules, the Morays, the Straitons, the Lesleys, the Stirlings, the Lovels, headed by their chiefs, and with their banners and penoncelles waving amid their grove of spears. Of the Islesmen and highlanders, the principal leaders were the lord of the isles himself, with Macintosh and Maclean, the heads of their respective septs, and innumerable other chiefs and chieftains, animated by the old and deep-rooted hostility between the Celtic and Saxon race.¹

The shock between two such armies may be easily imagined to have been awful; the highlanders, who were ten thousand strong, rushing on with the fierce shouts and yells which it was their custom to raise in coming into battle, and the knights meeting them with levelled spears, and ponderous maces and battle-axes, which inflicted ghastly wounds upon their half-armed opponents. In his first on-

¹ In one of the Macfarlane MSS., preserved in the Advocates' Library, entitled "A Geographical Description of Scotland," (vol. i. pp. 7, 20.) will be found a minute description of the locality of this battle. Appendix, B.

set, Scrymgeour, and the knights and bannerets who fought under him, with little difficulty drove back the mass of Islesmen, and cutting his way through their thick columns, made a dreadful slaughter: But though hundreds fell around him, thousands poured in to supply their place, more fierce and fresh than their predecessors, whilst Mar, who had penetrated with his main army into the very heart of the enemy, found himself in the same difficulties, becoming every moment more tired with slaughter, more encumbered with the numbers of the slain, and less able to resist the increasing ferocity and reckless courage of the masses that still yelled and fought around him. It was impossible that this should continue much longer without making a fatal impression against the Scots, and the effects of fatigue were soon seen. The Constable of Dundee was slain, and the highlanders, encouraged by his fall, wielded their broadswords and Lochaber axes with murderous effect, seizing and stabbing the horses, and pulling down their riders, whom they dispatched with their short daggers. In this way were slain some of the best and bravest soldiers of these northern districts. Sir Robert Davidson, with the greater part of the stalwart burgesses who fought around him, were amongst the number; and many of the families lost not only their chief, but every male in the house. Lesley of Balquhain, a baron of a noble and ancient lineage, is said to have fallen, with six of his sons slain beside him. The sheriff of Angus, with his eldest

son George Ogilvy, Sir Alexander Irving of Drum,¹ Sir Robert Maule, Sir Thomas Moray, William Abernethy, Alexander Straiton of Lauriston, James Lovel, Alexander Stirling, and above five hundred men-at-arms, including the principal gentry of Buchan, shared their fate,² whilst Mar himself, and a small number of the survivors, still continued the battle till nightfall; when the slaughter ceased, and it was found in the morning that the Island Lord had retreated by Inverury and the hill of Benochie, checked and broken certainly by the desperate contest, but neither conquered nor very effectually repulsed. Mar, on the contrary, although he passed the night on the field, did so, not in the triumphant assertion of victory, but from the effects of wounds and exhaustion; the best and bravest of his friends were stretched in their last sleep around him, and he found himself totally unable to pursue the retreat of the Islesmen. Amongst those of the highlanders who fell were the chiefs of Maclean and Macintosh, with upwards of nine hundred men; a small loss compared with that sustained by the lowlanders. The battle was fought on St James's Even, the twenty-fourth of July, and

¹ There is a tradition in the family of Irving of Drum, that the Laird of Maclean was slain by Sir Alexander Irving. Genealogical Collections, MS. Adv. Library, Jac. V. 4. 16. Vol. i. p. 180. Irving was buried on the field, where in ancient times a cairn marked the place of his interment, which was long known by the name of Drum's Cairn. Kennedy's Annals of Aberdeen, vol. i. p. 51.

