

In the meantime, Douglas dispatched the Lord Hamilton into England, where, in a meeting with the Yorkists, an immediate supply of money and of troops was promised,¹ upon the condition that the conspirators should give a pledge of the sincerity of their intentions, by taking the oath of homage to the English crown,—a piece of treachery to which Hamilton would not consent, although there is reason to believe it met with few scruples in the convenient conscience of Douglas. Before, however, this test had been taken, the royal vengeance burst upon the principal conspirator with a violence and a rapidity for which he appears to have been little prepared. James, at the head of a force which defied all resistance, attacked and stormed his castle of Inviravon, and, after having razed it to the ground, pressed forward without an instant's check, to Glasgow, where he collected the whole strength of the western counties, and a large force of the Highlanders and Islesmen. With this army he marched to Lanark, invaded Douglasdale and Avondale, which he wasted with all the fury of military execution ; and, after delivering up to fire and sword the estates belonging to Lord Hamilton, passed on to Edinburgh ; from thence, without delay, at the head of a new force, chiefly of Lowlanders, he invaded the forests of Selkirk and Ettrick, and compelled all the barons and landed gentlemen of whom he entertained any suspicion, to renew their allegiance, and join the royal banner, under the penalty of having their castles levelled with the ground, and their estates

¹ Auchinleck Chronicle, p. 53.

unmercifully laid waste and depopulated.¹ He next besieged the castle of Abercorn, which, from the great strength of its walls, and the facilities for defence afforded by its situation, defied for a month the utmost attempts of the royal army.² Battered and broken up at last, by the force of the immense machines which were brought to bear upon the towers, and exposed to the shot of a great gun, which was charged and directed with unerring aim by a French engineer, the place was taken by escalade, and the principal persons who had conducted the defence instantly hanged. The walls were then dismantled, and the great body of the garrison dismissed with their lives. During the siege, a desperate but ineffectual attempt to disperse the royal army was made by Douglas, who concentrated his forces at Lanark,³ and, along with his kinsman, Lord Hamilton, advanced to the neighbourhood of Abercorn, where, however, such was the terror of the royal name, and the success of the secret negotiation which Bishop Kennedy contrived to institute with the leaders in the rebel army, that in one night they deserted the banner of their chief, and left him a fugitive. Exposed to the unmitigated rigour of the regal vengeance, Hamilton, whose treachery to Douglas had principally occasioned this calamity, was immediately committed to close confinement, whilst Douglas, hurled in a moment from the pinnacle of pride and power to a state of terror

¹ Auchinleck Chronicle, pp. 53, 54.

² Original letter from James the Second to Charles the Seventh of France. Pinkerton's Hist. vol. i. p. 486.

³ Acts of the Parliament of Scotland, vol. ii. p. 76.

and destitution, fled from his late encampment, under cover of night, and, for some time, so effectually eluded pursuit, that none knew for certain in what part of Scotland he was concealed.¹

In the meantime, the success of the king was attended with the happiest effects throughout the country, not only in affording encouragement to the friends of peace and social order, who dreaded the re-establishment of a power in the House of Douglas, which repeated experience had shown to be incompatible with the security of the realm, but in bringing over to the royal party those fierce feudal barons, who, either from terror, or the love of change and of plunder, had entered into bands or associations with the House of Douglas, and now found it their interest to abandon a falling cause. In consequence of this universal panic and desertion, the castles, which, in the commencement of this great rebellion, had been filled with military stores, and fortified against the government, were gradually abandoned, and taken possession of by the friends of the crown. Douglas castle, with the strong fortresses of Thrieve in Galloway, Strathaven, Lochindorb, and Tarnaway, fell successively into the hands of the king; and the Earl of Douglas, having once more reappeared in Annandale at the head of a tumultuous assemblage of outlaws, who had been drawn together by the exertions of his brothers, the Earls of Moray and Ormond, was encountered at Arkinholme,² and totally defeated

¹ Auchinleck Chronicle, pp. 53, 54.

² Arkinholme, on the River Esk, opposite Wauchop Kirk.

by the king's troops, under the command of the Earl of Angus. The battle was fought, on the part of Douglas, with that desperate and reckless courage which arose out of the conviction that it must be amongst his last struggles for existence ; but the powerful and warlike families of the Borderers, the Maxwells, Scotts, and Johnstons, inured to daily conflict, had joined the standard of the king, and the undisciplined rabble which composed the rebel army were unable to stand against them.¹ Ormond was taken prisoner, and instantly executed ; his brother, the Earl of Moray, fell in the action ; and after a total dispersion of his army, the arch-rebel, along with his only remaining brother, Sir John Douglas of Balveny, made his escape into the wilds of Argyleshire, where he was received by the Earl of Ross, the only friend who now remained to him, of all the great connexions upon whose fidelity and assistance he had so confidently reckoned in his rebellion against his sovereign. These important events took place during the continuance of the siege of Abercorn, and the first intimation of them received by the king was the arrival of a soldier from the field of Arkinholme, who laid the bleeding and mangled head of the Earl of Moray at the feet of his prince. "The king," says an ancient chronicle, "commended the bravery of the man who brought him this ghastly

¹ Sir Walter Scott of Kirkurd, the male ancestor of the Buccleuch family, on 22d February, 1458-9, got a charter of lands in the barony of Crawfordjohn, "pro eo quod interfuit conflictu de Arkinholme, in occisione et captione rebellium quondam Archib. et Hugonis de Douglas, olim Comitum Moraviæ et Ormond." Mag. Sigill. v. 46.

present, although he knew not at the first look to whom the head belonged.”¹

Having brought his affairs to this successful conclusion, James assembled his parliament at Edinburgh, on the 9th of June, 1455, and proceeded to let loose the offended vengeance of the laws against the rebels who had appeared in arms against the government. James, late Earl of Douglas, having failed to appear and answer to the charges brought against him, after having been duly summoned at his castles of Douglas and Strathaven, was solemnly declared a traitor; his mother, Beatrice, Countess of Douglas, in consequence of the support and assistance lent by her to the cause of her son, his brother Archibald, late Earl of Moray, who had fallen at Arkinholme, and Sir John Douglas of Balveny, who had fortified the castle of Abercorn, and leagued himself with the king's enemies of England, were involved in the same condemnation; and the prelates and clergy who sat in the parliament, having retired, David Dempster of Caraldstone pronounced it to be the judgment of the three estates, that these persons had forfeited their lives, and that their whole movable and immovable property, their estates, chattels, superiorities, and offices, had escheated in the hands of the crown. To give the utmost strength and solemnity to this just sentence, the instrument of forfeiture, which is still preserved, was corroborated by the seals

¹ MS. Chronicle of this reign in the University of Edinburgh. A. C. c. 26. Letter of James the Second to Charles the Seventh. See Appendix F.

of the Bishops of St Andrews, Dunblane, Ross, Dunkeld, and Lismore; by those of the Earls of Athole, Angus, Menteth, Errol, and Huntley, those of the Lords Lorne, Erskine, Campbell, Grahame, Somerville, Montgomery, Maxwell, Leslie, Glamis, Hamilton, Gray, Boyd, and Borthwick, whilst the sanction of the whole body of the commissioners of the burghs, who were not provided at the moment with the seals of their respective communities, is declared, in the body of the deed, to be fully given by appending to it the single seal of the burgh of Haddington.¹

Whilst such events were passing in the low country, the Earl of Douglas, formidable even in his last struggle, had entered into a strict alliance with John, Earl of Ross and Lord of the Isles, to whom he had fled immediately after the disastrous issue of the battle of Arkinholme. This powerful ocean prince immediately assembled his vassals, and having collected a fleet of a hundred galleys, which received on board a force of five thousand men, he intrusted the chief command to his near relation, Donald Balloch, Lord of Isla, and a chief of formidable power not only in Scotland, but in the north of Ireland.² Animated by hereditary hatred against the Scottish throne, Donald conducted a naval "raid," or predatory expedition, along the western coast of Scot-

¹ Acts of the Parliament of Scotland, vol. ii. pp. 42—75.

² This Donald Balloch was son of John of Isla, brother to Donald, Earl of Ross, and inherited, through his mother, the territory of the Glens, in the county of Antrim.

land, commencing hostilities at Innerkip, and thence holding his progress to Bute, the Cumrays, and the fertile island of Arran. Yet, owing to the able measures of defence adopted by the king, the enterprise met with little success; and the loss to the government, in lives and in property, was singularly disproportionate to the formidable maritime force which was engaged. "There was slain," says a contemporary chronicle, whose homely recital there is no reason to suspect of infidelity, "of good men fifteen, of women two or three, of children three or four. The plunder included five or six hundred horse, ten thousand oxen and kine, and more than a thousand sheep and goats. At the same time, they burnt down several mansions in Innerkip, around the church, harried all Arran, stormed and levelled with the ground the castle of Brodick, and wasted with fire and sword the islands of the Cumrays. They also levied tribute upon Bute, carrying away a hundred bolls of meal, a hundred bolls of malt, a hundred marts, and a hundred marks of silver."¹ The expedition appears to have been concluded by an attack upon Lauder, Bishop of Lismore, a prelate who had made himself obnoxious to the party of Douglas, by affixing his seal to the instrument of their forfeiture. This dignitary, a son of the ancient family of Lauder of Balcomy in Fife, had been promoted by James the First to the bishopric of Argyle; but, ignorant of the manners and the language of the rude inhabitants of his diocese, he became early unpopular, and his attempts to

¹ Auchinleck Chronicle, p. 55.

extinguish the disorders with which he was surrounded, by the firm authority of ecclesiastical law, were received with deep execration, and almost universal resistance. Three years previous to the expedition of Donald Balloch, on the occurrence of some misunderstanding between a parson or vicar of the bishop, whom he had appointed to one of his churches, and some of the Celtic officials attached to the administration of the diocese, Sir Gilbert Maclachlan, and Sir Morice Macfadyan, who filled the offices of chancellor and treasurer of the cathedral, having assembled the whole force of the Clanlachlane, violently assaulted the prelate during the course of a peaceful procession to his own cathedral church. They scornfully addressed him in the Gaelic tongue, dragged from their horses and bound the hands of the clerks and ministers of the church which composed his train, stripped them of their rich cloaks, hoods, velvet caps, bulls, and parchments, and compelled the bishop, under terror of his life, to promise that he would never prosecute the men who had thus shamefully abused him. Such were the miserable scenes of havoc and violence which fell to the lot of the prelates who were bold enough to undertake the charge of those remote and savage dioceses; and we now, only three years after this cruel assault, find the same unfortunate dignitary attacked by the fierce admiral of the Isles, and after the slaughter of the greater part of his attendants, driven into a sanctuary which seems scarcely to have protected him from the fury of his enemies.¹

¹ Auchinleck Chronicle, p. 50, 51.

