

On being informed of his flight, the king was deeply incensed, and immediately after the conclusion of the rejoicings for his marriage, a parliament assembled at Edinburgh, in which the destruction of this great family was completed in a very summary manner. Lord Boyd, his brother, Sir Alexander Boyd of Drumcol, and his son, the Earl of Arran, were summoned to appear and answer the charges which should be brought against them. Boyd, the lord justiciar and chamberlain, now a very old man, made a vain show of resistance; and trusting perhaps to those bands and covenants by which many of the most powerful families in the country had bound themselves to follow his banner and espouse his quarrel, he assembled his vassals, and advanced to Edinburgh with a force intended to overawe the parliament and intimidate his judges; but he had overrated his influence. At the display of the royal standard, his troops of friends dispersed; even his own immediate dependants became fearful of the consequences, and dropt away by degrees, so that the old lord, in despair for his safety, fled across the Borders into Northumberland, where, overwhelmed by age and misfortune, he soon after died.

The Earl of Arran, as we have seen, had avoided the royal wrath, by a precipitate flight to Denmark; but it is difficult to account for the stern and inexorable measures which were adopted against Sir Alexander Boyd, his uncle, whose pleasing manners, and excellence in all the chivalrous accomplishments of the age, had raised him to the office of the king's

military tutor or governor, and to whom, in his boyish years, James is said to have been so warmly attached. It is evident that the young king, with a capriciousness incident to his period of life, had suffered his mind to be totally alienated from his early friend ; and having consented to his trial for treason, and the confiscation of the large estates which had been accumulated by the family, it is by no means impossible that, contrary to his own wishes, he may have been hurried into the execution of a vengeance which was the work rather of the nobles than of the sovereign. However this may be, Sir Alexander Boyd, whose sickness had prevented him from making his escape, was brought to trial before the parliament, for his violent abduction of the king's person from Linlithgow, on the 9th of July, 1466, an act of manifest treason ; which being completely proved, he was found guilty and condemned to death. Lord Boyd, and his son, the Earl of Arran, had eluded the pursuit of their enemies. They were arraigned, nevertheless, in their absence, on the same charges as those brought against Sir Alexander Boyd ; and being tried by a jury, which included the Earls of Crawford and Morton, and the Lords Seton, Gordon, Abernethy, Glamis, Lorne, and Haliburton, were also pronounced guilty of treason. It was in vain pleaded for these unfortunate persons, that the crime of removing the king from Linlithgow had not only been remitted by a subsequent act of the High Parliament of Scotland, but, upon the same

great authority, had been declared good service. It was replied, and the truth of the answer could not be disputed, that this legislative act was of no avail, having been extorted by the Boyds when they possessed the supreme power, and held the person of the sovereign under a shameful durance, which constituted an essential part of their guilt. Sentence of death was accordingly pronounced upon the 22d of November, 1469, and the same day, Sir Alexander Boyd, the only victim then in the power of the ruling faction, was executed on the Castle-hill of Edinburgh.¹

Upon the forfeiture of the estates of Lord Boyd, and his son, the Earl of Arran, it was judged expedient to make an annexation to the crown of the estates and castles which had been engrossed by this powerful family; and this was done, it was declared, for behoof of the eldest sons of the Kings of Scotland. Amongst these, we find the lordship of Bute and castle of Rothsay, the lordship of Cowal and the castle of Dunoon, the earldom of Carrick, the lands and castle of Dundonald, the barony of Renfrew, with the lordship and castle of Kilmarnock, the lordships of Stewarton and Dalry; the lands of Niddisdail, Kilbride, Nairnston, Caverton, Farinzean, Drumcoll, Teling, with the annualrent of Brechin, and fortalice of Trabach. When we consider the extent of the possessions which thus became the prize of the crown, it may account for the readiness with which the party of the young

¹ Crawford's *Officers of State*, p. 316, quoting the original trial in Sir Lewis Stewart's MS. Collections, Advocates' Library.

queen, who was naturally jealous of the influence which the Boyds had usurped over her husband, embraced the earliest opportunity of accomplishing their downfall ; and a conjecture may be hazarded, that their chief enemies were the Chancellor Evandale and the Lord Hamilton, although the particular details of the conspiracy, and the names of the other powerful and ambitious persons whom it included in its ranks, have been unfortunately lost to history. It is certain that the house of Hamilton, which, previously to the reign of James the Second, had never possessed any very formidable power, rose into high distinction upon the ruins of the family of Boyd. At the command of the king, the Princess Mary, who was the wife of the banished Earl of Arran, was compelled to leave her husband, with whom she had fled to the continent, and return to the Scottish court. A divorce was then obtained, and the Countess of Arran gave her hand to Lord Hamilton, to whom it had been promised in 1454, in reward for the good services performed to the king's father in the grand rebellion of the Earl of Douglas.¹ It is well known that by this marriage, the family of Hamilton, under the reign of Mary, became the nearest heirs to the Scottish crown. Undismayed by the miserable fate of his family, the Earl of Arran, whose talents as a statesman and a warrior were superior to most of the nobles by whom he had been deserted, soon after entered the service of Charles the Bold, Duke of Burgundy, in which he rose to high distinction, and

¹ Abercromby, vol. ii. p. 397.

became employed in negotiations with the court of England.¹

The king had now reached that age when a fair prognostication might be made of his future character. He had completed his eighteenth year. He had married a princess, who although considerably his junior, was endowed, if we may trust the concurrent testimony of all historians, with a rare union of wisdom and sweetness; and it was evident, that in any endeavour to extricate himself from the difficulties with which he was surrounded, much, almost all of its success depended upon his own personal qualities and endowments. The power of the Scottish aristocracy, which had greatly increased during his own and his father's minority, required a firm hand to check its dangerous growth; and it happened unfortunately, that the temporary triumph which had attended the intrigues of the Livingstons, under James the Second, and more lately the duration in which the king himself was kept by the ambitious usurpation of the house of Boyd, had diminished in the eyes of the nobles, and even of the people, the respect entertained for the royal person and authority, and accustomed them to look upon the sovereign as a prize to be played for and won by the most bold and fortunate faction in the state. To counteract this, the possession of a steady judgment, and the exertion of a zealous attention to the cares of government, were required from the king; and in both qualities James was deficient. That he was so

¹ Paston Letters, vol. i. p. 269.

weak and even wicked a monarch as he is described by a certain class of historians, contrary to the evidence of facts, and of contemporaries, there is no ground to believe; but his education, which, after the death of the excellent Kennedy, had been intrusted to the Boyds, was ill calculated to produce a sovereign fitted to govern a country under the circumstances in which Scotland was then placed. It was the interest of this family, the more easily to overrule every thing according to their own wishes, to give their youthful charge a distaste for public business, to indulge him to an unlimited extent in his pleasures and amusements, to humour every little foible in his character, to keep him ignorant of the state of the country, and to avoid the slightest approach to that wholesome severity, and early discipline of the heart and the understanding, without which nothing that is excellent or useful in after life can be expected. The effects of this base system pursued by his governors, were apparent in the future misfortunes of the king, whose natural disposition was good, and whose tastes and endowments were in some respects superior to his age. The defects in his character were mainly to be attributed to an ill-directed education; but from the political circumstances by which he was surrounded, they were unfortunately of a nature calculated to produce the most calamitous consequences to himself as well as to the country.

He had indeed fallen on evil days; and whether we look to the state of the continent or to the

internal condition of Scotland, the task committed to the supreme governor of that country was one of no easy execution. In England, Edward the Fourth was engrossed by his ambitious schemes against France, although scarcely secure upon the throne which he had mounted amid the tumult and confusion of a civil war; and it was his policy, fearful of any renewal of the war with Scotland, to encourage discontent, and sow the seeds of rebellion in that country, which, under an ambitious and a popular prince, might, by uniting its strength to his adversary of France, have occasioned him infinite annoyance and loss. It was, on the other hand, the object of his sagacious and unprincipled rival, Louis the Eleventh, to engage James by every possible means in a war with England, whilst Charles the Bold, Duke of Burgundy, who had married the sister of Edward, and whose possession of the Netherlands gave him ample means of inflicting serious injury upon the commerce of Scotland, was equally anxious to interrupt the amicable relations between that country and France, and to preserve inviolate the truce between James and Edward. The aspect of affairs in England and on the continent, in relation to Scotland, was therefore one of considerable complication and difficulty, whilst the internal state of the country was equally dark and discouraging.