² Fordun a Hearne, pp. 1175, 6. Extracta ex Chronicis Scotiæ, MS. fol. 257.

from the ferocity with which it was contested, and the dismal spectacle of civil war and bloodshed exhibited to the country, it appears to have made a deep impression on the national mind. It fixed itself in the music and the poetry of Scotland; a march, called the Battle of Harlaw, continued to be a popular air down to the time of Drummond of Hawthornden, and a spirited ballad, on the same event, is still repeated in our own age, describing the meeting of the armies, and the deaths of the chiefs, in no ignoble strain.¹ Soon after the battle, a council general was held by the governor, in which a statute was passed, in favour of the heirs of those who had died in defence of the country, exempting them from the feudal fines usually exacted before they entered upon possession of their estates, and permitting them, although minors, immediately to serve heirs to their lands. It will perhaps be recollected, that Bruce, on the eve of the battle of Bannockburn, encouraged his troops by a promise of the like nature.²

It was naturally suspected by Albany, that the chief of the Isles, who was crippled rather than conquered, had only fallen back to refresh his men and procure reinforcements from Ross-shire and the He-

¹ Battle of Harlaw. Laing's Early Metrical Tales, p. 229.

² History, vol. i. p. 307. The fact mentioned in the text is proved by a Retour in the Cartulary of Aberdeen, fol. 121, in favour of Andrew de Tulidef, whose father, William de Tulidef, was slain at Harlaw. It was pointed out to me by my friend Mr Thomson, Deputy Clerk Register, to whom this volume is under repeated obligations. See Appendix, C.

brides; and as the result of the battle had shown very convincingly that, however inferior in arms or in discipline, the Highlanders could make up for these disadvantages in numbers and ferocity, a renewal of the invasion was anticipated with alarm, and Albany determined to prevent it, by an unwonted display of military spirit and activity. He collected an army in the autumn, marched in person to Dingwall, one of the principal castles of the ancient Earls of Ross, situated at the west end of the Cromarty Firth; and having made himself master of it, appointed a governor, and proceeded to repossess himself of the whole county of Ross. Donald, however, fell back upon his island strengths, and during the winter defied his enemies; but as soon as the summer permitted the resumption of hostilities, Albany again attacked him, and after a war conducted with various success, the Island King was compelled to lay down his assumed independence, and give up all claim to the earldom of Ross, to consent to become a vassal of the Scottish crown, and to deliver hostages for his future good behaviour. The treaty was concluded at Polgilbe or Polgillip, now Loch Gillip, an arm of the sea running into the district of Knapdale in Argyle.¹ This successful termination of a rebellion, which appeared so formidable in its commencement, was followed by a truce with England, in which it was declared, that from the river Spey in Scotland to the Mount of St Michael in Cornwall, all hostilities between the two

¹ Fordun a Hearne, p. 1177. M'Pherson's Geographical Illustrations, voce Polgyllbe.

countries should cease after the 17th of May, 1412, for the period of six years.¹

Albany now became impatient for the return of his eldest son, who had remained a captive in England since the battle of Homildon. As he felt the approach of the infirmities of age, he was desirous of making a quiet transfer of his power in the government into the hands of his own family; and various negotiations regarding the hostages to be delivered for Murdoch, and the ransom which was claimed, had already taken place, but without success; whilst the total indifference evinced by the governor to the prolonged captivity of the sovereign, very clearly showed, that if age had impaired his strength, it had in no degree awakened his remorse or stifled his ambition. It was evident that he intended his son to succeed him in the high authority which he had so long usurped; and Sir Walter Stewart of Raylston, and John de Leith, were engaged in a final treaty for the return of the future governor, when their proceedings were suddenly interrupted by the death of Henry the Fourth, and the accession of a new sovereign to the English throne.²

The uncertain tenure by which the crown had been held by Henry the Fourth, and his consequent anxiety to ward off all foreign attack, when his attention was required in suppressing conspiracy at home, had contributed greatly to preserve the peace with Scotland; and under his successor, Henry the Fifth,

¹ Rymer, *Fœdera*, vol. viii. p. 737.