Whilst Douglas thus succeeded in directing against the king the vengeance of the Isles, he himself had retired to England, where he was not only received with distinction by his ally the Duke of York, at this time possessed of the supreme power in the government, but repaid for his service by an annual pension of five hundred pounds, "to be continued to him until he should be restored to his possessions, or to the greater part of them, by the person who then called himself King of Scots."¹ It was impossible that this open and unprovoked indignity, offered by a faction which had all along encouraged a rebellion in Scotland as one of the chief instruments in promoting their own intrigues, should not have excited the utmost resentment in the bosom of the Scottish monarch, and it was evident that a perseverance in such policy must inevitably hurry the two nations into war. James, however, whose kingdom was scarce recovered from the lamentable effects of the late rebellion, with a wisdom and magnanimity which was willing to overlook the injury thus offered, in his anxiety to secure to his people the blessing of peace, dispatched a conciliatory embassy to the English court. At the same time, he directed a letter to Henry the Sixth, complaining of the encouragement held out to a convicted traitor like Douglas, warning him of the fatal consequences which must result to himself in England, as well as to the kingdom which had been committed by God to his charge, if rebellion in a

¹ Rymer *Fœdera*, vol. xi. p. 367.

subject was thus applauded and fostered by a Christian prince, and declaring that, however unwilling to involve his subjects in war, he would never so far forget his kingly office as to permit his own dignity to be insulted, and the prosperity of his people endangered, with impunity, by any power whatever.¹

This spirited remonstrance appears to have been followed by preparations for immediate hostilities, which, it may be easily believed, were not rendered less urgent by the following extraordinary epistle, which was soon after transmitted to the Scottish monarch :—“ The king, to an illustrious prince, James, calling himself King of Scotland, sends greeting : We presume that it is notorious to all men, and universally acknowledged as a fact, that the supreme and direct dominion over the kingdom of Scotland appertains by law to the King of England, as monarch of Britain. We presume it to be equally acknowledged and notorious, that fealty and homage are due by the King of Scots to the King of England, upon the principle that it becomes a vassal to pay such homage to his superior and overlord ; and that from times of so remote antiquity that they exceed the memory of man, even to the present day, we and our progenitors, Kings of England, have possessed such rights, and you and your ancestors have acknowledged such a dependence. Wherefore, such being the case, whence comes it that the subject hath not scrupled insolently to erect his neck against his master ? and what think ye ought to be his punishment, when he spurns the

¹ Rymer Fœdera, vol. iii. p. 383.

condition and endeavours to compass the destruction of his person? With what sentence is treason generally visited—or have you lived so ignorant of all things as not to be aware of the penalties which await the rebel, and him who is so hardy as to deny his homage to his liege superior? If so, we would exhort you speedily to inform yourself upon the matter, lest the lesson should be communicated by the experience of your own person, rather than by the information of others. To the letters which have been presented to us by a certain person, calling himself your lion-herald and king-at-arms, and which are replete with all manner of folly, insolence, and boasting, we make this brief reply: It hath ever been the custom of those who fight rather by deceit than with open arms, to commit an outrageous attack, in the first instance, and then to declare war; to affect innocence, and shift their own guilt upon their neighbour; to cover themselves with the shadow of peace and the protection of truces, whilst beneath this veil they are fraudulently plotting the ruin of those they call their friends. To such persons, whose machinations we cordially despise, it seems to us best to reply by actions. The repeated breaches of faith, therefore, which we have suffered at your hands, the injury, rapine, robbery, and insolence, which have been inflicted upon us, contrary to the rights of nations, and in defiance of the faith of treaties, shall be passed over in silence rather than committed to writing, for we esteem it unworthy of our dignity to attempt to reply to you in your own fashion by slanders and reproaches.

We would desire, however, that, in the mean season, you should not be ignorant that, instead of its having the intended effect of inspiring us with terror, we do most cordially despise this vain confidence and insolent boasting, in which we have observed the weakest and most pusillanimous persons are generally the greatest adepts; and that you should be aware that it is our firm purpose, with the assistance of the Almighty, to put down and severely chastise all such insolent rebellions, and arrogant attempts, which it hath been your practice contumeliously to direct against us. Wishing, nevertheless, with that charity which becomes a Christian prince, that it may please our Lord Jesus Christ to reclaim you from error into the paths of justice and truth, and to inspire you for the future with a spirit of more enlightened judgment and counsel, we bid you farewell.”¹

It does not appear that the king took any notice of this singular specimen of diplomatic insolence, in which, with an amusing inconsistency, the writer condemns the very error into which he falls himself; but it is evident, from the preparations appointed to be made by the parliament, which assembled at Edinburgh, during the course of the same year, on the 4th of August, and afterwards on the 13th October, that it had been preceded, and it was certainly followed, by serious hostilities upon the Borders. The particulars of these conflicts on the marches do not, however, appear in the historians of the times, or in the pages of the contemporary chronicles, and,

¹ Rymer *Fœdera*, vol. xi. p. 383.

although carried on with all the desolating fury and unmitigated national hostility which distinguished the warfare of the marches, they led to no important results,¹ and were soon after intermitted by the partial recovery of health by Henry the Sixth; a circumstance which removed the Duke of York from the high office of protector, and for a while deprived him of the supreme power in the state. The Earl of Douglas, however, continued still an emigrant in England, animated by the bitterest resentment against James, and exerting every effort to organize a force sufficiently strong to enable him to invade the kingdom from which he had been so justly expelled. His success in this treasonable object, although ultimately of so alarming a nature as once more to threaten the tranquillity of the kingdom, was counteracted for the present by the revival of the influence of the Duke of Somerset, which had ever been favourable to Scotland; and the measures adopted by the parliament, for strengthening the authority of the crown, and increasing the defensive force of the kingdom, were excellently calculated to render abortive the utmost attempts of its enemies.

With regard to the first of these objects, it would be difficult to explain the intentions of the legislature in a clearer or more forcible manner than is accomplished in the words of the statute itself. It declares, that “since the poverty of the crown is oftentimes the cause of the poverty of the realm, and of many other inconveniences which it would be tedious to enume-

¹ Acts of the Parliament of Scotland, vol. ii. p. 42.

rate, it had been ordained, by the advice of the full council of the parliament, that there should be, from this time, appointed certain lordships and castles in every part of the realm, where, at different periods of the year, the sovereign may be likely to take up his residence, which are to belong in perpetuity to the crown, never to be settled or bestowed either in fee or franctenure upon any person whatever, however high his rank or estate, except by the solemn advice and decree of the whole parliament, and under circumstances which affect the welfare and prosperity of the kingdom." For the additional security of the crown lands, it was further declared, "that even if the present monarch, or any of his successors, should alienate or convey away to any person the lordships and castles which were the property of the crown, such a transaction being contrary to the will of parliament, should not stand good in law; but that it should be permitted to the king, for the time being, to resume these lands into his own hands without the solemnity of any intervening process of law; and not only to resume them, but to insist that those who had unjustly occupied these royal estates should refund the whole rents and profits which they had received, till the period of their resumption by the crown." It was lastly enacted, "that the present king and his successors should be obliged to take a solemn oath, that they shall keep this statute and duly observe it in every particular."¹ There follows this enactment, a particular enumeration of the crown

¹ Acts of the Parliament of Scotland, vol. ii. pp. 42, 43.

lands and revenue. In the light which it throws on the history of the constitution, at a period when the crown was struggling for existence against the growing power of the aristocracy, it is too interesting to be passed over.

The first article in this enumeration is, the sum accruing from the whole customs of Scotland which were in the hands of James the First on the day of his death ; deducting, however, the pensions and fees given out of them, probably to the various officers employed in their collection. After this, follows the specific enumeration of the crown lands, beginning with the lordship of Ettrick forest, and the whole lordship or principality of Galloway, along with the castle of Thrieve. These two great accessions of territory, which were now annexed to the crown, had long formed one of the richest and most populous portions of the forfeited estates of the house of Douglas. Next, we find the castle of Edinburgh, with the lands of Ballincreif and Gosforde, together with all other estates pertaining to the king within the sheriffdom of Lothian. Also, the castle of Stirling, with all the crown lands around it ; the castle of Dumbarton, with the lands of Cardross ; Roseneath, and the pension from Cadzow ; the whole earldom of Fife, with the palace of Falkland ; the earldom of Strathern, with the rights belonging to it ; the house and lordship of Brechin, with the services and superiority of Cortachy ; the castles and lordships of Inverness and Urquhart, with the water-mails or rents due for the fishings of Inverness ; the lordship of Abernethy, and the several baronies of Urquhart, Glen-

orchane, Bonnechen, Bonochar, Annache, Edderdail, otherwise called Ardmanache, Pecty, Brachly, and Strathern; and, lastly, the Redcastle, with the lordships in the county of Ross which are attached to it. It is also particularly provided, that all regalities, which at present belong to the king, be thenceforth indissolubly annexed to the crown lands, and that in time to come, no erection of regalities shall take place without the advice of the parliament.¹