In the meantime, the same parliament which had destroyed the power of the Boyds, continued its deliberations, and passed some important acts relative to the administration of justice, the tenures

of landed property, the privileges of sanctuary, the constitution of the courts of parliament and justice ayres, and the liability of the property of the tenants who laboured the ground, for the debts of their lord.¹ Of these enactments, the last was the most important, as it affected the rights and the condition of so large and meritorious a class of the community, over whom the tyranny exercised by the higher orders appears to have been of a grievous and intolerable description. Previous to this, when a nobleman fell into debt, his creditor, who sued out a brief of distress, and obtained a judgment against the debtor for a certain sum, was in the practice of having immediate recourse against the tenant of the lordly debtor's lands, seizing his whole property, to his utter loss and ruin. To remedy this, an act was passed, by which it was declared, that, "to prevent the great impoverishment and destruction of the king's commons and rentallers, and of the inhabitants of the estates of the nobles, which is occasioned by the brief of distress," the poor tenants should not be distrained for their landlord's debts, further than the sum which they were due to him in rent, so that if the sum in the brief of distress exceeded the rent due, the creditor was bound to have recourse against the other goods and property of the debtor. If he had no other property except his land, it was provided, that the land should be sold, and the debt paid, so that the poor tenants and labourers be not distressed, whilst the debtor was to enjoy the privilege of re-

¹ Acts of the Parliament of Scotland, vol. ii. p. 95.

claiming his land from the purchaser, if, at any time within seven years, he should pay down the price for which it had been sold, a legislative provision which breathes a more liberal and enlightened consideration for the labouring classes, than at this period we might have been prepared to expect.¹ In the same parliament, the three estates, after having concluded their deliberations, elected a committee of prelates, barons, and commissaries of the burghs, to whom they delegated full powers to advise upon certain important matters, and report their opinion to the next parliament. Amongst the subjects recommended for their peculiar consideration, are the “ In-bringing or importation of bullion into the realm, the keeping the current money within the kingdom, and the reduction of the king’s laws, comprehending the *Regiam Majestatem*, the acts, statutes, and other books, into one code or volume ;” whilst the rest, meaning, probably, those which had fallen into desuetude, or had been abrogated by posterior enactment, were unscrupulously directed to be destroyed.

The course of public events in England now became deeply interesting, exhibiting those sudden changes of fortune which seated the unfortunate Henry upon the throne, only to hurl him from it within a few months to a prison and a grave. In October 1470, the successful invasion of that country by the Earl of Warwick, and the desertion of Edward by the greater part of his army, compelled the monarch of the Yorkists to make a sudden and

¹ Acts of the Parliament of Scotland, vol. ii. p. 96.

hurried escape to Flanders. Within five months he again landed in England, at the head of two thousand men, and such was the astonishing progress of his intrigues and of his arms, that in little more than a month, the city of London was delivered up, and the sanguinary and decisive battle of Tewkesbury completely and for ever annihilated the hopes of the House of Lancaster. Henry, as is well known, immediately fell a victim to assassination in the Tower, and his queen, after a captivity of five years, was permitted to retire to Anjou, where she died. Soon after this important event, a negotiation appears to have been opened with Scotland, and commissioners were appointed to treat of a truce, which was apparently to be cemented by some matrimonial alliance, of which the particulars do not appear.¹

We have seen that the excellent Kennedy, who had filled the see of St Andrews with so much credit to himself and benefit to the nation, died in the commencement of the year 1466. Patrick Graham, his uterine brother, then Bishop of Brechin, a prelate of singular and primitive virtue, was chosen to succeed him, and as his promotion was obnoxious to the powerful faction of the Boyds, who then ruled every thing at court, the bishop-elect secretly left the country for Rome, and on his arrival, without difficulty, procured his confirmation from Pope Paul the Second. Fearing, however, that his enemies were too strong for him, he delayed his return, and the controversy regarding the claim

¹ Rymer Fœdera, vol. ii. p. 719.

of the see of York to the supremacy of the Scottish church, having been revived by Archbishop Nevill, during his stay in Italy, Graham so earnestly and successfully exerted himself for the independence of his own church, that Sixtus the Fourth, Pope Paul's successor, became convinced by his arguments that the claim of York was completely unfounded. The result was a measure which forms an era in the history of the national church. The see of St Andrews was erected into an archbishopric, by a bull of Sixtus the Fourth, and the twelve bishops of Scotland solemnly enjoined to be subject to that see in all future time.¹ In addition to this high privilege which he had gained for his own church, Graham, who felt deeply the abuses which had deformed it for so long a period, induced the pope to confer upon him the office of legate, for the space of three years, purposing, on his return to Scotland, to make a determined effort for their removal.

But little did this good man foresee the storm which there awaited him, the persecution which a nobility who had fattened on the sale of church livings, a dissolute priesthood, and a weak and capricious monarch, were prepared to raise against him. His bulls of primacy and legation, which had been published before his arrival, seemed only to awaken the jealousy of the bishops, who accused him to the king of intruding himself into the legation, and carrying on a private negotiation with the Roman court, without having first procured the royal license. The moment he set his foot

¹ Spottiswood's History of the Church of Scotland, pp. 58, 59, 60.

in Scotland, he was cited to answer these complaints, and inhibited from assuming his title as archbishop, or exercising his legatine functions. In vain did he remonstrate against the sentence—in vain appeal to the bulls which he spread before the court—in vain assert what was conspicuously true, that he had been the instrument of placing the Scottish church on a proud equality with that of the sister kingdom, and that his efforts were conscientiously directed to her good. The royal mind was poisoned, his judges were corrupted by money, which the prelates and ecclesiastics, who were his enemies, did not scruple to expend on this base conspiracy. Accusations were forged against him, by Schevez, an able but profligate man, who, from his skill in the then fashionable studies of judicial astrology, had risen into favour at court; agents were employed at Rome, who raked up imputations of heresy; his bankers and creditors in that city, to whom he was indebted for large sums expended in procuring the bull for the archbishopric, insisted on premature payment; and the rector of his own university forging a quarrel, for the purpose of persecution, dragged him into his court, and boldly pronounced against him the sentence of excommunication. Despising the jurisdiction of his inferior, and confident in his own rectitude, Graham refused obedience, and bore himself with spirit against his enemies; but the unworthy conduct of the king, who corroborated the sentence, entirely broke his heart, and threw him into a state of distraction, from which he never completely recovered. He was committed

to the charge of Schevez, his mortal enemy, who succeeded him in the primacy, and, unappeased in his enmity, even by success, continued to persecute his victim, removing him from prison to prison, till he died at last, overcome with age and misfortune, in the castle of Lochleven.¹

Amidst these ecclesiastical intrigues, the attention of the privy council and the parliament was directed to France, with the design of attempting a reconciliation between the French king and the Duke of Burgundy, both of them the old and faithful allies of Scotland. The Earl of Arran, along with his wife, the sister of the Scottish king, had fled, we have seen, after his disgrace in Scotland, to the court of Burgundy, and his talents and intrigues were successfully employed in exciting the animosity of the duke against France and Scotland. The same banished noble had also sought a refuge in England, probably with the same design which had been pursued under similar circumstances by the Douglasses, that of persuading Edward the Fourth to assist him in the recovery of his forfeited estates by an invasion of the country. To counteract these intrigues, it was resolved immediately to dispatch ambassadors to these powers, whose instructions were unfortunately not communicated in open parliament, but discussed secretly amongst the lords of the privy council, owing to which precaution it is impossible to discover the nature of the political relations which then subsisted between Scotland and the continent.

¹ Spottiswood's History of the Church of Scotland, p. 59.

To the same ambassadors was committed the task of choosing a proper matrimonial alliance for the king's sister, a sum of three thousand pounds being contributed in equal portions by the three estates to meet their expenses.

About the same time, Louis the Eleventh dispatched the Sieur Concessault to the court of James, with the object of persuading that monarch to attack and make himself master of the county of Brittany, which he promised to assign in perpetuity to the Scottish crown; and it appears he had so far succeeded, that orders were given for a levy of six thousand men-at-arms, which the king had determined to conduct in person, whilst the three estates engaged to contribute six thousand pounds for the expenses of the expedition. Against this extraordinary project of deserting his dominions, at a period when the state of the country so imperiously demanded his presence, the wiser and more patriotic portion of the nobility steadily remonstrated.¹ They represented that it must be attended with infinite peril to the realm, if the sovereign, in his tender age, and as yet without a successor, should leave the country, torn as it then was by civil faction, by the dread of threatened war, and by ecclesiastical dissension and intrigue. They exposed to him the duplicity of the conduct of Louis, who had delayed to put him in possession of the county of Xaintonge, his undoubted right, and now attempted to divert him from insisting on the fulfilment of his stipulations, by an enterprise equally hazardous and extra-

¹ Acts of the Parliament of Scotland, vol. ii. p. 102.

vagant. The prelates, in particular, drew up the strongest remonstrance upon the subject; imploring him, by the tender love which they bore to his person, not to leave his dominions open to the incursions of his old enemies of England; to recall the letters already written to the King of France; and to content himself with an earnest endeavour, by the negotiations of his ambassadors, to make up the differences between Louis the Eleventh and the Duke of Burgundy.¹ They advised him to use every method to discover the real intentions and disposition of the French monarch; and if they found him obstinate in his refusal to deliver up the county of Xaintonge, it was recommended that the ambassadors at the court of Burgundy should arraign the injustice of such conduct to the duke, and prevail upon that prince to assist the Scottish monarch in his attempt to recover his rights, as well as to get possession of the rich duchy of Gueldres, which, they contended, had become the property of the crown of Scotland, in consequence of the imprisonment of the old Duke of Gueldres by his son.² Burgundy, however, had himself cast the eyes of affection upon this prize; and, with the design of uniting it to his own territory, and erecting the whole into a separate sovereignty, under the title of the kingdom of Burgundy, soon after prevailed upon the imprisoned potentate to declare him his heir, and took forcible possession of the duchy.³

¹ Acts of the Parliament of Scotland, vol. ii. pp. 102, 104.