² *Ibid.* pp. 708, 735, 775.

the great designs of this youthful conqueror against France, and his subsequent invasion of that kingdom, rendered it as materially his interest, as it had been that of his predecessor, to maintain the pacific relations with that country. In this view, the possession of the King of Scotland, and the eldest son of the Regent, gave him a hold over the politics of the country, which he employed with great skill and effect in weakening the enmity and neutralising the hostile schemes of those parties which were opposed to his wishes and inclined to renew the war.

But it is necessary here for a moment to interrupt the narrative, in order to fix our attention upon a spectacle, which, amid the gloomy pictures of foreign or domestic war, offers a refreshing and pleasing resting place to the mind. This was the establishment of the University of St Andrews, by Henry Wardlaw, the bishop of that see, to whom belongs the unfading honour of being the founder of the first university in Scotland, the father of the infant literature of his country. Before this time, the generosity of the Lady Devorguil, the wife of John Baliol, had established Baliol College in Oxford, in the end of the thirteenth century, and we have seen the munificence of a Scottish prelate, the bishop of Moray, distinguishing itself by the institution of the Scottish College of Paris in 1326. But it was reserved for the enlightened spirit of Wardlaw to render unnecessary the distant emigration of our Scottish youth to these and other foreign seminaries, by opening the wells of learning and education at home; and, in addition to the

various schools which were connected with the monasteries, by conferring upon his country the distinction of a university, protected by papal sanction, and devoted to the cultivation of what were then esteemed the higher branches of science and philosophy. The names of the first professors in this early institution have been preserved. The fourth book of the Sentences of Peter Lombard was explained by Laurence of Lindores, a venerable master in theology, whose zeal for the purity of the Catholic faith had lately been displayed in the condemnation of John Resby, the Wickliffite at Perth. The importance then attached to an education in the canon law, was shown by its being taught and expounded by four different masters, who conducted their pupils from its simplest elements to its most profound reasonings; these were Richard Cornel, archdeacon of Lothian, John Litar, canon of St Andrews, John Shevez, official of St Andrews, and William Stevens, afterwards bishop of Dumblane; whilst in philosophy and logic the lectures were delivered by John Gill, William Fowlis, and William Crosier. These learned persons commenced their prelections in 1410, immediately after the feast of Pentecost, and continued their labours for two years and a half; but although a communication with Rome had taken place, the establishment was yet unsanctioned by that authority, without which all such institutions were then considered imperfect.¹

At length, on the 3d of February, 1413, Henry Ogilvy, master of arts, made his entry into the city,

¹ Fordun a Goodal, vol. ii. pp. 445, 446.

bearing the papal bulls, which endowed the infant seminary with the high and important privileges of a university, and his arrival was welcomed by the ringing of bells from the steeples, and the tumultuous joy of all classes of the inhabitants. On the following day, being Sunday, a solemn convocation of the clergy was held in the refectory, and the papal bulls having been read in presence of the bishop, the chancellor of the university, they proceeded in procession to the high altar, where *Te Deum* was sung by the whole assembly, the bishops, priors, and other dignitaries, being arrayed in their richest canonicals, whilst four hundred clerks, besides novices and lay-brothers, down before the altar, and an immense multitude of spectators, bent their knees in gratitude and adoration. High mass was then celebrated; and when the service was concluded, the remainder of the day was devoted to mirth and festivity. In the evening, bonfires in the streets, peals of bells, and musical instruments, processions of the clergy, and joyful assemblies of the people, indulging in the song, the dance, and the wine-cup, succeeded to the graver ceremonies of the morning, and the event was welcomed by a boisterous enthusiasm, more befitting the brilliant triumphs of war than the quiet and noiseless conquests of science and philosophy.