Other measures of the same parliament have an evident reference to the increasing the authority of the crown. It was ordained, that, for the future, the Wardenry of the Borders, an office of the utmost power and responsibility, should cease to be hereditary; that the wardens should have no jurisdiction in cases of treason, except where such cases immediately arise out of an infraction of the truce; and that no actions or pleas in law should be brought into the court of the warden, but ought to be prosecuted before the justice ayre. The situation of warden had long been esteemed the inalienable property of the house of Douglas, and its abolition as a hereditary dignity necessarily arose out of the late rebellion. But the able ministers who at this time directed the king's councils, were not satisfied with cutting down the exorbitant power of the warden. The blow was wisely aimed against the principle which made any office whatever a hereditary fee; and it was declared that, in all time to come, "no office is to be given in fee or heritage, whilst such as have been so disposed of since the death of the late king, are revoked

¹ Acts of the Parliament of Scotland, vol. ii. p. 42.

and abolished, due care being taken that where any price or consideration has been advanced for such office by the incumbent, this shall be restored, taking into account, however, the profits which may have been reaped in the mean season." From the operation of this excellent statute, an exception is made in favour of the wardenry of the march, which the king had bestowed on his son Alexander, Earl of March and Lord of Annandale.¹ A few other statutes, enacted in this same parliament, are worthy of attention. He who arrests any false coiner, and brings him to the king, is to have ten pounds for his labour, and the escheat of the offender. Sorners² are to be punished as severely as thieves or robbers; and for the determination of those inferior disputes which were perpetually occurring between the subjects of the burghs of the realm, it is provided, that the privy council select eight or twelve persons, according to the size of the town, to whose decision all causes, not exceeding the sum of five pounds, are to be intrusted.

There follows a curious statute on the subject of dress, which is interesting, from its minuteness. It declares, that with regard to the dresses to be worn by earls, lords of parliament, commissaries of boroughs, and advocates, at all parliaments and general councils, the earls shall take care to use mantles of "brown granyt," open in the front, furred with ermine, and lined before with the same, surmounted by

¹ Acts of the Parliament of Scotland, vol. ii. p. 43.

² An expressive Scottish word, meaning a stout armed vagrant, who insists on taking up his quarters for an indefinite period, at the various houses he visits.

little hoods of the same cloth, which are to be used upon the shoulders. The other lords of parliament are directed to have a mantle of red cloth, open in front, and lined with silk, or furred with “Cristy gray, grece, or purray, with a hood furred in the same manner, and composed of the same cloth ;” whilst all commissaries of boroughs are commanded to have a pair of cloaks,—such is the phrase made use of,—of blue cloth, made to open on the right shoulder, to be trimmed with fur, and having hoods of the same colour. If any earl, lord of parliament, or commissary, appears in parliament, or at the general council, without this dress, he is to pay a fine of ten pounds to the king. All men of law who are employed and paid as “forespeakers,” are to wear a dress of green cloth, made after the fashion of a “tunykil,” or tunic, with the sleeves open like a tabard, under a penalty of five pounds to the king, if they appear either in parliament or at general councils without it ; and in every borough where parliament or general councils are to be held, it is directed that there be constructed “where the bar uses to stand,” a platform, consisting of three lines of seats, each line higher than the other, upon which the commissaries of the boroughs are to take their places.¹

At a prorogued meeting of the same parliament, which was held at Stirling on the 13th of October, regulations were made for the defence of the kingdom against any sudden invasion of the English, which explain the system of transmitting information

¹ Acts of the Parliament of Scotland, vol. ii. p. 43.

by beacons adopted in those early times, in a very satisfactory manner. At the different fords or passages of the Tweed between Roxburgh and Berwick, where it was customary for the English forces to cross the river, certain watchmen were stationed, whose duty it was to light a bale-fire, or beacon, the moment they received word of the approach of an enemy, and which was to be so placed as to be seen at Hume castle, to which stations the watchmen were instantly to repair. The beacon fires were to be regulated in the following manner : One fire was to be understood to signify that an enemy was approaching, —two fires, that they were coming in considerable force,—four fires, lighted up at once, and each beside another, like four “candellis, and all at aynes,” to use the homely language of the statute, was to be understood as betokening certain knowledge that the invading army was one of great strength and power. The moment that the watchmen stationed at Eggerhop (now Edgerton) castle, descried the beacon at Hume, they were commanded to light up their bale-fire ; and the moment the men stationed at Soltra Edge descried the Eggerhop fire, they were to answer it by a corresponding beacon on their battlements ; and thus, fire answering to fire, from Dunbar, Haddington, Dalkeith, all Lothian was to be roused as far as Edinburgh castle. At Edinburgh, four beacons were instantly to be lighted to warn the inhabitants of Fife, Stirling, and the eastern part of Lothian. Beacons were also directed to be kindled on North Berwick Law, and Dumpender Law, to warn the

coast side of the sea ; it being understood that all the fighting men on the west side of Edinburgh should assemble in that city, and all to the east of it, at Haddington, whilst all merchants and burghers were directed to join the host as it passed through their respective communities. By another statute of the same parliament, two hundred spearmen and two hundred bowmen were appointed to be maintained, at the expense of the Border lords, upon the east and middle marches ; whilst, upon the west marches, there was to be maintained a force of one hundred bows and one hundred spears ; the Border lords and barons being strictly enjoined to have their castles in good repair, well garrisoned, and amply provided with military stores, whilst they themselves were to be ready, having assembled their vassals at their chief places of residence, to join the warden, and pass forward with the host wherever he pleased to lead them.¹

Some other statutes are worthy of notice, as illustrating the state of the Borders, and the manners of the times. It was directed, that when a warden raid takes place, meaning an invasion of England by the lord warden in person, or when any other chieftain leads his host against the enemy, no man is to be permitted, under pain of death, and forfeiture of his whole goods, to abstract any part of the general booty, until, according to the ancient custom of the marches, it has been divided into three parts, in presence of the chief leader of the expedition ; any theft of the plunder or the prisoners belonging to the leaders or their men—any supplies furnished to the English garrisons of Rox-

¹ Acts of the Parliament of Scotland, vol. ii. pp. 44, 45.

burgh or Berwick—any warning given to the English of a meditated invasion by the Scots—any private journey into England, without the king's or the warden's safe-conduct, is to be punished as treason, with the loss of life and estate; and it is strictly enjoined upon the principal leaders of any raids into England, that they cause these directions of the parliament to be communicated to their host previous to the expedition, so that none may allege ignorance of the law as an excuse of its violation.¹

Amid these wise endeavours to strengthen the power of the crown, and to provide for the security of the kingdom, James's attention was arrested by the arrival at his court of two noble ladies, who threw themselves upon his protection. These were the Countess of Douglas, known before her marriage by the name of the Fair Maid of Galloway, and the Countess of Ross, a daughter of the once powerful house of Livingston.² The first had been miserable in her marriage with that Earl of Douglas who had fallen by the king's hand in Stirling castle, and equally wretched in her subsequent unnatural union with his brother, who was now a rebel in England. Profiting by his absence, she now fled to the court of the king, representing the cruelty with which she had been treated both by the one and the other. She was not only welcomed with the utmost kindness and courtesy, but immediately provided with a third husband, in his uterine brother, Sir John Stewart, son of his mother by her second husband, the Black Knight of

¹ Acts of the Parliament of Scotland, vol. ii. p. 44.

² Boece, p. 378.

Lorn.¹ In what manner her marriage with Douglas was dissolved does not appear ; but it is singular that she had no children by either of her former husbands. Her third lord, to whom she bore two daughters, was soon afterwards created Earl of Athole, and enriched by the gift of the forfeited barony of Balveny. To the Countess of Ross, the wife of the rebel earl of that name, and to whom her husband's treason appears to have been equally distasteful as to the consort of the Earl of Douglas, James, with equal readiness, extended the royal favour, and assigned her a maintenance suited to her rank ;² whilst not long after, a third noble female, his sister, the Princess Annabella, arrived from the court of the Duke of Savoy. She had been espoused to Louis, the second son of the Duke of Savoy, but, at the request of the King of France, and on payment of the sum of twenty-five thousand crowns, James consented to a dissolution of the intended marriage, and, on her return to Scotland, she became the wife of the first Earl of Huntley.³

Disengaged from these minor cares, the king found himself soon after involved in a negotiation requiring greater delicacy in its management, and which, if abortive, might have been productive of consequences eminently prejudicial to the kingdom. It arose out of a complaint transmitted to the Scottish court by

¹ She had no children by her two first husbands ; but by her third marriage she had two daughters : Lady Janet, married to Alexander, Earl of Huntley ; and Lady Catherine, to John, sixth Lord Forbes.

² Mag. Sig. vii. 371. 8th February, 1475.

³ Mag. Sig. v. 91. 1st March, 1459.

Christian, King of Norway, upon the subject of the money due by the King of Scotland for the Western Isles and the kingdom of Man, in virtue of the treaty between James the First and Eric, King of Norway, which had been concluded in 1426. This treaty itself was only a confirmation of the original agreement, by which, nearly two hundred years before, Alexander the Third had purchased these islands from Magnus, then King of Norway, and Christian now remonstrated, not merely on the ground that a large proportion of arrears were due, but that one of his subjects, Biorn, son of Thorleif, the Lieutenant of Iceland, having been driven by a storm into a harbour in the Orkneys, had been seized by the Scottish authorities, contrary to the faith of treaties, and cast, with his wife and his attendants, into prison.¹ Happily, after some correspondence upon these points, instead of an appeal to arms, both parties wisely adopted the expedient of referring all differences to the decision of Charles the Seventh, their mutual friend and ally, who, after various protracted delays, pronounced his final decision at a convention of the commissioners of both kingdoms, which was not held till four years after this period, in 1460.