² Ibid. vol. ii. p. 104.

³ Henault, Hist. of France, vol. i. p. 318. Harcei Annal. Ducum Brabantiae p. 438.

Whilst engaged in these complicated negotiations with the continent, the pacific relations with England were renewed; and the repeated consultations between the commissioners of the two countries, on the subject of those infractions of the existing truce, which were confined to the Borders, evinced an anxiety upon the part of both to remain on a friendly footing with each other.¹ Edward, indeed, since his decisive victory at Tewkesbury, was necessarily engaged in consolidating his yet unstable authority; and after having accomplished this task, he engaged in a league with the Duke of Burgundy against France, with the determination of humbling the pride of Louis, and reviving in that country the glory of Edward the Third and Henry the Fifth. Under such circumstances, a war with Scotland would have been fatal to the concentration of his forces.

On the other hand, James and his ministers had full occupation at home, and wisely shunned all subjects of altercation which might lead to war. The tumults in the northern parts of Scotland, which had arisen in consequence of a feud between the Earls of Ross and Huntley, whose dominions and vassalry embraced almost the whole of the Highlands, rendered it absolutely requisite that immediate measures should be adopted for the “stanching the slaughters and depredations” committed by their dependants, and attempting to reduce the unlicensed manners of these districts under the control of justice and civil polity.²

¹ Rotuli Scotiæ, vol. ii. pp. 430, 439, inclusive.

² MS. extracts from the Books of the Lord High Treasurer, March 21, 1473.

An injurious practice of selling the royal pardon for the most outrageous crimes, had lately been carried to a mischievous frequency ; and the lords of the articles, in the late parliament, exhorted and intreated his highness that “ he would close his hands for a certain time coming against all remissions and respites for murder, and, in the meantime, previous to any personal interference in the affairs of the continent,” take part of the labour upon himself, and travel through his realm, that his fame might pass into other countries, and that he might obtain for himself the reputation of a virtuous prince, who gave an example to other sovereigns in the establishment of justice, policy, and peace throughout his dominions.¹

The plan for the amendment of the laws recommended in a late statute, appears to have made but little progress, if we may judge by a pathetic complaint, in which the lords and barons beseech the sovereign to select from each estate two persons of wisdom, conscience, and knowledge, who were to labour diligently towards the “ clearing up of divers obscure matters which exist in the books of the law, and create a constant and daily perplexity.” These persons are recommended, in their wisdom, to “ find good inventions which shall accord to law and conscience, for the decision of the daily pleas which are brought before the king’s highness, and concerning which there is as yet no law which seems proper to regulate their decision.” This singular enactment proceeds to state, that after such persons in their

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

wisdom have fixed upon such rules of law, the collection which they have made should be shown at the next parliament to the king's highness and his three estates; and upon being ratified and approved, that a book should then be written, containing all the laws of the realm, which was to be kept at a place where "the lafe" may have a copy;¹ and that none other books of the law be permitted thenceforth to be quoted, but those which are copies from this great original, under a threatened penalty of personal punishment and perpetual silence to be inflicted upon all who practised in the laws and infringed these injunctions.² A few other regulations of this meeting of the estates, regarding the manufacture of artillery, or, as they are termed, "carts of war," the regulation of the coin, the importation of bullion, the examination of goldsmiths' work, and the prohibition of English cloth as an article of import, do not require any more extended notice.³

On the 17th of March, 1472, the birth of a prince, afterwards James the Fourth, had been welcomed with great enthusiasm by the people; and the king, to whom, in the present discontented and troubled state of the aristocracy, the event must have been especially grateful, was happily induced to listen to the advice

¹ The "lafe" probably means the body of the inferior judges of the realm.

² Acts of the Parliament of Scotland, vol. ii. p. 105.

³ A parliament was held at Edinburgh, 6th October, 1474, of which nothing is known but its existence. Acts of the Parliament of Scotland, vol. ii. p. 108.

of his clergy, and to renounce for the present all intentions of a personal expedition to the continent. He suffered himself also to be guided by the wisdom of the same counsellors in his resolution to respect the truce with England; and on a proposal being made by Edward the Fourth, that a lasting peace should be negotiated between the two nations, on the basis of a marriage between the Prince Royal of Scotland and one of his own daughters, James dispatched an embassy for the purpose of entering into a negotiation with the English commissioners upon this important subject.¹

The lady, or rather the infant, fixed on, for she was then only in her fourth year, was Edward's youngest daughter, the Princess Cæcilia; and the Bishop of Aberdeen, Sir John Colquhoun of Luss, and the chamberlain, James Shaw, having repaired to England, and concluded their deliberations, Edward directed the Bishop of Durham, along with Russel, the keeper of his privy seal, and John, Lord Scrope, to proceed to Edinburgh, and there conclude a final treaty of marriage and alliance, which they happily accomplished.²

A curious illustration of the formality of feudal manners is presented by the ceremony of the betrothment. On the 26th of October, David Lindsay, Earl of Crawford, John, Lord Scrope, knight of the garter, along with the Chancellor Avendale, the Earl of Argyle, and various English commissioners and gentlemen, assembled in the Low Greyfriars' church

¹ Rymer Fœdera, vol. xi. p. 814.

² Ibid. vol. xi. p. 821.

at Edinburgh. The Earl of Lindsay then came forward, and declaring to the meeting that he appeared as procurator for an illustrious prince, the Lord James, by the grace of God King of Scots, demanded that the notorial letters, which gave him full powers in that character to contract the espousals between Prince James, first born son of the said king, and heir to the throne, and the Princess Cæcilia, daughter to an excellent prince, Lord Edward, King of England, should be read aloud to the meeting. On the other side, Lord Scrope made the same declaration and demand; and these preliminaries being concluded, the Earl of Crawford, taking Lord Scrope by the right hand, solemnly, and in presence of the assembled parties, plighted his faith that his dread lord, the King of Scotland, and father of Prince James, would bestow his son in marriage upon the Princess Cæcilia of England, when both the parties had arrived at the proper age. Lord Scrope, having then taken the Scottish earl by the right hand, engaged, and, in the same solemn terms, plighted his faith for his master, King Edward of England. After which, the conditions of the treaty upon which the espousals took place, were arranged by the respective commissioners of the two countries, with an enlightened anxiety for their mutual welfare.

It was first declared, that for the better maintenance of peace and prosperity in the "noble isle called Britain," some measures ought to be adopted by the Kings of Scotland and England, which should promote a spirit of mutual love between the subjects

of both realms more effectually than the common method of a truce, which was scarcely sufficient to heal the calamities inflicted by protracted jealousies and dissensions, followed as they had been by an obstinate and mortal war. A more likely method for the settlement of a lasting peace was then declared to be the intended marriage between Prince James and the Lady Cæcilia; and the conditions upon which it had been concluded were enumerated. The truce between the kingdoms, agreed upon first at York in 1464, and afterwards prolonged to 1519, was appointed to be strictly observed by both countries. As the prince was yet only two years old, and the princess four, the two monarchs were to give their solemn word to use every effort to complete the marriage whenever the parties had completed the lawful age. During the life of King James, the prince and princess were to possess in dowery and joint feoffment the whole lands and rents which belonged to the old heritage of the prince apparent of Scotland during the lifetime of his father, namely, the duchy of Rothesay, the earldom of Carrick, and the lordship of the Stewarts' lands of Scotland. With his daughter, the King of England was to give a dower of twenty thousand marks of English money; and it was lastly agreed, that, in the event of the death of the prince or princess, the heir apparent of Scotland for the time, should, upon the same terms, marry a princess of England.¹ Such were the principal stipulations of a treaty, which, had it

¹ Rymer *Fœdera*, vol. xi. p. 821.