The first act of Henry the Fifth which affected Scotland, indicated an extremity of suspicion, or a promptitude of hostility, which were equally ominous and alarming. His father died on the twentieth of March, and on the succeeding day the king issued

orders, that James, King of Scotland, and Murdoch, Earl of Fife, should be committed to the Tower.¹ It would appear, however, by the result, that this was more a measure of formal and customary precaution, enforced upon all prisoners upon the death of the sovereign to whom their parole had been given, than of any individual hostility. It was believed that the prisoners might avail themselves of a notion, that during the interval between the death of one king and the accession of another, they were not bound by their parole, and free to escape; and this idea is confirmed by the circumstance of their being liberated from the Tower within a very short time after their commitment. Henry's great designs in France rendered it indeed, as we have already remarked, absolutely necessary for him to preserve his pacific relations with Scotland; and under a wise and patriotic governor, the interval of rest which his reign afforded to that country might have been improved to the furtherance of its best interests. But Albany, had he even been willing, did not dare to employ in this manner the breathing time allowed him. As a usurper of the supreme power, he was conscious that he continued to hold it only by the sufferance of the nobles, and in return for their support, it became necessary for him to become blind to their excesses, and to pass over their repeated delinquencies. Dilation of the lands and revenues of the crown, invasions of the rights of private property, frequent murders arising from the habit of becoming the aven-

¹ Fœdera, vol. ix. p. 2.

gers of their own quarrel, and a reckless sacrifice of the persons and liberties of the lower classes in the community, were crimes of perpetual recurrence, which not only escaped with impunity, but whose authors were the very dignitaries to whom the prosecution and the punishment belonged; whilst the conduct of the governor himself, in his unremitting efforts for the aggrandizement of his own family, increased the evil by the weight of his example; and the pledge which it seemed to furnish that no change for the better would be speedily attempted.

During the few remaining years of Albany's administration, two objects are seen to be constantly kept in view. The restoration of his son, Murdoch Stewart, and the retention of his sovereign, James the First, in captivity; and in both, his intrigues were successful. It was impossible for him indeed so effectually to keep down the hereditary animosity between the two nations, as to prevent it from breaking forth in border inroads and insulated acts of hostility; but a constant succession of short truces, and a determination to discourage every measure which might have the effect of again plunging the country into war, succeeded in conciliating the English king, and rendering him willing to agree to the return of his son to Scotland. In consequence of this an exchange was negotiated; young Henry Percy, the son of the illustrious Hotspur, who, since the rebellion and death of his grandfather the Earl of Northumberland, had remained in Scotland, returned to England, and was reinstated in his honours, whilst Murdoch Stewart

was finally liberated from his captivity, and restored to the desires rather of his father than of his country. It was soon, however, discovered that his character was of that unambitious and feeble kind, which utterly unfitted him for the purposes which had made his return so anxiously expected by the governor.

In his attempts to accomplish his second object, that of detaining his sovereign a prisoner in England, Albany experienced far greater difficulties. James's character had now begun to develop those great qualities, which, during his future reign, so eminently distinguished him. The constant intercourse with the court of Henry the Fourth, which was permitted to Scottish subjects, had enabled many of his nobility to become acquainted with their youthful sovereign; these persons he found means to attach to his interest, and, upon their return, they employed their utmost efforts to traverse the designs of Albany. By their influence, a negotiation for his return to his dominions took place in 1416, by the terms of which the royal captive was to be permitted to remain for a certain time in Scotland, upon his leaving in the hands of the English king a sufficient number of hostages to secure the payment of a hundred thousand merks, in the event of his not delivering himself within the stipulated period.¹ To the Bishop of Durham, and the Earls of Northumberland and Westmoreland, was intrusted the task of receiving the oaths of the Scottish king and his hostages, whilst the treaty had been so far successful, that letters of safe

¹ Rymer, *Fœdera*, vol. ix. pp. 342, 417.

conduct were granted to the Bishops of St Andrews and Glasgow, the Earls of Crawford, Douglas, and Mar, Murdoch Stewart, Albany's eldest son, and John his brother, Earl of Buchan, to whom the final adjustment was to be committed. But from what cause cannot now be discovered, the treaty, when on the eve of being concluded, mysteriously broke off. Whether it was owing to the intrigues of the governor, or the jealousy of Scottish influence in the affairs of France, Henry became suddenly cool, and interrupted the negotiation, so that the unfortunate prince saw himself at one moment on the eve of regaining his liberty, and being restored to the kingdom which was his rightful inheritance, and the next remanded back to his captivity, and once more condemned to experience the misery of that protracted hope which sickens the heart. Are we to wonder that his resentment against the man whose base and selfish intrigues he well knew to be the cause of the failure of the negotiation, should have assumed a strength and a violence which, at a future period, involved his whole family in utter ruin ?