In the meantime, in consequence of the re-establishment of the influence of the house of Lancaster, by the restoration of Henry the Sixth, and the queen, a woman of masculine spirit, to the supreme authority, affairs began to assume a more favourable aspect on the side of England; and the King of Scotland having dispatched the Abbot of Melrose, Lord

¹ Torfæus, p. 184.

Graham, Vans, Dean of Glasgow, and Mr George Fala, burgess of Edinburgh, as his commissioners to the English government, a truce between the two countries was concluded, which was to last till the 6th of July, 1459.¹ This change, however, in the administration of affairs in England, did not prevent the Earl of Douglas, who, during the continuance of the power of the Yorkists, had acquired a considerable influence in that country, from making the strongest efforts to regain the immense estates of which he had been deprived, and to avenge himself on the sovereign whose allegiance he had forsworn. He accordingly assembled a force in conjunction with the Earl of Northumberland, and breaking across the Border, wasted the fertile district of the Merse in Berwickshire, with the merciless fury of a renegade. After a course of plunder and devastation, which, without securing the confidence of his new friends, made him detested by his countrymen, he was met, and totally defeated, by the Earl of Angus, at the head of a division of the royal army; nearly a thousand of the English were slain, seven hundred taken prisoners, and Douglas, once more driven a fugitive into England, found himself so effectually shorn of his power, and limited in his resources, that he remained perfectly inoffensive during the remainder of this reign.²

The lordship of Douglas, and the wide domains pertaining to this dignity, were now, in consequence

¹ Rymer *Fœdera*, vol. xi. pp. 389—399.

² The MS. Chronicle in the Library of the University of Edinburgh dates this conflict, 23d October, 1458.

of his important public services, conferred upon the Earl of Angus, a nobleman of great talents and ambition, connected by his mother, who was a daughter of Robert the Third, with the royal family, and inheriting by his father, George, first Earl of Angus, a son of the first Earl of Douglas, the same claim to the crown through the blood of Baliol, which we have already seen producing a temporary embarrassment and opposition upon the accession of Robert the Second, in the year 1370.¹ Upon the acquisition by Angus of the forfeited estates of Douglas, the numerous and powerful vassals of that house immediately attached themselves to the fortunes of this rising favourite, whom the liberality of the king had already raised to a height of power almost as giddy and as dangerous as that from which his predecessor had been precipitated. Apparent, however, as were the dangerous consequences which might be anticipated from this policy, we must blame rather that miserable feudal constitution, under which he lived, than censure the monarch who was compelled to accommodate himself to its principles. The only weapons by which a feudal sovereign could overwhelm a noble whose strength menaced the crown, were to be found in the hands of his brethren of the aristocracy, and the only mode by which he could ensure their co-operation in a struggle, which, as it involved in some degree an attack upon their own rights, must have excited their jealousy, was to permit them to share in the spoils of his forfeiture.

¹ See Vol. III. of this History, p. 2.—Duncan Stewart's Account of the Royal Family of Scotland, p. 62.

Some time previous to this conclusive defeat of Douglas, the parliament had again assembled at Edinburgh; when, at the desire of the king, they took into consideration the great subjects of the defence of the country, the regulations of the value of the current coin, the administration of justice, and the establishment of a certain set of rules, which are quaintly entitled, “concerning the governance of the pestilence;” a dreadful scourge, which now, for the fifth time, began to commit its ravages in the kingdom. Upon the first head, it was provided, that all subjects of the realm who were possessed of lands or goods, should be ready mounted and armed, according to the value of their lands and goods, to ride for the defence of the country, the moment they received warning, either by the sound of the trumpet or the lighting of the beacon; that all manner of men, between the ages of sixteen and sixty, should boun them to join the muster, on the first intelligence of the approach of an English host, except they be in such extreme poverty as to be unable to furnish themselves with weapons. Every yeoman, however, who was worth twenty marks, was to be compelled to furnish himself at the least with a jack and sleeves down to the wrist, or, if not thus equipt, with a pair of splents, a *sellat*,¹ a prikit hat, a sword and buckler, with a bow and a sheaf of arrows. If unskilled in archery, he was to have an axe and a targe, made either of leather, or of fir, with two straps in the inside.

¹ Saddle.

Warning was directed to be given by the proper officers, to the inhabitants of every county, that they provide themselves with these weapons, and attend the weapon-schawing before the sheriffs, bailies, or stewards of regalities, on the morrow after the "lawe days after Christmas." The king, it is next declared, ought to make it a special request to some of the richest and most powerful barons, "that they make carts of war; and in each cart place two guns, each of which was to have two chambers, to be supplied with the proper warlike tackling, and to be furnished also with a cunning man to shoot them. And if," it is quaintly added, "they have no skill in the art of shooting with them, at the time of passing the act, it is hoped that they will make themselves master of it before they are required to take the field against the enemy."¹

With regard to the provisions to be adopted for defence of the realm upon the Borders during the summer season, the three estates declared it to be their opinion, that the Borderers do not require the same supplies which were thought necessary when the matter was first referred to the king, seeing that this year they were more able to defend themselves than in any former season; first, because they were better, and their enemies worse provided than before; secondly, they were certain of peace, at least on two Borders, till Candlemas. On the West Borders, it is observed, that the winter is seldom a

¹ Acts of the Parliament of Scotland, vol. ii. p. 45.

time of distress, and the clergy presume that the English will be as readily persuaded to agree to a special truce from Candlemas till "Wedderdais," as they now did till Candlemas; considering also, that during this last summer, the English have experienced great losses, costs, and labour in the war, and, as it is hoped, will have the same in summer, which is approaching. All things, indeed, considered, the enemy, it is remarked, have had far more labour and expense, and have suffered far greater losses in the war this last summer than the Scottish Borderers, and therefore it is the opinion of the three estates, that the Borderers should, for the present, be contented without overburdening the government by their demands; and if any great invasion was likely to come upon them, the parliament recommended that the midland barons should be ready to offer them immediate supplies and assistance.¹

Upon the subject of the pestilence, the great object of the parliament seems to have been to prevent contagion, by shutting up the inhabitants both of town and country, for a certain season, within their own houses. The clergy, to whom the consideration of the most difficult matters of state policy appears to have been at this period invariably committed, were of opinion, in the words of the statute, "that no person, either dwelling in burgh, or in the upland districts, who has provision enough to maintain himself and his followers or servants, should be extruded out of his own

¹ Acts of the Parliament of Scotland, vol. ii. p. 45.

house, unless he will either not remain in it," or may not be shut up in the same. And should he disobey his neighbours, and refuse to keep himself within his residence, he is to be compelled to remove from the town. Where, however, there were any poor people, neither rich enough to maintain themselves nor transport their families forth of the town, the citizens were directed to support them at their own expense, so that they do not wander away from the spot where they ought to remain, and carry infection through the kingdom, or "fyle the cuntre about thame." "And if any sick folk," it is observed, "who have been put forth from the town, were caught stealing away from the station where they have been shut up," the citizens are commanded to follow and bring them back again, punishing them for such conduct, and compelling them to remain where they were placed. It was directed by the same statute, that no man should burn his neighbour's house, meaning the mansions which have been deserted as infected, or in which the whole inhabitants have died, unless it can be done without injury to the adjoining healthy tenements; and the prelates were commanded to make general processions throughout their dioceses twice in the week, for the stanching of the pestilence, and "to grant pardon" (by which word possibly is meant indulgences) to the priests who exposed themselves by walking in these processions.¹

With regard to the important subject of the money

¹ Acts of the Parliament of Scotland, vol. ii. p. 46.

and coinage of the realm, it will be necessary to look back, for a moment, to the provisions of the parliament held at Stirling a few years before this period, which were then purposely omitted, that the state of the coinage, under this reign, and the principles by which it was regulated, might be brought under the eye in a connected series.

We find it first declared in a public paper, entitled, *The Advisement of the Deputes of the Three Estates, touching the Matter of the Money*, that, on many accounts, it was considered expedient there should be an issue of a new coinage, conforming in weight to the money of England. Out of the ounce of burnt or refined silver, or bullion, eight groats were to be coined, and the smaller coins of half groats, pennies, halfpennies, and farthings, of the same proportionate weight and fineness. The new groat was to have course for eightpence, the half groat for fourpence, the penny for twopence, the halfpenny for one penny, and the farthing for a halfpenny. It was also directed that the English groat, of which eight groats contained one ounce of silver, should be reckoned of the value of eightpence the piece; that the English half groat, conforming in weight to the same, should be taken for fourpence, and that the English penny should only be received for such value as the receiver chooses to affix to it. From the time that this new groat was struck, and a day appointed for its issue, the groat now current was to descend in its value to fourpence, and the half groat to twopence, till which time they were to retain the value of the new

money. It was next directed by the parliament, that there should be struck a new penny of gold, to be called "a lion," with the figure of a lion on the one side, and on the reverse, the image of St Andrew, clothed in a side-coat, reaching to his feet, which piece was to be of an equal weight with the English noble, otherwise it should not be received in exchange by any person,—the value of which lion, from the time it was received into currency, was to be six shillings and eightpence of the new coinage, and the half lion three shillings and fourpence. After the issue of the new coinage, the piece called the demy, which, it was declared, had now a current value of nine shillings, was to be received only for six shillings and eightpence, and the half demy for three shillings and fourpence.¹

The master of the mint was made responsible for all gold and silver struck under his authority, until the warden had taken assay of it, and put it in his store; nor was any man to be obliged to receive this money should it be reduced by clipping; the

¹ The exact value of the foreign coins then current in Scotland was appointed at the same time; the French real being fixed at six shillings and eightpence; the salute, which is of the same weight as the new lion, at the same rate of six shillings and eightpence; the French crown now current in France, having on each side of the shield a crowned fleur-de-lys; the dauphin's crown, and the Flemish ridar, are, in like manner, to be estimated at the same value as the new lion. The English noble was fixed at thirteen shillings and fourpence; the half noble at six shillings and eightpence; the Flemish noble at twelve shillings and eightpence; and all the other kind of gold not included in the established currency was to have its value according to the agreement of the buyer and seller.