been faithfully fulfilled by the two countries, might have guaranteed to both the blessings of peace, and promoted the growth of the principal branches of their national prosperity. At first, too, the English monarch appears to have been extremely solicitous to fulfil the agreement. Two thousand five hundred marks of the dowery of the princess were punctually advanced; and in reply to some remonstrances of the Scottish king regarding the *St Salvator*, a vessel belonging to the see of *St Andrews*, which had been wrecked off *Bamburgh*, and plundered by the English, with another ship, the property of the king himself, which had been captured by a privateer of the Duke of Gloucester, Edward dispatched his envoy to the Scottish court, with instructions to meet the admiral of Scotland, and afford complete redress upon the subject. This mission acquaints us with the singular circumstance that the nobility, and even the monarch, continued to occupy themselves in private commercial speculations, and were in the habit of freighting vessels, which not only engaged in trade, but, in falling in with other ships similarly employed, did not scruple to attack and make prize of them.¹

The state of the northern districts, and the continued rebellion of the Earl of Ross, now demanded the interference of the government, and a parliament was assembled at *Edinburgh*, in which this fierce and insurgent noble was declared a traitor, and his estates confiscated to the crown. His intimate league with *Edward the Fourth*,—his association with the rebel-

¹ *Rymer Fœdera*, vol. xi. pp. 820, 850.

lious Douglasses, and his outrageous conduct in “burning, slaying, and working the destruction of the lands and liege subjects of the king,” completely justified the severity of the sentence; but as the mountain chief continued refractory, a force was levied, and the Earls of Crawford and Athole directed to proceed against him.

The extent of these preparations, which comprehended a formidable fleet, as well as a land army, intimidated Ross, and induced him, through the mediation of Huntley, to petition for pardon. Assured of the favourable disposition of the monarch, he soon after appeared in person at Edinburgh, and with much humility, and many expressions of contrition, surrendered himself to the royal mercy. The earldom of Ross, with the lands of Knapdale and Kintyre, and the office of hereditary Sheriff of Inverness and Nairn, were resigned by the repentant rebel into the hands of the king, and unalienably annexed to the crown, whilst Ross himself was relieved from the sentence of forfeiture, and created a peer of parliament, under the title of John de Isla, Lord of the Isles.¹ The king had now attained his full majority of twenty-five years, and, according to a usual form, he solemnly revoked all alienations in any way prejudicial to the crown, which had been made during his minority, and especially all conveyances of the custody of the royal castles, resuming the power of dismissing or continuing in office the persons to

¹ Acts of the Parliament of Scotland, vol. ii. p. 113. “*Baronem Banrentum et Dominum Dominum Parliamenti.*” Ferrerius, p. 393.

whom they had been committed, as he judged most expedient for the good of the realm, and his own security. He at the same time intrusted the keeping and government of his son, Prince James, to his wife and consort, Margaret, Queen of Scotland, for the space of five years; and for this purpose delivered to her the castle of Edinburgh, with an annual pension, and full power to appoint her own constable and inferior officers.¹ With the desire of cementing more strongly the friendship with England, a double alliance was proposed. His sister, the Princess Margaret, was to marry the Duke of Clarence, and his brother, the Duke of Albany, the Dowager Duchess of Burgundy, sister to Edward the Fourth. This monarch, however, appears to have courteously waved the proposal,² although he seized the opportunity of an intended visit of James to the shrine of St John of Amiens, to request, in very pressing terms, a personal interview with this monarch. But the Scottish king was induced to delay his pilgrimage, and in obedience to the superstitious practice of the age, caused a large medal of gold to be struck, as a decoration for the shrine of the saint.³

Hitherto the reign of this prince had been in no usual degree prosperous, and his administration signalized by various acquisitions, which added strength, security, and opulence to the kingdom. The possession of the Orkneys and Shetland,—the occupation

¹ Mag. Sig. viii. 80. Feb. 7, 1477.

² Letter of Edward IV. to Dr Legh his envoy. *Vespasian*, c. xvi. f. 121. Pinkerton's *History*, vol. i. p. 287.

³ *Rymer Fœdera*, vol. xii. p. 53.

of Berwick and Roxburgh, the annexation of the earldom of Ross to the crown,—the establishment of the independence and liberty of the Scottish church, by the erection of St Andrews into an archbishopric,—the wise and honourable marriage treaty with England, were all events, not only fortunate, but glorious. They had taken place, it is true, under the minority of the monarch; they were to be attributed principally to the counsellors who then conducted the affairs of the government, and the history of the country, from the period when the monarch attained his full majority, presents a melancholy contrast to this early portion of his reign. It is difficult, however, to detect the causes which led to this rapid change, and it would be unjust to ascribe them wholly to the character of the king. It must be recollected, that for a considerable time previous to this period, the feudal nobility of Europe had been in a state of extraordinary commotion and tumult, and that events had occurred which, exhibiting the deposition and imprisonment of hereditary sovereigns, diminished in the eyes of the aristocracy, and of the people, the inviolable character of the throne. At this time rebellion had become frequent in almost every corner of Europe; and the removal of the hereditary prince, to make way for some warlike usurper, or successful invader of royalty, was no uncommon occurrence; men's minds were induced to regard the crime with feelings of infinitely greater lenity than had hitherto been extended to it, whilst the aristocracy, who were the instruments of such revo-

lutions, and shared in the spoils and forfeitures which they occasioned, began to be animated by a consciousness of their own power, and a determination to stretch it to the utmost bounds of illegal aggression and kingly endurance. The revolution in England, which placed Henry the Fourth upon the throne,—the subsequent history of that kingdom during the contest between the houses of York and Lancaster,—the political struggles of France under Louis the Eleventh,—the relative condition of the greater nobles in Germany, and of the rights of the imperial crown under the Emperor Sigismund,—the dissensions which divided the Netherlands,—and the civil factions and repeated conspiracies amongst the higher nobles, which agitated the government of Spain, all combine to establish the truth of this remark; and if we remember that the communication between Scotland and the continent was then extremely frequent and widely spread over the kingdom, the powerful and contagious influence of such a state of things may be readily imagined.

In addition to such causes of incipient discontent and disorganization, there were other circumstances in the character and habits of the Scottish nobility, as contrasted with the individual pursuits and disposition of the king, which no doubt precipitated the commotions which conducted him to his ruin. The nobles were haughty and warlike, but rude, ignorant, and illiterate; when not immediately occupied in foreign hostilities, they were indulging in the havoc, plunder, and sanguinary contests which sprung out of private

feuds, and they regarded with contempt every pursuit which did not increase their warlike skill, or exalt their knightly character. At their head were the king's two brothers, the Duke of Albany and the Earl of Mar, men of bold and stirring spirits, and fitted by their personal qualities to be the favourites of the aristocracy. Their noble and athletic figures, and delight in martial exercises,—their taste for feudal pomp, for fine horses, and tall and handsome attendants,—their passion for the chase, and the splendid and generous hospitality of their establishment, united to the courtesy and gracefulness of their manners, caused them to be universally admired and beloved, whilst Albany concealed under such popular endowments an ambition, which, there is reason to believe, did not scruple, even at an early period, to entertain some aspirations towards the throne.

To that of his brothers, the disposition of the king presented a remarkable contrast. It has been the fashion of some historians to represent James as a compound of indolence, caprice, and imbecility; but the assertion is equally rash and unfounded. His character was different from the age in which he lived, for it was unwarlike, but in some respects it was far beyond his own times. A love of repose and seclusion, in the midst of which he might devote himself to pursuits which, though enervating, were intellectual, and bespoke an elegant and cultivated mind, rendered him unpopular amongst a nobility who treated such studies with contempt. A passion for mathematics

and the study of judicial astrology, a taste for architecture and the erection of noble and splendid buildings, an addiction to the science and the practice of music, and a general disposition to patronise the professors of literature and philosophy, rather than to surround himself with a crowd of fierce retainers ; such were the features in the character of this unfortunate prince, which have drawn upon him the reprobation of most of the contemporary historians, but which he possessed in common with some of the most illustrious monarchs who have figured in history.¹ This turn of mind, however in itself, when duly regulated, rather praiseworthy than the contrary, led to consequences which were less excusable. Aware of the impossibility of finding men of congenial tastes amongst his nobles, James had the weakness, not only to patronise, but to exalt to the rank of favourites and companions, the professors of his favourite studies. Architects, musicians, painters, and astrologers, were treated with distinction, and admitted to the familiar converse of the sovereign, whilst the highest nobles of the land found a cold and distant reception at court, or retired with a positive denial of access. Cochrane, an architect, or, as he is indignantly termed by our feudal historians, a mason ; Rogers, a professor of music ; Ireland, a man of literary and scientific acquirements, who had been educated in France, were warmly favoured and encouraged ; whilst, even upon such low proficientes as tailors, smiths, and fencing-masters, the treasures, the smiles and en-

¹ Ferrerius, p. 391.

couragement of the monarch were profusely lavished. Disgusted at such conduct in the sovereign, the whole body of the aristocracy looked up to the brothers, Albany and Mar, as the chief supports of the state; and as long as the king continued on good terms with these popular and energetic noblemen, the tide of aristocratic discontent and incipient revolution was checked at least, though far from extinguished. But in the ambitious contests for power, and in the sanguinary collisions of jurisdiction, which were of frequent occurrence in a feudal government, it was to be dreaded that some event might take place which should have the effect of transforming Albany from a friend into an enemy, and it was not long before these fears were realized.