In the meantime, however, the power of the state was fixed too firmly in the hands of Albany for the friends of the young king to defeat his schemes ; and as the governor perceived that a continuance of peace was inevitably accompanied by intrigues for the restoration of James and his own deposition, he determined, as soon as the last short truce had expired, not only to invade England, but to send over an auxiliary force to the assistance of France. The object

of all this was very apparent ; a war gave immediate employment to the restless spirits of the nobility ; it at once interrupted their intercourse with their captive sovereign ; it necessarily chafed and incensed the English monarch, put an end to that kind and conciliatory spirit with which he had conducted his correspondence with that country, and rendered it almost certain that he would retain the royal captive in his hands. The baseness of Albany in pursuing this line of policy cannot be too severely condemned. If ever there was a period in which Scotland could have enjoyed peace with security and with advantage, it was the present. The principles upon which Henry the Fifth acted with regard to the country were those of perfect honour and good faith. All those ideas of conquest, so long and so fondly cherished by the English kings since the days of Edward the First, had been renounced, and the integrity and independence of the kingdom completely acknowledged. In this respect, the reigns of Edward the Third and Henry the Fifth offer as striking a contrast in the conduct pursued by those two monarchs towards Scotland, as they present a brilliant parallel in their ambitious attacks upon France. The grasping and gigantic ambition of Edward the Third was determined to achieve the conquest of both countries, and it must be allowed that he pursued his object with great political ability ; but his failure in this scheme, and the unsuccessful result of the last invasion by Henry the Fourth, appear to have convinced his

warlike son that two such mighty designs were incompatible, and that one of the first steps towards ultimate success in his French war must be the complete establishment of pacific relations with Scotland.

It was now, therefore, in the power of that country to enjoy a permanent and honourable peace, established on the basis of complete independence. The King of England was ready to deliver to her a youthful sovereign, who, although a captive, had been educated at his father's court with a liberality which had opened to him every avenue to knowledge; and under such a reign, what might not have been anticipated, in the revival of good order, the due execution of the laws, the progress of commerce and manufactures, the softening the harshness and tyranny of the feudal aristocracy, and the gradual amelioration of the middle and lower classes of the community? Yet Albany hesitated not to sacrifice all this fair prospect of national felicity to his individual ambition, and once more plunged the country into war, for the single purpose of detaining his sovereign in captivity, and transferring the power which he had so long usurped into the hands of his son. For a while he succeeded; but he little anticipated the dreadful reckoning to which those who now shared his guilt and his triumph were so soon to be called.

His talents for war, however, were of a very inferior description. An expedition which he had meditated against England in a former year, in which it was commonly reported that he was to besiege Ber-

wick at the head of an army of sixty thousand men, and that the cannon and warlike machines to be employed in the enterprise had already been shipped on board the fleet, concluded in nothing, for neither army nor artillery ever appeared before Berwick.¹ Nor was his second invasion much more successful. He laid actual siege indeed to Roxburgh, and the miners had commenced their operations, when the news was brought to his camp, that the Duke of Bedford, to whom Henry, during his absence in France, had intrusted the protection of the borders, was advancing, by rapid marches, at the head of an army of forty thousand men-at-arms, besides hobilers and camp-followers. Albany had foolishly imagined that the whole disposable force of England was then in France with the king; but, on discovering his mistake, he precipitately abandoned the siege, and, without having achieved any thing in the least degree correspondent to such great preparations, retreated into Scotland. The invasion, from its inglorious progress and termination, was long remembered in the country by the contemptuous appellation of "The Foul Raid."²

But if the war was carried on in this feeble manner by Albany, the English cannot be accused of any such inglorious inactivity. On the contrary, Henry had left behind him, as guardians of the marches, some of his bravest and most experienced leaders; and amongst these, Sir Robert Umfraville,

¹ Walsingham, p. 399. Fordun a Goodal, vol. ii. p. 449.