same master having full power to select, and to punish for any misdemeanour, the coiners and strikers who worked under him, and who were by no means to be goldsmiths by profession, if any others could be procured.¹

Such were the regulations regarding the current money of Scotland, which were passed by the Scottish parliament in 1451 ; but it appears that, in the interval between this period and the present year 1456, the value affixed to the various coins above mentioned, including those of foreign countries as well as the new issue of lions, groats, and half-groats, had been found to be too low ; so that the merchants and traders discovering that there was actually more bullion in the money than the statutory value fixed by parliament, kept it up and transported it out of the country, making it an article of export. That such was the case, appears very evident from the expressions used by the parliament of 1456 with regard to the pieces called demys, the value of which we have seen fixed in 1451 at six shillings and eightpence. "And to the intent," it was remarked, "that the demys which are kept in hand should 'come out,' and have course through the realm, and remain within it instead of being carried out of it, the parliament judged it expedient that the demy be cried to ten shillings." Upon the same principle, and to prevent the same occurrence, which was evidently viewed with alarm by the financialists of this period,

¹ Acts of the Parliament of Scotland, vol. ii. pp. 39, 40.

a corresponding increase of the value of the other current coins, both of foreign countries and of home coinage, above that which was fixed for them in 1451, was appointed to take place by the parliament of 1456. Thus, the Henry English noble was fixed at twenty-two shillings; the French crown, dauphin's crown, salute, and Flemish ridars, which had been fixed at six shillings and eightpence, were raised, in 1456, to eleven shillings; the new lion, from its first value of six shillings and eightpence, was raised to ten shillings; the new groat from eightpence to twelpence; the half-groat from fourpence to sixpence. In conclusion, the lords and auditors of the exchequer were directed by the same parliament to examine with the utmost care, and make trial of the purity of the gold and silver, which was presented by the warden of the mint.¹

For the removal of a grievance which had been made the subject of complaint by the whole of the burghs and the poor commons of the realm, the king's sheriffs, constables, and other officers, were to be prevented in time of fairs and public markets from taking distress, or levying any tax, upon the goods and wares of so small a value and bulk as to be carried to the fair either on men's backs, in their arms, or on barrows and sledges. On the other hand, where the merchandise was of such value and quantity, that it might be exposed for sale in great stalls, or in covered "cramys" or booths, which

¹ Acts of the Parliament of Scotland, vol. ii. p. 46.

occupied room in the fair, upon the proprietors of these a tax or a distress was levied, which, however, was directed to be restored to the merchant at the court of the fair, provided he had committed no trespass, nor excited any disturbance during its continuance.¹ The enactments of this parliament upon the subject of the administration of justice, were so completely altered or modified in a subsequent meeting of the estates, that at present it seems unnecessary to advert to them.

In the meanwhile, the condition of the kingdom evidently improved, fostered by the care of the sovereign, whose talents, of no inferior order, were daily advancing into the strength and maturity of manhood. Awake to the infinite superiority of intellect in the clergy over the warlike but rude and uninformed body of his nobles, it was the wise policy of James to select from them his chief ministers, and to employ them in his foreign negotiations and the internal administration of the kingdom, as far as it was possible to do so without exciting a dangerous jealousy or resentment in the great class of his feudal barons. It was the consequence of this system, that a happy understanding, and a feeling of mutual affection and support, existed between the monarch and this numerous and influential class, so that, whilst the king maintained them in their independence, they supported him in his prerogative. Thus, at a provincial council which was convoked at Perth, where Thomas, Bishop of Aber-

¹ Acts of the Parliament of Scotland, vol. ii. p. 47.

deen, presided as *conservator statutorum*, it was declared, in opposition to the doctrine so strenuously insisted on by the holy see, that the king had an undoubted right, by the ancient law and custom of Scotland, to the ecclesiastical patronage of the kingdom, by which it belonged to him to present to all benefices during the vacancy of the see. Whilst James, however, was thus firm in the assertion of those rights which he believed to be the unalienable property of the crown, he was careful to profess the greatest reverence in all spiritual matters for the authority of the holy see; and, on the accession of Pius the Second, the celebrated Æneas Sylvius, to the papal crown, he expressly appointed commissioners to proceed to Rome, and perform his usual homage to the sovereign pontiff.¹

It was about this same time that the crown received a valuable addition to its political strength, in the annexation of the earldom of Mar to the royal domains. Since the period of the failure of the heir male in 1435, in the person of Alexander Stewart, natural son of the Earl of Buchan, brother of Robert the Third, this wide and wealthy earldom had been made the subject of litigation, being claimed by the crown, as *ultimus hæres*, by Robert Lord Erskine, the descendant of Lady Ellen Mar, sister of Donald, twelfth Earl of Mar, and by Sir Robert Lyle of Duchal, who asserted his descent from a co-heiress. There can be no doubt that the claim of

¹ Mag. Sig. v. 82.

Erskine was perfectly just and legal. So completely, indeed, had this been established, that, in 1438, he had been served heir to Isabel, Countess of Mar, before the Sheriff of Aberdeen; and in the due course of law, he assumed the title of Earl of Mar, and exercised the rights attached to this dignity. In consequence, however, of the act of the legislature already alluded to, which declared that no lands belonging to the king should be disposed of previous to his majority, without consent of the three estates, the earl was prevented from attaining the peaceable possession of his undoubted right; and now, that no such plea could be maintained, an assize of error was assembled in presence of the king, and, by a verdict, which appears flagrantly unjust, and founded upon perversions of the facts and misconstructions of the ancient law of the country, the service of the jury was reduced, and the earldom being wrested from the hands of its hereditary lord, was declared to have devolved upon the king. The transaction, in which the rights of a private individual were sacrificed to the desire of aggrandizing the crown, casts a severe reflection upon the character of the king and his ministers, and reminds us too strongly of his father's conduct in appropriating the earldom of March. It was fortunate, however, for the monarch, that the house of Erskine was distinguished as much by private virtue as by hereditary loyalty; and that, although not insensible to the injustice with which they had been treated, they submitted to the wrong rather than endanger the country by redressing it. In the

meantime, James, apparently unvisited by any compunction, settled the noble territory which he had thus acquired upon his third son, John, whom he created Earl of Mar.¹

Soon after this, the clemency of the monarch was earnestly implored by one who, from the course of his former life, could scarcely expect that it should be exerted in his favour. John, Lord of the Isles and Earl of Ross, a baron from his early years familiar with rebellion, and whose coalition with the Earls of Crawford and Douglas had, on a former occasion, almost shook the throne, weakened by the death of Crawford, and the utter defeat of Douglas, became alarmed for the fate which might soon overtake him, and, by a submissive message, intreated the royal forgiveness, and offered, as far as it was still left to him, to repair the wrongs he had inflicted. To this communication, the offended monarch at first refused to listen; because the suppliant, like Crawford, had not in person submitted himself unconditionally to his kingly clemency; but after a short time, James relented from the sternness of his resolution, and consented to extend to the humbled chief a period of probation, within which, if he should evince the reality of his repentance by some notable exploit, he was to be absolved from all the consequences of his rebellion, and reinstated in the royal favour. What notable service was performed by Ross history has not recorded; but his presence, three years subsequent to this, at the siege

¹ Sutherland Case, by Lord Hailes, c. v. p. 50.

of Roxburgh, and his quiescence during the interval, entitle us to presume that he was restored to the royal favour.

The aspect of affairs in England was now favourable to peace, and Henry the Sixth, with whom the Scottish monarch had ever cultivated a friendly intercourse, having proposed a prolongation of the truce, by letters transmitted under the privy seal, James immediately acceded to his wishes. A desire for the tranquillity of his own kingdom, an earnest wish to be united in the bonds of charity and love with all Christian princes, and a reverent obedience to the admonitions of the pope exhorting to peace with all the faithful followers of Christ, and to a strict union against the Turks and infidels, who were the enemies of the Catholic faith, are enumerated by the king as the motives by which he is actuated to extend the truce with England for the further space of four years,¹ from the 6th of July, 1459, when the present truce terminated. Having thus provided for his security, for a considerable period, upon the side of England, James devoted his attention to the foreign political relations of his kingdom. An advantageous treaty was concluded by his ambassadors with John, King of Castile and Leon. The same statesmen to whom this negotiation was intrusted were empowered to proceed to Denmark, and adjust the differences between Scotland and the northern potentate, upon the subject of the arrears due for the Western Isles

¹ Rymer's *Fœdera*, vol. xi. p. 407.

and the kingdom of Man, whilst a representation was made, at the same time, to Charles the Seventh of France, the faithful ally of Scotland, that the period was now long past when the Scottish king ought to have received delivery of the earldom of Xaintonge and lordship of Rochfort, which were stipulated to be conveyed to him in the marriage treaty between the Princess Margaret, daughter of James the First, and Lewis the Dauphin of France. It appears by a subsequent record of a parliament of James the Third, that the French monarch had agreed to the demand, and put James in possession of the earldom.¹

It is impossible to understand the causes, or to trace clearly the consequences, of the events which at this period occurred in Scotland, without a careful attention to the political condition of the sister country, then torn by the commencement of the fatal contest between the rival houses of York and Lancaster. In the year 1459, a struggle had taken place between these fierce competitors for the possession of supreme power, which terminated in favour of Henry the Sixth, who expelled from the kingdom his enemy, the Duke of York, with whom the Earl of Douglas, on his first flight from Scotland, had entered into the strictest friendship. Previous to this, however, the Scottish renegade baron, ever versatile and selfish, observing the sinking fortunes of York, had entered the service of the house of Lancaster, and actually obtained a renewal of his English pen-

¹ Acts of the Parliament of Scotland, vol. ii. p. 104.

sion, as a reward from Henry for his assistance against his late ally of York. James, at the same time, and prior to the flight of York to Ireland, had dispatched an embassy to Henry, for the purpose of conferring with him upon certain "secret matters," which, of course, it is vain to look for in the instructions delivered to the ambassadors, but Lesley, a historian of respectable authority, informs us that, at a mutual conference between the English and Scottish commissioners, a treaty was concluded, by which Henry, in return for the assistance to be given him by the Scottish king, agreed to make over to him the county of Northumberland, along with Durham and some neighbouring districts, which in former times, it is well known, had been the property of the Scottish crown.¹ We are not to be astonished that the English ambassadors, the Bishop of Durham, and Beaumont, Great Chamberlain of England, should have been required to keep those stipulations secret, which, had they transpired, must have rendered Henry's government so highly unpopular; and it may be remarked that this secret treaty, which arose naturally out of the prior political connexions between James and Henry, explains, in a very satisfactory manner, the causes of the rupture of the truce, and the subsequent invasion of England by the Scottish monarch, an event which, as it appears in the narrative of our popular historians, is involved in extreme obscurity.