The government of Berwick, and the wardenship of the eastern marches, had been committed to this warlike prince by his father, James the Second, from whom he had also inherited the important earldom of March, with the key of the eastern Border, the castle of Dunbar.¹ In the exercise of these extensive offices, a rivalry had sprung up between Albany and the proud and powerful family of the Humes, with their fierce allies the Hepburns, and their resistance to his authority was so indignantly resented by the warden, that his enemies, to save themselves from his vengeance, attached Cochrane, the king's favourite, to their party, and, by his advice and assistance, devised a scheme for his ruin. At this period, a belief in astrology and divination, and a blind de-

¹ Pitscottie, Hist. p. 115.

votion to such dark and mischievous studies, was a characteristic feature of the age. James himself was passionately addicted to them ; and Schevez, the Archbishop of St Andrews, who had received his education at Louvaine, under Spernicus, a famous astrologer of the time, had not scrupled to employ them in gaining an influence over the royal mind, and in furthering those ambitious schemes by which he intruded himself into the primacy. Aware of this, Cochrane, who well knew the weakness of his sovereign, insinuated to his new allies, the Humes, that they could adopt no surer instrument of working upon the royal mind than witchcraft. One Andrews, a Flemish astrologer, whom James had prevailed upon to reside at his court, was induced to prophesy that a lion would soon be devoured by his whelps ; whilst a prophetess, who used to haunt about the palace, and pretended to have an intercourse with a familiar spirit, brought the information, that Mar had been employing magical arts against the king's life,¹ and that her familiar had informed her, the monarch was destined to fall by the hands of his nearest kindred. The warm affection which James entertained for his brothers at first resisted these dark machinations ; but the result showed that Cochrane's estimate of his sovereign's weakness was too true. His belief in the occult sciences gave a force to the insinuation ; his mind brooded over the prophecy ; he became moody and pensive ; shut himself up amidst his books and

¹ Ferrerius, p. 393. Lesley's History of Scotland, p. 43. Buchanan, b. xii. c. 37.

instruments of divination ; and, admitting into his privacy only his favourite adepts and astrologers, attempted to arrive at a clearer delineation of the threatened danger. To Cochrane and his brother conspirators, such conduct only afforded a stronger hold over the distempered fancy of the monarch, whilst the proud and independent character of Albany, and his violent attack upon the Humes, were represented by his enemies as a prelude to that conspiracy against his royal brother, which was to end in his deposition and death. That Albany at this moment entertained serious designs against the crown, cannot be made out by any strong evidence ; but that his conduct in the exercise of his office of warden of the marches was completely illegal and unjustifiable, is proved by authentic records. Instead of employing his high authority to establish the peace of the Borders, he had broken the truce with England by perpetual slaughters and plundering expeditions ; whilst within his own country he had assaulted and murdered John of Scougal, and surrounded himself by a band of desperate retainers, who fearlessly executed whatever lawless commission was intrusted to them. Such conduct, combined with the dark suspicions under which he laboured, effectually roused the king, and Albany, too confident in his power and his popularity, was suddenly seized and committed to strict confinement in the castle of Edinburgh.¹

Immediately after this decided measure, a parlia-

¹ Lesley's History of Scotland, p. 43. Buchanan, b. xii. c. 39.

ment assembled, in which the three estates, with the laudable design of strengthening the amity with England, granted to the king a subsidy of twenty thousand marks, for the purpose of bringing to a conclusion the intended marriage between the Princess Margaret, his sister, and Lord Rivers, brother-in-law to Edward. The divided and distracted state of the country is strikingly depicted by the simple enumeration of the matters to which the lords of the articles were commanded to direct their attention. They were to labour for the removal of the grievous feuds and commotions, which in Angus had broken out between the Earls of Angus and Errol, the Master of Crawford and Lord Glamis; they were to attempt to put down the rebellion in Ross, Caithness and Sutherland; to persuade to an amicable understanding the Lairds of Carlaverock and Drumlanrig, who were at deadly feud in Annandale; to bring within the bonds of friendship the Turnbulls and the Rutherfords of Teviotdale; and to promote a reconciliation between the sheriff of this district and the Lord Cranston.¹ The subject of coinage, the state of the commerce of the country, and the expediency of a renewal of the negotiations with the court of Burgundy, were likewise recommended for their consideration; but in the midst of their deliberations, Albany found means to elude the vigilance of his guards, and to escape from the castle of Edinburgh, an event which threatened to plunge the kingdom into a civil war.² The duke immediately retreated

¹ Acts of the Parliament of Scotland, vol. ii. p. 122.

² Lesley's History of Scotland, p. 43.

to his fortress of Dunbar, where he concentrated his force, appointed Elden of Butterden his constable, and by increasing his military stores, and enlisting in his service some of the fiercest and most warlike of the Border chieftains, seemed determined to hold out to the last extremity. The power of the king, however, soon after shook his resolution, and he took a rapid journey to France, with the design of procuring assistance from Louis the Eleventh, and returning to Scotland at the head of a band of foreign auxiliaries. In this, however, he was unsuccessful. He was received, indeed, by the French monarch with high distinction ; but Louis steadily refused to adopt any part against his brother and ally of Scotland, or to assist Albany in his unnatural rebellion.¹

In his conduct at this moment, James exhibited a decision and an energy which vindicates his character from the charge of indolence or imbecility, so commonly brought against him. He dispatched the Chancellor Evandale at the head of a strong force to lay siege to Dunbar, which, after a spirited defence of some months, was delivered up to the royal arms. A train of rude artillery accompanied the army upon this occasion. The construction of cannon, and the proper method of pointing and discharging them, appear, from contemporary records, to have been one of the subjects to which not only the king himself directed particular attention, but which he anxiously encouraged in his nobility, and even amongst his clergy. Artillerymen and skilful artisans were

¹ Duclos. Hist. de Louis XI. vol. ii. p. 308.

procured from the continent, and some of the principal entries in the treasurer's books at this period relate to the experiments made in the practice of gunnery, an art still in its infancy in Scotland. In the present siege of Dunbar, the uncommon strength of the walls withstood for some months the artillery of the besiegers ; but, on the opposite side, the cannon mounted on the ramparts of the castle appear to have been well served and pointed—a single ball at one moment striking dead three of the bravest knights in the army, Sir John Colquhoun of Luss, Sir Adam Wallace of Craigie, and Sir James Schaw of Sauchie.¹ When at last Evandale made himself master of the castle, he found that the governor and the greater part of the garrison, availing themselves of its communication with the sea, had escaped in boats, and taken refuge in England from the fury of their enemies. It was not so easy for them, however, to escape the severe process of the law, and a parliament was summoned to carry it into immediate execution. Albany, who was still in France, was solemnly cited at the market-cross of Edinburgh and North Berwick, and before the gates of his castle of Dunbar, to appear and answer to a charge of treason ; whilst many of his boldest friends and retainers, Elden of Butterden, Patrick Home of Polwart, John Blackbeird, Pait Dickson the laird, and Tom of the Tower, were summoned at the same time, and upon a similar accusation.²

Previous to the meeting of the three estates, how-

¹ Lesley de Rebus Gestis Scotorum, p. 307.

² Acts of the Parliament of Scotland, vol. ii. p. 128.

ever, an embassy arrived from Louis the Eleventh, the object of which was to persuade the Scottish monarch to pardon his brother, and to assist the French king in the war which Edward the Fourth meditated against him, by the usual method of infringing the truce, and producing a hostile diversion on the side of the English borders. The ambassador on this occasion was Dr Ireland, a Scottish ecclesiastic of great literary acquirements, who had been educated in France, and in whose conversation the king took so much delight, that he had anxiously endeavoured to fix him at his own court. Personally disposed, however, as he was to be pleased with the envoy, the circumstances in which the king was then placed rendered it extremely difficult to break with England. The marriage treaty which had been concluded between the Princess Cæcilia, Edward's daughter, and the heir-apparent to the Scottish throne, had been solemnly sanctioned and ratified by the payment of three instalments of the dowery.¹ Another royal marriage also, that of the Princess Margaret of Scotland to the Earl of Rivers, was on the eve of being concluded, and Edward had lately granted passports not only to this noble lady, but to James himself, who, with a suite of a thousand persons, contemplated a pilgrimage to the shrine of St John of Amiens. These were powerful obstacles in the way of any rupture of the truces, and with the greater part of the nobility the renewal of a war with England was equally unpopular and unpolitic; but the attachment of the king to the ancient league with France prevailed; and although there is undoubtedly

¹ Rymer's *Fœdera*, vol. xii. pp. 40, 41.

no evidence of the fact, a conjecture may be hazarded, that James had detected, at an earlier period than is generally supposed, the existence of certain intrigues between Edward the Fourth and the Duke of Albany, which are proved by authentic documents to have taken place in the succeeding year.