² Rymer, *Fœdera*, vol. ix. p. 307. A. D. 1415.

governor of Berwick, eager to emulate the exploits of his countrymen in France, invaded Scotland by the east marches, and committed the most dreadful havoc and devastation. The whole country was reduced into one wide field of blackness and desolation, and the rich border towns of Hawick, Selkirk, Jedburgh, Lauder, Dunbar, with the numerous villages, hamlets, and granges of Teviotdale and Liddisdale, were burnt to the ground ; whilst the solitary success upon the part of Scotland seems to have been the storming of Wark castle by William Haliburton, which, however, was soon afterwards retaken by Sir Robert Ogle, and the whole of the Scottish garrison put to the sword.¹ It was not long after this that the Dauphin dispatched the Duke of Vendome on an embassy to the Scottish court. Its object was to request assistance against the English ; and a parliament having been immediately assembled, it was determined by the governor to send into France a large auxiliary force, under the conduct of his second son, Sir John Stewart Earl of Buchan, and the Earl of Wigton. The vessels for the transport of these troops were to be furnished by France ; and the King of Castile, with the Infant of Arragon, who were in alliance with the Scots, had promised to fit out forty ships for the emergency. Alarmed at a resolution which might produce so serious a diversion in favour of his enemies, Henry instantly dispatched his letters to his brother the Duke of Bedford, on whom, during his absence in France, he had devolved the government, directing

¹ Fordun a Goodal, vol. ii. p. 458. Harding's Chronicle, p. 204.

him to seize and press into his service, in the various seaports where they could be found, a sufficient number of ships and galleons, to be armed and victualled with all possible dispatch, for the purpose of intercepting the Scottish auxiliaries; but the command was either disregarded, or came too late; for an army of seven thousand excellent troops, amongst whom were the flower of the Scottish nobles, were safely landed in France, and were destined to distinguish themselves in a very signal manner in their operations against the English.¹

For a year, however, they lay inactive, and during this period important changes took place in Scotland. Albany the governor, at the advanced age of eighty, died at the palace of Stirling, on the 3d of September, 1419. If we include the period of his management of the state under his father and his brother, he may be said to have governed Scotland for thirty-four years; but his actual regency, from the death of Robert the Third to his own decease, did not exceed fourteen years.² So effectually had he secured the interest of the nobility, that his son succeeded, without opposition, to the power which his father had so ably and artfully consolidated. No meeting of the parliament, or of any council of the nobility, appears to have taken place; and the silent assumption of the authority and name of governor by Duke Murdoch, during the continued captivity of

¹ Extracta ex Chronicis Scotiæ, MS. p. 262. See Appendix, D.

² Fordun a Goodal, vol. ii. p. 466. Extracta ex Chronicis Scotiæ, p. 263, MS.

the king, was nothing else than a bold and manifest act of treason.¹ It was soon apparent, however, that the dangerous elevation was rather thrust upon him by his party than chosen by himself; and that, in truth, he possessed neither the talents nor the inclination to carry on that system of usurpation, of which his father had raised the superstructure, and no doubt flattered himself that he had secured the foundations. Within four years, under the weak, gentle, and vacillating administration of Murdoch, it crumbled away, and gave place to a state of rude and unlicensed anarchy. The nobility, although caressed and flattered by Albany, who, in his desire to attain popularity, had divided amongst them the spoils of the crown lands, and permitted an unsafe increase of individual power, had yet been kept within the decent limits of legitimate authority; and if the laws were not justly or conscientiously administered, they were not openly despised and outraged. But under the son all became, within a very short time, one scene of rude unlicensed anarchy; and it was evident that, to save the country from ruin, some change must speedily take place. In the meantime, Henry the Fifth, alarmed at the success of the strong auxiliary force which the Earls of Buchan and Wigton had conducted to France, insisted upon his royal captive James the First accompanying him in his expedition to renew the war in that country, having first entered