¹ Lesley, *De Rebus Gestis Scotorum*, p. 297.

In consequence of this secret agreement, and irritated by the disturbances which the Duke of York and his adherents, in contempt of the existing truce, perpetually excited upon the Scottish Borders, James, in the month of August 1459, assembled a formidable army, which, including camp followers and attendants, composing nearly one half of the whole, mustered sixty thousand strong. With this force he broke into England, and in the short space of a week, won and destroyed seventeen towns and castles, ravaging Northumberland with fire and sword, pushing forward to Durham, and wasting the neighbouring territories with that indiscriminate havoc, which, making little distinction between Yorkists or Lancastrians, threatened to injure, rather than to assist, the government of his ally the English king.¹ Alarmed, accordingly, at this desolating progress, Henry dispatched a messenger to the Scottish camp, who, in an interview with the monarch, explained to him that the disturbances which had excited his resentment originated solely in the insolence of the Yorkists, but that he trusted to be able to put down his enemies within a short period, without calling upon his faithful ally for that assistance, which, if his affairs were less prosperous, he would willingly receive. In the meantime he besought him to cease from that invasion of his dominions, in which, however unwillingly, his friends as well as his foes were exposed to plunder, and to draw back his army once more into his

¹ Auchinleck Chronicle, p. 57.

own kingdom. To this demand James readily assented, and after a brief stay in England, recrossed the Borders, and brought his expedition to a conclusion.¹

Immediately after his retreat, an English army, of which the principal leaders were the Duke of York and the Earl of Salisbury, and which included various barons of both factions, approached the Scottish marches; but the meditated invasion was interrupted by the dissensions amongst the leaders, and a host, which was nobly armed and equipped, and consisted of more than forty thousand men, fell to pieces, and dispersed without performing any thing of consequence.² To account for so singular an occurrence, it must be recollected that at this moment a deceitful and hollow agreement had been concluded between the Lancastrians and the Yorkists, in which, under the outward appearance of amity, the causes of mortal dissension were working as deeply as before,³ so that, whilst it was natural to find the two factions attempting to coalesce for the purpose of inflicting vengeance upon the Scots, it was equally to be expected that the king and the Lancastrians, who now possessed the supreme power, should be little inclined to carry matters to extremities. A few months, however, once more saw England involved in the misery of civil war; and although Henry was totally defeated by the Earl of Salisbury, who commanded the Yorkists, in the

¹ Extracta ex MS. *Chronicis Scotiae*, fol. 389, r.

² Auchinleck MS. p. 57.

³ Carte, *Hist. of England*, vol. ii. pp. 750, 751.

battle of Bloreheath, yet his fortunes seemed again to revive upon the total desertion of the Duke of York by his army at Ludford Field; and James, rejoicing in the success of his ally, immediately dispatched his ambassadors, the Bishops of Glasgow and Aberdeen, with the Abbots of Holyrood, Melrose, and Dumfermline, and the Lords Livingston and Avendale, to meet with the commissioners of England, confirm the truces between the kingdoms, and congratulate the English monarch on his successes against his enemies.

But short was the triumph of the unfortunate Henry; and within the course of a single month the decisive victory gained by the Duke of York and the Earl of Warwick at Northampton, at once destroyed the hopes of his party, reduced himself to the state of a captive in the hands of his implacable enemies, and saw his queen and the prince his son compelled to seek a retreat in Scotland. It was now time for James seriously to exert himself in favour of his ally, and the assistance which, under a more favourable aspect of his fortunes, had been deprecated instead of welcomed, was now anxiously implored. Nor was the Scottish monarch insensible to the entreaty, or slow to answer the call. He received the fugitive queen and the youthful prince with much courtesy and affection, assigned them a residence and allowance suitable to their rank, and, having issued his writs for the assembly of his vassals, and commanded the Earl of Huntley, his lieutenant-general, to superintend the organizing of the troops, he determined

upon an immediate invasion of England. Previous, however, to this great expedition, which ended so fatally for the king, there had been a solemn meeting of the three estates, which lasted for a considerable period, and from whose united wisdom and experience proceeded a series of regulations which relate almost to every branch of the civil government of the country. To these, which, even in the short sketch to which the historian must confine himself, present an interesting picture of Scotland in the fifteenth century, we now, for a few moments, direct our attention.

The first subject which came before parliament is entitled, concerning the "article of the session," and related to the formation of committees of parliament for the administration of justice. It was directed that the Lords of the Session should sit three times in the year, for forty days at a time, in Edinburgh, Perth, and Aberdeen, and that the court or committee which is to sit should be composed of nine judges, who were to have votes in the decision of causes, three being chosen from each estate, along with the clerk of the register. Their first sitting was directed to begin at Aberdeen on the fifteenth of June, and continue thenceforward for forty days; the second session was to commence at Perth on the fifteenth of October, and the third at Edinburgh on the thirteenth of February. The names of the persons to be selected from the clergy, the barons, and the burghers, as the different members of the session, were then particularly enumerated for the three several periods, and the sheriff was directed to be ready, along with a macer or

inferior officer of court, to receive them on their entry into the town, and undergo such trouble or charges as may be found necessary. By a succeeding statute, however, it was provided that, in the matter of the expenses incurred by the Lords of the Session, it is the opinion of the three estates that, considering the shortness of the period for which they sit, and the probability that they will not be called upon to undertake such a duty more than once every seven years, they ought, out of their benevolence, to pay their own costs, and upon the conclusion of the three yearly sessions, the king and his council shall select other lords from the three estates, who are to sit in the same manner as the first, at such places as seem most convenient.¹

The next subject to which the parliament directed their attention, regarded the defence of the country and the arming of the lieges. "Wapinschawings," or armed musters, in which the whole disposable force of a district assembles for their exercise in arms, and the inspection of their weapons, were directed to be held by the lords and barons, spiritual as well as temporal, four times in the year. The games of the football and the golf were to be utterly cried down and abolished. The bow-makers were to take care that adjoining to each parish-church a pair of butts should be made, where shooting was to be practised every Sunday; every man was to shoot six shots at the least; and if any person refused to attend, he was to be found liable in a fine of twopence, to be

¹ Acts of the Parliament of Scotland, vol. ii. p. 47.

given to the bow-makers for drink-money. This mode of instruction was to be used from Pasch to Allhallowmas; so that by the next midsummer it was expected that all persons would be ready, thus instructed and accoutred, without fail. In every head town of the shire, there were to be a good bow-maker, and "a flesher," or arrow-maker. These tradesmen were to be furnished by the town with the materials for their trade, according as they might require them; and if the parish was large, according to its size, there were to be three or four or five bow-makers; so that every man within the parish, who was within fifty, and past twelve years of age, should be furnished with his weapons, and practise shooting; whilst those men above this age, or past threescore, were directed to amuse themselves with such honest games¹ as were best adapted to their time of life, provided always that the golf and football were abolished.

There follows a minute and interesting sumptuary-law, relative to the impoverishment of the realm by the sumptuous apparel of men and women; which, as presenting a vivid picture of the dresses of the times, I shall give as nearly as possible in the quaint words of the original. It will perhaps be recollected, that in a parliament of James the First, held in the year 1429,² the same subject had attracted the attention of the legislature; and the present necessity of a revision of the laws against immoderate costliness in apparel, indicates an increasing wealth and prosperity in the country. "Seeing," it declares, "that

¹ Vol. iii. of this Hist. p. 215.

² Ibid. p. 272.

each estate has been greatly impoverished through the sumptuous clothing of men and women, especially within the burghs, and amongst the commonalty ‘to landwart,’ the lords think it speedful that restriction of such vanity should be made in this manner. First, no man within burgh that lives by merchandise, except he be a person of dignity, as one of the aldermen or bailies, or other good worthy men that are of the council of the town, shall either himself wear, or allow his wife to wear, clothes of silk, or costly scarlet gowns, or furring of mertricks ;” and they are directed to take especial care “to make their wives and daughters to be habited in a manner correspondent to their estate ; that is to say, on their heads short curches, with little hoods, such as are used in Flanders, England, and other countries ; and as to the gowns, no woman should wear mertricks or letvis, or tails of unbefitting length, nor trimmed with furs, except on holydays.”¹ In like manner, it was ordered, “that poor gentlemen living in the country, whose property was within forty pounds, of old extent, should regulate their dress according to the same standard ; whilst amongst the lower classes, no labourers or husbandmen were to wear, on their work days, any other stuff than grey or white cloth, and on holydays, light blue, green, or red—their wives dressing correspondently, and using curches of their own making. And the stuff they wore was not to exceed the price of forty pence the ell. No

¹ Acts of the Parliament of Scotland, vol. ii. p. 49. The word *letvis* is obscure.

woman was to come to the kirk or market with her face ‘mussalit,’ or covered, so that she might not be known, under the penalty of forfeiting the church. And as to the clerks, no one was to wear gowns of scarlet, or furring of mertricks, unless he were a dignified officer in a cathedral or college-church, or a nobleman or doctor, or a person having an income of two hundred marks. And these orders touching the dresses of the community, were to be immediately published throughout the country, and carried into peremptory and rigorous execution.”¹