It does not appear that the conduct of the Scottish monarch at this trying conjuncture is deserving of the reprobation with which it has been visited by some historians. To Albany, who had been guilty of treason, it was almost generous. He did not indeed agree to the request of Louis in granting him an unconditional pardon, but he adjourned the process of forfeiture from time to time, in the hopes that he might in the interval return to his allegiance, and render himself deserving of the royal clemency; and the same lenient measure was adopted in the case of his offending vassals and retainers. Against Mar, indeed, his younger brother, who was accused of using magical arts for the purpose of causing the king's death, the royal vengeance broke out with rapid and overwhelming violence; but much obscurity involves the death of this accomplished and unfortunate prince. It is asserted by Lesley and Buchanan, that he was suddenly seized by the king's order and hurried to Craigmillar, and that at the same time many witches and wizards, whom he had been in the habit of consulting upon the surest means of shortening the existence of the monarch, were condemned to the flames.¹ The evidence

¹ Old Chronicle at the end of Winton. Pinkerton's Hist. vol. i. p. 503. Lesley's Hist. pp. 43, 44.

derived from these unhappy wretches, left no doubt of the guilt of the prince ; and the choice of his death being given him, he is said to have preferred that of Petronius, directing his veins to be opened in a warm bath. In opposition to this tale of our popular historians, a more probable account is given by Drummond of Hawthornden, derived, as he affirms, from the papers of a contemporary of high character. According to this version of the story, before James had fixed on any definite plan of punishment, Mar, from the violence of his own temperament, and the agitation attendant upon his seizure, was attacked by a fever, which soon led to delirium. In this alarming state, he was removed, by the king's command, from Craigmillar to a house in the Canongate at Edinburgh, where he was carefully attended by the royal physicians, who, to reduce the frenzy, opened a vein in his arm and in his temple. This, however, proved the cause of his death ; for the patient, when in the warm bath, was attacked by an accession of his disorder, and furiously tearing off the bandages, expired from weakness and exhaustion before any styptic could be applied. The silence of the faction of the nobles which afterwards deposed the king, upon the subject of Mar's death, at a moment when they were eager to seize every method to blacken the conduct of their sovereign, seems to me to be corroborative of the truth of this story.¹

But although innocent of his death, James consi-

¹ Drummond's History of the Jameses, p. 137. The contemporary whom he quotes, by the letters B. W. E. is evidently Bishop William Elphinston.

dered the treason of his brother as undeserving the leniency which he still extended to Albany, and the rich earldom of Mar was forfeited and seized by the crown. In the midst of these transactions, Edward the Fourth, who for some time had forgotten his wonted energy in a devotion to his pleasures, began to rouse himself from his voluptuous lethargy, and to complain of the duplicity of Louis and the treachery of James, with a violence which formed a striking contrast to the quietude of his late conduct.

Nor can we be surprised at this burst of indignation, and the sudden resolution for war which accompanied it. He found that Louis, who had amused him with a promise of marriage between the Dauphin of France and his daughter, the Princess Elizabeth, had no serious intention of either accepting this alliance, or fulfilling the treaty upon which it proceeded; he discovered that this crafty and sagacious prince had not only proved false to his own agreement, but had corrupted the faith of his Scottish ally. Unnecessary and suspicious delays had occurred to prevent the intended marriage between James's sister and her affianced husband the Earl of Rivers; and the same monarch, who had already received three payments of the dowery of the princess Cæcilia, Edward's daughter, in contemplation of the marriage between this lady and his eldest son, instead of exhibiting a friendly and pacific disposition, had begun to make preparations for war, and to exhibit very unequivocal intentions of violating the truce, and invading his dominions.¹

¹ Rymer, vol. xii. p. 41, 115.

Upon the part of the Scottish king, this conduct was unwise and impolitic; and it is easy to see, that in his present resolution to engage in a war with England, James allowed himself to be the dupe of the French monarch, and shut his eyes to the best interests of his kingdom. He was unpopular with the great body of his nobility; they despised his studious and secluded habits; they regarded with the eyes of envy and hatred the favourites with whom he had surrounded himself, and the pacific and elegant pursuits to which he was addicted. In its internal state the country was full of private war and feudal disorder; the church had been lately wounded by schism, and the manners of the higher clergy, under the loose superintendence of Schevez, who, on the death of the unfortunate and virtuous Graham, had succeeded to the primacy, were corrupt and abandoned. Nothing could be more injurious to a kingdom thus situated, than to add to its internal distresses the misery of foreign war; and indeed if there was one cheering circumstance in the aspect of public affairs, it was in the prospect of peace with England. The happy effects of a long interval of amity between the two kingdoms were beginning to be apparent in the diminution of that spirit of national animosity which had been created by protracted war; and now that the nation was no longer threatened with any designs against its independence, it must have been the earnest wish of every true lover of his country, that it should remain at peace. So much indeed was this the conviction of one of James's most faithful counsellors, Thomas Spence, Bishop of Aberdeen, that

after presenting the strongest protestations against the war, after explaining that a continuance of peace could alone give stability to the government, and secure the improvement and the happiness of the country, he was so overpowered with grief when he found his remonstrances neglected, that he fell into a profound melancholy, from which he never recovered.¹

Both countries having thus resolved on hostilities, Edward appointed his brother the Duke of Gloucester, afterwards known as Richard the Third, to the office of lieutenant-general of the north, with ample powers to levy an army, and conduct the war against Scotland. Meanwhile, before Gloucester could organize his force, the Earl of Angus broke across the marches, at the head of a small army of Borderers. To these men, war was the only element in which they enjoyed existence; and, with the celerity and cruelty which uniformly marked their military operations, they ravaged Northumberland for three days, burnt Bamborough, plundered the villages and farm granges, and drove before them their troops of prisoners and cattle without any check or impediment.² Roused by this insult, and by the intelligence that the King of Scotland was about to invade his dominions in person, Edward accelerated his preparations; issued orders for the equipment of a fleet against Scotland; entered into a negotiation with the Lord of the Isles and Donald

¹ Lesley's History of Scotland, p. 44.

² Chronicle at the end of Winton. Pinkerton, Hist. vol. i. p. 503. Rymer, vol. xii. p. 117.

Gorm, whose allegiance was never steady except in the immediate prospect of death and confiscation ; and aware of the desperate condition of Albany, who was still in France, the English monarch, by private messages, in which he held out to him the prospect of dethroning his brother, and seizing the crown for himself, attached this ambitious prince to his service, and prevailed upon him to sacrifice his own allegiance, and the independence of his country, to his ambition and his vengeance.¹

Nothing could be more ungrateful than such conduct of Albany. The process of treason and forfeiture which had been raised against him in the Scottish Parliament, had, with singular leniency and generosity upon the part of the king, been continued from diet to diet, till it was at last suffered to expire, and an opportunity thus afforded for his return to his former power and station in the government. Having divorced his first wife, a daughter of the potent house of Orkney, he had married in France the Lady Anne de la Tour, daughter of the Count d'Auvergne, and there can be little doubt that the friendship of the French monarch had a principal effect in prevailing on his ally James to suspend the vengeance of the law, and hold out to the penitent offender the hope of pardon. But Albany, actuated by pride and ambition, disdained to sue for mercy ; and without hesitation, entering into the proposed negotiation, threw himself into the arms of England.

In the meantime the Scottish monarch deemed it necessary to assemble his parliament, and to prepare

¹ Rymer *Fœdera*, vol. xii. p. 140.

for vigorous measures. The wardenry of the east marches was committed to the Earl of Angus, that of the west to Lord Cathcart; the fortresses of Dunbar and Lochmaben were strongly garrisoned and provisioned; the Border barons, or those whose estates lay near the sea, were commanded to repair and put into a posture of defence their castles of St Andrews, Aberdeen, Tantallon, Hailes, Dunglass, Hume, Ederington, and the Hermitage; the whole body of the lieges were warned to be ready, on eight days' notice, to assemble under the royal banner, in their best array, with bows, spears, axes, and other warlike gear, and to bring with them provision for twenty days. A penalty was imposed on any soldier whose spear was shorter than five ells and a half; every axe-man who had neither spear nor bow was commanded to provide himself with a targe made of wood or leather, according to a pattern to be sent to the sheriff of the county;¹ and all former statutes concerning the regular military musters, or "weapon-schawings," were enjoined to be most rigidly observed. A tax of seven thousand marks was at the same time ordered to be levied for the victualing and defence of the town of Berwick, which was threatened with a siege by England.