¹ In Macfarlane's Genealogical Collections, MS. vol. i. p. 3, is a precept of sasine by Duke Murdoch to the Laird of Balfour, in which he styles himself "Regni Scotiæ Gubernator."

into a solemn engagement with that prince, by which he promised to permit him to revisit his dominions for a stipulated period, and under the condition of his delivering into the hands of England a sufficient number of hostages for his return.¹

Archibald Earl of Douglas, the most powerful noble in Scotland, appears at this time to have deeply interested himself in the return of James to his dominions. He engaged to assist Henry in his French war with a body of two hundred knights and squires, and two hundred mounted archers; and Henry probably expected that the Scottish auxiliaries would be induced to detach themselves from the service of the Dauphin, when they were commanded to abstain from all hostilities by their rightful sovereign. This, however, they refused; influenced no doubt as much by the authority of Buchan, the son of Albany, the late regent, who, after the defeat of the English at Bauge, had received the baton of the Constable of France, as by the caresses of the Dauphin, and the spoils and plunder of the war. To James's summons to lay down their arms, Buchan simply replied, that, so long as his sovereign was a captive, and under the dominion of others, he did not feel himself bound to obey him; and we may easily conceive, that this answer, which, by inflaming the resentment of the English king, necessarily prolonged his captivity, must have increased in no common degree the animosity of the youthful monarch against the family

¹ Rymer, *Fœdera*, vol. x. p. 125. p. 19.

of Albany, who thus steadily and systematically opposed themselves to every measure, which had for its object his restoration to his people. But the perseverance and energy of his character was not to be so easily baffled ; and during his stay in France, there is ample evidence that he was in constant communication with Scotland. His private chaplain William de Mirton, Alexander de Seton, Lord of Gordon, William Fowlis, secretary to the Earl of Douglas, and in all probability many others, were engaged in secret missions, which informed him of the state of parties in his dominions, of the weak administration of Murdoch, the unlicensed anarchy which prevailed, and the earnest wishes of all good men for the return of their rightful sovereign.¹

It was at this crisis, that Henry the Fifth closed his heroic career, happier than Edward the Third in his being spared the mortification of outliving those brilliant conquests, which, in the progress of years, were destined to be as effectually torn from the hand of England. The Duke of Bedford, who succeeded to the government of France, and the Duke of Gloucester, who assumed the office of Regent in England, during the minority of Henry the Sixth, appear to have been animated with very favourable dispositions towards the Scottish king ; and within a few months after the accession of the infant sovereign, a negotiation took place, in which Alexander Seton, Lord of Gordon, Thomas de Mirton, the chaplain of the Scottish monarch, Sir John Forrester, Sir Walter Ogilvy,

¹ Rymer, *Fœdera*, vol. x, pp. 166, 227. *Ibid.* pp. 174, 296.

John de Leith, and William Fowlis, had a meeting with the privy council of England upon the subject of the king's return to his dominions.¹ It was determined, that on the 12th of May, 1423, James should be permitted to meet at Pontefract with the Scottish ambassadors, who should be empowered to enter into a negotiation upon this subject with the ambassadors of the King of England, and such a solemn conference having accordingly taken place, the final treaty was concluded at London between the Bishop of Glasgow, Chancellor of Scotland, the Abbot of Balmerinock, George Borthwick, Archdeacon of Glasgow, and Patrick Howston, licentiate in the laws, ambassadors appointed by the Scottish governor;² and the Bishop of Worcester and Stafford, the treasurer of England, William Alnwick, keeper of the privy seal, the Lord Cromwell, Sir John Pelham, Robert Waterton, Esq. and John Stokes, doctor of laws, commissaries appointed for the solemn purpose by the English regency.