Other regulations of the same parliament are particularly worthy of notice ; some of them evincing a slight approach towards liberty, in an attention to the interests of the middle and lower classes of the people, and a desire to get loose of the grievous shackles imposed by the feudal system upon many of the most important branches of national prosperity ; others, on the contrary, imposing restrictions upon the trade and manufactures of the country, in that spirit of legislative interference which, for many ages after this, retarded its commercial progress, and formed a blot upon the statute book of this, as well as of the sister country. With regard to “few-farms,” and their leases, it was thought expedient by the parliament that the king should begin and set the example to the rest of his barons, so that if any estate be in “ward,” in the hands of the crown, upon which leases have been granted, the tenants in such farms should not be removed, but remain upon the land, paying to the

¹ Acts of the Parliament of Scotland, vol. ii. p. 49.

king the rent which had been stipulated during the currency of the lease ; and in like manner, where any prelate, baron, or freeholder, can either set the whole or a part of his own land in "few-farm," the king was to be obliged to ratify such "assedations," or leases. With regard to "regalities," and the privileges connected with them, a grievance essentially arising out of the feudal system, it was declared that all rights and freedoms belonging to them should be interpreted by the strictest law, and preserved, according to the letter of their founding charter ; and that any lord of regality who abused his privileges, to the breaking of the king's laws and the injury of the country, should be rigorously punished.¹

In the same parliament, it is made a subject of earnest request to the king, that he would take into consideration the great miseries which are inflicted upon men of every condition, but especially upon his poor commons, by the manner of holding his itinerant chamberlain courts ; and that, with the advice of his three estates now assembled, he provide some speedy remedy. Another heavy grievance removed at this time, was the practice which prevailed during the sitting of parliament, and of the session, by which the king's constables, deputies, and other officers, were permitted to levy a tax upon the merchants, victuallers, and tradesmen, who then brought their goods to market, encouraged by the greater demand for their commodities. This practice was declared nenceforth illegal, unless the right of exaction be-

¹ Acts of the Parliament of Scotland, vol. ii. p. 49.

longs to the constable “of fee,” for which he must show his charter at the next parliament.¹ An attempt was made in the same parliament to abolish that custom of entering into “bands or leagues,” of which we have seen so many pernicious consequences in the course of this history. It is declared, that “within the burghs throughout the realm, no bands or leagues were to be permitted, and no rising or commotion amongst the commons, with the object of hindering the execution of the common law of the realm, unless at the express commandment of their head officers;” and that no persons who dwelt within burghs, should either enter into “man-rent,” or ride, or “rout,” in warlike apparel, with any leader, except the king, or his officers, or the lord of the burgh within which they dwelt, under the penalty of forfeiting their lives, and having their goods confiscated to the king.¹

With regard to those lawless and desperate, or, as they are termed in the act, “masterful persons, who do not scruple to seize other men’s lands by force of arms, and detain them from their owners,” application was directed to be instantly made to the sheriff, who, under pain of being dismissed from his office, was to proceed to the spot and expel such occupants from the ground, or, on their refusal, commit them to the king’s ward; a service easily prescribed by the wisdom of the three estates, but, as they were probably well aware, not to be carried into execution, except at the peril of the life of the officer to whom it was intrusted. All persons, of every degree, barons, lords

¹ Acts of the Parliament of Scotland, vol. ii. p. 50.

spiritual, or simple freeholders, were enjoined when they attended the justice ayres, or sheriff courts, to come in sober and quiet manner, with no more attendants than composed their daily household, and taking care, that on entering their inn or lodging, they laid their harness and warlike weapons aside, using for the time nothing but their knives; and where any persons at deadly feud should happen to meet at such assemblies, the sheriff was directed to take pledges from both, binding them to keep the peace; whilst, for the better regulation of the country at the period when justice ayres were held, and in consequence of the great and mixed multitude which was then collected together, the king's justice was commanded to search for and apprehend all masterful beggars, all idle sorners, all itinerant bards and feigned fools, and either to banish them from the country, or commit them to the common prison. Lint was directed to be "cried up," meaning probably to be raised in price, and used as it was wont to be in former times; that is to say, "no lintstar" or draper was to be permitted either to buy foreign cloth or to sell it, under the penalty of forfeiting the commodity; whilst regarding the estate of merchandise, and for the purpose of restricting the multitude of "sailors," it was the unanimous opinion of the clergy, the barons, and the king, that no persons should be allowed to sail or trade in ships, but such as were of good reputation and ability; that they should have at the least three serplarths of their own goods, or the same intrusted to them; and that those who traded by sea in mer-

chandise, ought to be freemen and indwellers within burghs.¹

In the same parliament, some striking regulations are met with regarding the encouragement extended to agriculture, and the state of the woods and forests throughout the country. Every man possessed of a plough and of eight oxen, was commanded to sow, at the least, each year, a firloft of wheat, half a firloft of peas, and forty beans, under the penalty of ten shillings to the baron of the land where he dwells, as often as he be found in fault ; and if the baron sowed not the same proportions of grain, peas, and beans in his own domains, he was to pay ten shillings to the king for his own offence, and forty shillings if he neglected to levy the statutory penalty against his husbandmen. The disappearance of the wood of Scotland under the reign of James the First, and the attention of the legislature to this subject, have already been noticed.² It appears from one of the provisions of this parliament, held by his successor, that some anxiety upon this subject was still entertained by the legislature ; for it is declared that, “ regarding the plantation of woods and hedges, and the sowing of broom, the lords think it advisable that the king enjoin all his freeholders, both spiritual and temporal, to make it a provision in their Whitsunday’s lease, that all tenants plant woods and trees, make hedges, and sow broom, in places best adapted, according to the nature of the farm, under a penalty

¹ Acts of the Parliament of Scotland, vol. ii. p. 49.

² Vol. iii. of this History, p. 228.

to be affixed by the proprietor ; and that care is to be taken that the enclosures and hedges are not constructed of dry stakes driven into the ground, and wattled, or of dry worked or planed boards, but of living trees, which may grow and be plentiful in the land.”¹

With regard to the preservation of such birds and wild fowls as “ are gainful for the sustentation of man,” namely, partridge, plover, wild-ducks, and such like, it was specially declared, that no one should destroy their nests or their eggs, or slay themselves in moulting time when unable to fly ; and that, on the contrary, all manner of persons should be encouraged, by every method that could be devised, utterly to extirpate all “ fowls of reiff,” such as erns, buzzards, gleds, mytalls, rooks, crows, wherever they may be found to build and harbour ; “ for,” say the three estates, “ the slaughter of these will cause the multiplication of great multitudes of divers kinds of wild fowls for man’s sustentation.” In the same spirit, red-fish, meaning salmon and grilse, were forbidden to be taken in close time, under a fine of forty pounds ; and no manner of vessel, creel, or other contrivance, was to be used for the purpose of intercepting the spawn or smelt in their passage to the sea, under the like penalty.

Touching the destruction of the wolf, it was enjoined by the same parliament, that where such animals were known to haunt, the sheriff, or the bailies of the district, should assemble the population three

¹ Acts of the Parliament of Scotland, vol. ii. p. 51.

times in the year, between St Michaelmas day and Lammas, which is the time of the whelps ; and whoever refused to attend the muster should be fined a wedder, as is contained in the old act of James the First on this subject. He who slew a wolf was to be entitled to a penny from every household in the parish where it was killed, upon bringing the head to the sheriff, bailie, or baron of the district, who was to be his debtor for that sum ; and if he brought the head of a fox, he was to receive sixpence from the same officers. The well-known enactment passed in the reign of James the First, against leasing-making, or the crime of disseminating false reports, by which discord is created between the king and his subjects, was confirmed in its full extent ; and the statutes of the same prince regarding the non-attendance of freeholders in parliament whose holding is under forty pounds ; the use of one invariable and established "measure" throughout the realm ; the restriction of "moor burning" after the month of March, till the corn has been cut down ; and the publication of the acts of the legislature, by copies given to the sheriffs and commissaries of boroughs, to be openly proclaimed and read throughout their counties and communities, were repeated, and declared to be maintained in full force.

The enactments of the parliament were concluded by an affectionate exhortation and prayer, which it would injure to give in any words but its own : "Since," it declared, "God of his grace had sent our sovereign lord such progress and prosperity, that all his rebels and breakers of justice were removed out

of his realm, and no potent or masterful party remained there to cause any disturbance, provided his highness was inclined himself to promote the peace and common profit of the realm, and to see equal justice distributed amongst his subjects; his three estates, with all humility, exhorted and required his highness so diligently to devote himself to the execution of these acts and statutes above written, that God may be pleased with him, and that all his subjects may address their prayers for him to God, and give thanks to their heavenly Father, for his goodness in sending them such a prince to be their governor and defender.”¹ Such was the solemn conclusion of the last parliament of James of which any material record has been preserved; for, although we have certain evidence of three meetings of the great council of the nation subsequent to this, the fact is only established by insulated charters, which convey no information of the particular proceedings of the legislature. The peroration is affectionate, but marked, also, with a tone of honest freedom approaching to remonstrance, which might almost lead us to suspect that James’s late unjustifiable proceedings, regarding the earldom of Mar, had occasioned some unquiet surmisings in the minds of his nobility, that he possibly intended to use the excuse afforded him by the reiterated rebellion of the Douglasses to imitate the designs of his father, and to attempt to complete the scheme for the suppression of the aristocracy of the kingdom, which had cost that monarch his life.