Having finished these preparations, James dispatched an envoy to the English monarch, with a request that he would abstain from granting aid to the Duke of Burgundy, otherwise he should esteem it his duty to send assistance to the King of France.

¹ Acts of the Parliament of Scotland, vol. ii. pp. 132, 133.

He at the same time commissioned a herald to deliver a remonstrance to Edward in a personal interview, but this prince treated the messenger with haughty neglect, detained him long, and at last dismissed him without an answer. Indignant at such conduct, James assembled his army, and advanced in great strength to the frontiers. A singular and unexpected event, however, interrupted the expedition. Before the Scottish monarch had crossed the Borders, a nuncio from the cardinal legate, who then resided in England, arrived in the camp, and exhibiting the papal bull, commanded the king, under pain of excommunication, to abstain from war, and to beware of the violation of that peace which the holy see had enjoined to be observed by all Christian princes, that they might unite their strength against the Turks and the enemies of Christendom. To this remonstrance, the Scottish king found himself obliged to pay obedience, and the army, which was numerous and well appointed, was immediately disbanded. The king, to use the words of the parliamentary record, dispersed his great host which had been gathered for the resistance and invasion of his enemies of England, at the request and monition of the papal bulls shown him at the time, in the hope and trust that his enemies would have been equally submissive to the command of their holy father.¹ In this expectation, however, he was disappointed. To the papal bulls, or the remonstrances for the preservation of the peace of Christendom, Edward paid no regard. Ber-

¹ Rotuli Scotiæ, vol. ii. p. 458.

wick was vigorously, though ineffectually, attacked, and the English army broke across the Borders, carrying fire, bloodshed, and devastation into the country; whilst a squadron of English ships appeared in the Forth, but were gallantly repulsed by Andrew Wood of Leith, whose maritime skill and courage raised him afterwards to the highest celebrity as a naval commander.¹

But these open attacks were not so dangerous as the intrigues by which Edward contrived to seduce from the cause of their sovereign the wavering affections of some of the most powerful of the Scottish nobility. The banished Duke of Albany had, it may be believed, many friends at court; and Edward, having recalled him from France, determined to carry into immediate execution his project for the dethronement of the present King of Scotland, and the substitution of his brother in his stead. These designs, in which the English monarch was supported by the banished Earl of Douglas, the Lord of the Isles, Donald Gorm, and, not long after, by many others of the Scottish nobility, led to an extraordinary treaty between Albany and Edward, which was concluded at Fotheringay castle.² In this the Scottish prince at once assumed the title of Alexander, King of Scotland, by the gift of Edward the Fourth, King of England. He then obliged himself and his heirs to assist that monarch in all his quarrels against all earthly princes or persons; he solemnly engaged to swear fealty and perform homage to Edward within

¹ Acts of the Parliament of Scotland, vol. ii. pp. 138, 139.

² On 10th June, 1482. Rymer Fœdera, vol. xii. pp. 154, 156.

six months after he was put in possession of the crown and the greater portion of the kingdom of Scotland ; to break the confederations and alliance which had hitherto existed between Scotland and the realm of France ; to deliver into the hands of England the town and castle of Berwick, the castle of Lochmaben, and the counties of Liddesdale, Eskdale, and Annandale ; whilst, in the last place, he promised, if, according to the laws of the Christian church, he could make himself " clear of other women," that within a year he should marry the Lady Cæcilia, King Edward's daughter ; the same princess who was already espoused to the heir apparent of Scotland, Prince James. In the event, however, of its being found impossible to carry into execution this contemplated alliance, he stipulated that he would not marry his son and heir, " if any such there be," without the consent of King Edward.¹

In return for these obligations, by which Albany basely consented to sacrifice the independence of his country, the English monarch engaged to assist the duke in his designs for the occupation of the realm and crown of Scotland ; and both these remarkable papers, which are yet preserved in the Tower, bear the signature Alexander R., (Rex,) evincing that Albany lost no time in assuming that royal name and dignity to which he so confidently aspired. But these were not the only dangers to which the King of Scotland was exposed. There was treachery at work amongst his nobles, and in his army. The Earl of Angus, one of the most powerful men in the country, Lord Gray, and Sir James Liddal of Halkerston, appear to have

¹ Rymer *Fœdera*, vol. xii. p. 156.

been nominated by Albany, as his commissioners, to complete those negotiations with the English monarch, of which only the rude outline was drawn up in Fotheringay castle.

Angus was warden of the eastern marches, and, as such, possessed on that side the keys of the kingdom. To the common feudal qualities of courage and cruelty, this chief united a haughty pride of birth, and a contempt for those intellectual studies to which his sovereign was too deeply devoted. His high offices, his opulence, and his magnificent establishment, made him popular; and, by what means it is now difficult to discover, he succeeded in organizing a conspiracy in conjunction with Edward and Albany, which included within its ranks the most powerful persons amongst the Scottish aristocracy, and had for its object the delivery of the monarch into the hands of his enemies. The Earls of Huntley, Lennox, Crawford, and Buchan; the Lords Gray, Hailes, Hume, and Drummond, with certain bishops whose names are not recorded, assembled their forces at the command of the king, but with the secret determination to desert him. It happened unfortunately for the prince, who was thus marked out for destruction, that he had at this moment lavished upon his favourite Cochrane the principal revenues of the earldom of Mar, and had imprudently raised this low-born, but able individual, to an influence in the government, which made him an object of envy and hatred. These feelings were aggravated by Cochrane's conduct. At a season of great dearth, he is said to have persuaded the king to imitate the injurious device practised by other Eu-

ropean princes, of debasing the current coin by an issue of "black money," or copper pieces, mixed with a small quantity of silver, which increased the public distress, and raised the price of all the necessaries of life.¹ To the people, therefore, he was peculiarly obnoxious—and to the barons not less so. Possessing a noble figure, and combining great personal strength, and skill in the use of his weapons, with undaunted bravery, he fearlessly returned the feudal chiefs the scorn with which they regarded him. In the splendour of his apparel and establishment he eclipsed his enemies; and it is not improbable, that the king was weak and shortsighted enough to enjoy the mortification of his nobility, little aware of the dark designs which at that moment were in agitation against him.

Angus and the rest of the conspirators determined to disguise their real design for the dethronement of their sovereign, under the specious cloak of a zeal for reforming the government, and dismissing from the royal councils such unworthy persons as Cochrane and his companions. Having matured their plans, the English monarch commanded his brother, the Duke of Gloucester, to assemble his army; and this able leader, along with Albany and Douglas, advanced, at the head of a great force, which was splendid in its equipment, and accompanied by a park of artillery, to the siege of Berwick. Being informed of this procedure, James commanded a muster of the whole force of his dominions in the Borough Muir, an extensive common to the west of

¹ Chronicle at the end of Winton. Pinkerton's History, vol. i. p. 503. Ruddiman's Preface to Anderson's Diplomata, pp. 66, 67.

Edinburgh ; and, without the slightest suspicion of the base designs of the conspirators, proceeded with his army, which amounted to fifty thousand men, first to Soutra, and from thence to Lauder. Cochrane, who, either in derision, or from his own presumption, was known by the title of Earl of Mar, commanded the artillery, and by the unusual splendour of his camp furniture, provoked still further the envy of the nobles.¹ His tent or pavilion was of silk ; the fastening chains were richly gilt ; he was accompanied by a body-guard of three hundred stout retainers, in sumptuous liveries, and armed with light battle-axes ; a helmet of exquisitely polished steel, and richly inlaid with gold, was borne before him ; and, when not armed for the field, he wore a riding suit of black velvet, with a massive gold chain round his neck, and a hunting horn, tipped with gold, and adorned with precious stones, slung across his shoulder.