It will be recollected that James had been seized by the English during the time of truce, and to have insisted on a ransom for a prince, who by the law of nations was not properly a captive, would have been gross extortion and injustice. The English commissioners accordingly declared that they should only demand the payment of the expenses of the King of Scotland which had been incurred during the long period of his residence in England, and these they

¹ Rymer, *Fœdera*, vol. x. p. 266.

² Rymer, *Fœdera*, vol. x. p. 298. The commission by the governor is dated Inverkeithing, 19th Aug. 1423.

fixed at the sum of forty thousand pounds of good and lawful money of England, to be paid in yearly sums of ten thousand merks, till the whole was discharged. It was determined that the king should not only promise, upon his royal word and oath, to defray this sum, but that certain hostages from the noblest families in the country should be delivered into the hands of the English king, to remain in England at their own expense till the whole sum was paid; and that, for further security, a separate obligation should be given by the four principal towns of Edinburgh, Perth, Dundee, and Aberdeen,¹ by which they promised to make good the sum to the English treasury, in the event of its not being paid by their own sovereign.

In addition to this, the ambassadors of both countries were empowered to treat of a marriage between the Scottish king and some English lady of noble birth, and as James, during his captivity, had fallen deeply in love with the daughter of the Earl of Somerset, a lady of royal descent by both parents, and of great beauty and accomplishments, this part of their negotiation was without difficulty concluded. Johanna Beaufort had already given her heart to the royal captive, and the marriage was concluded with the customary feudal pomp and solemnity in the church of St Mary Overy, in Southwark,² after which the feast was held in the palace of her uncle, the famous Cardinal Beaufort, a man of vast wealth and

¹ Rymer, *Fœdera*, vol. x, p. 303.

² *Ibid.* vol. x, pp. 321, 323.

equal ambition.¹ Next day, James received as the dower of his wife, a relaxation from the payment of ten thousand merks of the original sum which had been agreed on.² A truce of seven years was concluded; and, accompanied by his queen and a brilliant cortege of the English nobility, to whom he had endeared himself by his graceful manners and deportment, he set out for his own dominions. At Durham, he was met by the Earls of Lennox, Wigton, Moray, Crawford, March, Orkney, Angus, and Strathern, with the Constable and Marshal of Scotland, and a splendid train of the highest barons and gentry of his dominions, amounting altogether to about three hundred persons; from whom a band of twenty-eight hostages were selected, comprehending some of the most noble and most opulent persons in the country. In the schedule containing their names, the annual rent of their estates is also set down, which renders it a document of extreme interest, as illustrating the wealth and comparative influence of the Scottish aristocracy.³

From Durham, James, surrounded by his nobles, and attended by the Earl of Northumberland, the sheriff of that county, and an escort under Sir Robert Umfraville, Sir William Heron, and Sir Robert Ogle, proceeded in his joyful progress, and halted, on reaching the abbey of Melrose, for the purpose of fulfilling

¹ Gough's Sepulchral Monuments, vol. ii, p. 127, plate 41, p. 148. Dugdale's Baronage, vol. ii. p. 122.

² Rymer, Fœdera, vol. x. p. 323, dated 12th Feb. 1424.

³ Ibid. vol. x. pp. 307, 309. See Appendix, E.

the obligation which bound him to confirm the treaty and the truce by his royal oath, upon the Holy Gospels, within four days after his entry into his own dominions.¹

He was received by all classes of his subjects with expressions of tumultuous joy and undissembled affection, and the Regent hastened to resign the government into the hands of a prince, who was in every way worthy of the crown.

¹ Rymer, *Fœdera*, vol. x, pp. 333, 343. Dated 5th April, 1425.