In the meantime, however, the king assembled his

¹ Acts of the Parliament of Scotland, vol. ii. p. 52.

army. An acute historian has pronounced it difficult to discover the pretences or causes which induced James to infringe the truce;¹ but we have only to look to the captivity of Henry the Sixth, the triumph of the Yorkists in the battle of Northampton, and the subsequent flight of the Queen of England to the Scottish court, to account very satisfactorily for the invasion. James was bound, both by his personal friendship and connexion with Henry, by a secret treaty, already alluded to, and by his political relations with France, the ally of the house of Lancaster, to exert himself for its restoration to the throne; and it has already been shown that, by the articles of the treaty, his assistance was not to go unrewarded. As long, however, as Henry and his energetic queen had the prospect of reducing the opposition of the house of York, and, by their unassisted efforts, securing a triumph over their enemies, the invasion of the Scottish monarch would have detracted from the popularity of their party, and thrown an air of odium even over their success; but now that the king was a captive in the hands of his enemies, and his queen a fugitive in a foreign land, the assistance of James, and the fulfilment of the stipulations of the treaty, were anxiously and imperiously required. The only key to the complicated understanding of the transactions of Scotland during the wars of the Two Roses, is to recollect that the hostilities of James were directed, not against England, but against the successes of the house of York.

¹ Pinkerton, *Hist. of Scotland*, vol. i. p. 242.

Since the calamitous battle of Durham, and the captivity of David the Second, a period embracing upwards of a hundred years, the important frontier fortress of Roxburgh had been in the possession of England. It was now commanded by Nevil, Lord Fauconberg,¹ a connexion of the Earl of Warwick, the principal supporter of the cause of the Yorkists, and James determined to commence his campaign by besieging it in person. On being joined, accordingly, by the Earl of Huntley, his lieutenant-general, and the Earl of Angus, who had risen into great estimation with his sovereign, from the cordial assistance which he had given in the suppression of the rebellion of Douglas, the king proceeded across the Borders, at the head of an army which was probably superior in numbers to that which he had lately conducted against England. He was joined also by the Earl of Ross, to whom we have seen that he had extended a conditional pardon, and who, eager to prove himself worthy of an entire restoration to the royal favour, came to the camp with a powerful body of his fierce and warlike catherans.² The siege was now opened, but it was destined to receive a sudden and melancholy interruption. The king, who had carried along with the army some of those rude pieces of ordnance which began now to be commonly employed in Scottish war,³

¹ Ayloff's Calendar of Ancient Charters, p. 281.

² The Auchinleck Chronicle, p. 57, says, "The yer of God, 1460, the third Sunday in August, King James the Second, 'with ane gret oiste,' was at the sege of Roxburgh."

³ Barbour, p. 392, informs us, that at the skirmish on the Were,

proceeded, in company with the Earl of Angus, and others of his nobility, to examine a battery which had begun to play upon the town. Of the cannon which composed it, one was a great gun of Flemish manufacture, which had been purchased by James the First, but little employed during his pacific reign. It was constructed of longitudinal bars of iron, fixed with iron hoops, which were made tight in a very rude manner, by strong oaken wedges. This piece, from the ignorance of the engineer, had been overcharged, and as the king stood near, intently observing the direction of the guns, it unfortunately exploded, and struck the monarch with one of its massy wooden wedges in the body. The blow was followed by instant death,¹ having fallen upon the mortal region of the groin, and broken the thigh; whilst the Earl of Angus, who stood near, was severely wounded by the same fragment.²

in 1327, (see vol. i. of this History, p. 393,) the Scots observed two marvellous things in the English army, which were entirely new to them :

Tymmeris for helmys war the tane,

The tothyr crakys were of weir.

These “crakys of weir” were in all probability the first attempts to use cannon; but although Froissart asserts that, in Scotland, guns were used at the siege of Stirling, in 1339, the fact is exceedingly doubtful.

¹ MS. Extracta ex Chronicis Scotiæ, f. 289. “Casus iste de morte regis si dici potest, longo ante, ut fertur, preostensa est regi, per quendam Johannem Tempelman, qui fuit pater Domini Willmi Tempelman, Superioris Monasterii de Cambuskenneth, qui dum gregem in Montibus Ochillis.” Here the manuscript abruptly breaks off without concluding the tale of wonder.

² Lesley, Hist. p. 31.

An event so lamentable, which cut off their prince in the sight of his army, whilst he was yet in the flower of his strength and the very entrance of manhood, was accompanied by universal regret and sorrow ; and, perhaps, there is no more decisive proof of the affection with which the nobility were disposed to regard the monarch, thus untimely snatched from them, than the first step which they adopted, in dispatching a message to the court, requiring the immediate attendance of the queen, with a strict injunction to bring her eldest son, the prince, now king, along with her.¹ Nor was the queen-mother, although overpowered by the intelligence of her husband's death, of a character which, in the over indulgence of feminine sorrow, was likely to forget the great duties which she owed to her son. Attended by a small suite, in which were some of the prelates who formed the wisest counsellors of the deceased monarch, she travelled night and day to Roxburgh, and soon presented herself in the midst of the army, clothed in her weeds, and holding in her hand the little prince, then only a boy of eight years of age, whom, with tears, she introduced to them as their king. The sight was well calculated to awaken in a high degree the feelings of loyalty and devotedness ; and availing herself of the enthusiasm of the moment, she, with a magnanimity and vigour which did her honour, besought the nobles to continue the siege, and earnestly deprecated the idea of breaking up the leaguer, or disbanding the army, before they had made themselves

¹ Auchinleck Chronicle, p. 57.

master of a fortress, the possession of which was of the first importance to Scotland. Heart-broken as she was with the loss of her beloved lord, she would rather celebrate his obsequies, she said, by the accomplishment of a victory which he had so much at heart, than waste the time in vain regrets and empty lamentations. And such was the effect of her appeal, that the leaders of the army, and the soldiers themselves, catching the ardour with which she was animated, instantly recommenced the attack, and, pressing the assault with the most determined fury, carried the castle by storm, on the very day of her arrival in the camp.¹

It must be recollected that James had not completed his thirtieth year when he met his death in this untimely manner; and of course the greater portion of his life and reign was occupied by a minority, during which the nation was in that state of internal tumult and disorganization so constantly the concomitants of such an event under a strictly feudal government. Taking this into consideration, we shall not hesitate to pronounce him a prince of unusual vigour and capacity; and perhaps the eulogium of Buchanan, no obsequious granter of praise to kings, is one of the strongest proofs of this assertion. His wisdom in the internal administration of his kingdom, was conspicuously marked by the frequency with which he assembled his parliament; and by a series of zealous and anxious, if not always the most

¹ Lesley, Hist. p. 32.

enlightened, laws for the regulation of the commerce, and the encouragement of the agriculture of the country, for the organization of the judicial departments, and the protection of the middling and lower classes of his subjects, whether farmers, artisans, or merchants. His genius in war was not exhibited in any great military triumphs, for he was cut off in the very outset of his career ; but the success with which he put down, by force of arms, the repeated rebellions of some of the most powerful of his nobility ; the extreme attention which he paid to the arming of his subjects, and the encouragement of warlike exercises amongst the people ; the directions to his higher nobles to devote themselves to the study of artillery, and the construction of cannon ; and the ardour with which he appears to have engaged in his first war with England, although it does not justify the hyperbolic panegyric of Abercromby and Johnson, entitles us undoubtedly to believe, that in a military contest with England, the national honour would not have been sullied in his hands. It is not improbable, however, that, had he lived a little longer, his maturer wisdom and experience would have considered even a successful war, which was not undertaken for the purposes of national defence, a severe calamity, rather than a subject of glory or congratulation.

His policy of employing the most able and enlightened amongst the clergy as his chief ministers, to whom he intrusted his foreign negotiations, as well as the most responsible offices in the judicial and financial departments of the government, was borrowed from

the example of his father, but improved upon, and more exclusively followed, by the wisdom of the son; whilst his discrimination in selecting for the military enterprises in which he was engaged, such able commanders as Huntley and Angus, and that judicious union of firmness and lenity by which he ultimately disarmed of their enmity, and attached to his interest, such fierce spirits as the Earl of Crawford and the Lord of the Isles, do equal honour to the soundness and steadiness of his judgment, and to the kindly feelings of his heart. That he was naturally of a violent and ungovernable temper, the unfortunate and unjustifiable assassination of Douglas too lamentably demonstrated; but the catastrophe appears to have made the deepest impression upon a youthful mind, which, though keen, was of that affectionate temperament that was fitted to feel deeply the revulsion of remorse; and the future lenity of a reign, fertile in rebellion, is to be traced perhaps to the consequences of his crime, and the lessons taught him by his repentance.

In estimating the character of this monarch, another subject for praise is to be found in the skill with which he divided into separate factions an aristocracy which, under any general or permanent combination, would have been far too powerful for the crown; in the art by which he held out to them the prospect of rising upon the ruins of their associates in rebellion, and by a judicious distribution of the estates and the dignities which are set afloat by treason, induced them to destroy, or at least to weaken and neutralize,

the strength of each other. This policy, under the management of such able ministers as Kennedy and Crichton, was his chief instrument in carrying to a successful conclusion one of his most prominent enterprises, the destruction of the immense and overgrown power of the house of Douglas, an event which is in itself sufficient to mark his reign as an important era in the history of the country.

The person of this prince was robust, and well adapted for those warlike and knightly exercises in which he is said to have excelled. His countenance was mild and intelligent, but deformed by a large red mark on the cheek, which has given him, amongst contemporary chronicles, the surname of "James with the fiery face." By his queen he left three sons—James, his successor, Alexander, Duke of Albany, and John, Earl of Mar; and two daughters—Mary, who took to her first husband Lord Boyd, and afterwards Lord Hamilton, and Margaret, who married Sir William Crichton, son of the chancellor. From a charter, which is quoted by Sir James Balfour, it would appear that he had another son, named David, created Earl of Moray, who, along with a daughter, died in early infancy.¹

¹ Sir Lewis Stewart's MS. Collections, Ad. Library, and Extracta ex Chronicis Scotiæ, MS. Ad. Library, f. 288.