On reaching Lauder, the Scottish army encamped between the church and the village ; and the principal leaders, next morning, having secretly convoked a council, which was communicated neither to the sovereign nor to Cochrane, proceeded to deliberate upon the most effectual method of betraying their master, and fulfilling their promises to Edward and Albany. In the course of this debate, all were agreed that it would be expedient to rid themselves, without delay, of the hated Cochrane. His well-known courage,—his attachment to the king,—and the formidable force which he commanded, rendered this absolutely necessary ; they hesitated, however, as to the best mode for his seizure ; and, amid the gene-

¹ Ferrerius, pp. 394, 395.

ral embarrassment and uncertainty, Lord Gray introduced the well-known apologue of the mice having agreed, for the common safety, that a bell should be suspended round the neck of their tyrannic enemy the cat ; but, being thrown into great perplexity when it came to the selection of one bold enough to undertake the office, " Delay not as to that," cried Angus, with his characteristic audacity. " Leave me to bell the cat," a speech which has procured for him, from the Scottish historians, the homely appellation of Archibald Bell-the-Cat. It happened, by a singular coincidence, that at this critical moment Cochrane himself arrived at the porch of the church where the leaders were assembled, under the idea, probably, that it was a council of war in which they were engaged, and fatally ignorant of the subject of their deliberations. He knocked loudly, and Douglas of Lochleven, who kept the door, enquired who it was that so rudely demanded admittance. " It is I," said he, " the Earl of Mar."—" The victim has been beforehand with us," cried Angus, and stepping forward, bade Douglas unbar the gate to Cochrane, who entered carelessly, carrying a riding-whip in his hand, and in his usual splendid apparel. " It becomes not thee to wear this collar," said Angus, forcibly wrenching from his neck the golden chain which he wore ; " a rope would suit thee better."—" And the horn too," added Douglas, pulling it from his side, " he has been so long a hunter of mischief that he needs must bear this splendid bauble at his breast." Amidst such indignities, Cochrane, a man of intrepidity, and not easily alarmed, was for a moment doubtful whether the fierce barons who

now crowded round him were not indulging in some rude pastime. "My lords," said he, "is it jest or earnest?" a question which he had scarcely put when his immediate seizure effectually opened his eyes to the truth. His hands were tied; his person placed under a guard, which rendered escape impossible, and a party was instantly dispatched to the royal tent. They broke in upon the monarch, seized Rogers, his master of music, and others of his favourites, with whom he was surrounded, before a sword could be drawn in their defence; and James, who appears to have been unaccountably ignorant of the plots which had been so long in preparation against him, found himself, in the course of a few moments, a prisoner in the hands of his subjects, and beheld his friends hurried from his presence, with a brutality and violence which convinced him that their lives would be instantly sacrificed.¹ Nor was it long before his anticipations were realized. The moment the royal person was secured, the conspirators dragged Cochrane to the bridge of Lauder. It is said that this unfortunate minion besought his butchers not to put him to death like a dog, with a common rope, but at least to gratify him by using one of the silk cords of his tent equipage; but even this was denied, and he was hanged by a halter over the parapet of the bridge. At the same moment, Dr Rogers, a musician of great eminence, whose pupils were famous in Scotland at the time that Ferrerius composed his history,² shared a similar fate; and along with them, Hommil, Tor-

¹ Lesley's History of Scotland, p. 48. Appendix H.

² Ferrerius, p. 395.

phichen, Leonard, Preston, and some others, whose single fault seems to have been their low birth, and the favour with which the king regarded their talents, were put to death with the like cruel and thoughtless precipitation. When they had concluded this disgraceful transaction, the nobles disbanded the army, leaving their country exposed to the advance of the English under Gloucester and Albany; and having conveyed their sovereign to the capital, they shut him up in the castle of Edinburgh.¹

The consequences of this base conduct were, for the time, fatal to the kingdom. Berwick, whose trade formed one of the richest sources of the Scottish revenue, fell into the hands of the English, and Gloucester advanced to the capital through a country where there was no army to resist him. The Duke of Albany now deemed himself secure of the crown; and the Earl of Angus, possessed of the person of the king, awaited only a full deliberation with the English commander, to complete the revolution by the dethronement of his sovereign. But although the whole body of the Scottish nobility had united willingly with Angus, and had even lent themselves as assistants to Albany and Edward to the extent of completing the destruction of Cochrane and the king's favourites, Angus had hitherto prudently concealed from them the darker portion of the plot; and when hints were thrown out as to his real intentions—when it was obscurely proposed that the Duke of Albany should be placed upon the throne, and their rightful sovereign deposed—he immediately discovered that

¹ Chronicle at the end of Winton. Pinkerton's History, vol. i. p. 503. July 1482.

he had reckoned too surely upon the assistance of the nobles in his ultimate designs. The very idea seems to have caused an immediate separation of parties; and the friends of the government and of the sovereign, suspicious of the ulterior intentions of a leader who began to speculate on treason, withdrew themselves from Angus, and collected an army near Haddington, with which they determined to keep in check the further proceedings of Albany and Gloucester.¹

It was fortunate for these barons that the full extent of their baseness—the convention at Fotheringay, the assumption of the title of king, the sacrifice of the superiority and independence of the country—were not then revealed; and that, having been convinced that a coalition with the royal party was absolutely necessary, they had not so far betrayed themselves as to render it impossible. A negotiation was accordingly opened, in which Schevez, Archbishop of St Andrews, and Levingston, Bishop of Dunkeld, along with Evandale, the chancellor, and the Earl of Argyle, undertook the hazardous and difficult task of promoting a union between the two parties, and effecting a reconciliation between Albany and his royal brother.² It was impossible for these leaders to act under a commission from the king; for since the disastrous execution of his favourites at Lauder, this unfortunate prince had been straitly imprisoned in the castle of Edinburgh, under the care of his two uncles, the Earls of Athole and Buchan. They engaged, therefore, on their own authority, to pro-

¹ Lesley's History of Scotland, p. 49.

² Rymer *Fœdera*, vol. xii. p. 160.

cure a pardon for Albany, and a restoration to his estates and dignities, provided he should return to his allegiance to his lawful sovereign, King James, assisting him in the good government of his realm, and the maintenance of justice. The friends of the duke, with the exception of those whose names had already been marked in the act of parliament, were to be included in the indemnity ; and to these conditions they engaged, by the same deed, to procure the consent of the king, and the confirmation of the three estates.¹

To such an agreement, it may readily be believed that Albany was not loath to accede. It extricated him, indeed, from a situation which was sufficiently perilous : for he found himself unpopular amongst the nobles, and trembled lest circumstances might reveal the full extent of his baseness ; whilst Gloucester, discovering that the schemes of the duke for the dethronement of his brother, and the sacrifice of the independence of the country, had excited an odium for which he was not prepared, determined to withdraw his army, and to be satisfied with the surrender of Berwick as the fruit of the campaign.² There was no difficulty, therefore, in effecting a full reconciliation between Albany and the king's party, which was headed by the Chancellor Evandale, and the prelates of St Andrews and Dunkeld. But it was found a less easy task to reduce to obedience the Earls of Athole and Buchan, who commanded the castle of Edinburgh, and retained possession of the person of the sovereign. These chiefs were the sons of Sir

¹ Rymer Fœdera, vol. xii. p. 161.

² Ibid, p. 162.

James Stewart, the black knight of Lorn, by Joan, queen-dowager of James the First; and if we are to believe the assertions of the king himself, they not only kept the most jealous watch over the person of the sovereign, but would actually have slain him, had he not been protected by Lord Derneley and other barons, who voluntarily remained beside him, and refused either by night or day to quit his apartment.¹ It may be doubted, however, whether the documents in which these facts appear present us with the whole truth; and it seems highly probable, that, amid the dark and complicated intrigues which were carried on at this moment amongst the Scottish nobles, the faction of Athole and Buchan, instead of having a separate interest with Albany, were only branches of the same party, and kept possession of the king's person, that the duke, by the eclat of delivering his sovereign from imprisonment, might regain in the hearts of the well-disposed in the country somewhat of the popularity which he had lost. It is certain, at least, that Albany, upon his restoration to his former high offices of warden of the east and west marches, and lord high admiral, immediately collected an army, and laid siege to Edinburgh castle. The English army² at the same time commenced its retreat to England; and the burgesses of Edinburgh, anxious to re-establish a good understanding between the two countries, agreed to repay to Edward the full sum which had been advanced as the dower of the Lady Cæcilia, his

¹ Mag. Sig. x. 44. Oct. 19, 1482.

² Lesley's Hist. of Scot., p. 49.

daughter, provided he should think it expedient to draw back from the proposed marriage between this princess and the heir apparent of the Scottish throne.¹ In reply to this, Edward intimated his resolution that the intended alliance should not take place ; and, in terms of their obligation, the full amount of the dowery already paid was re-transmitted by the citizens to England. In the meantime, after a decent interval of hostilities, the Earls of Athole and Buchan thought proper to capitulate ; and the castle of Edinburgh, with its royal prisoner, was delivered into the hands of the Duke of Albany, who now became the custodian of the sovereign, and, in concert with an overwhelming party of the nobility, assumed the complete direction of the government.²

The unhappy king, thus transferred from one prison only to fall under a durance still more intolerable, had yet left to him a few friends in the Archbishop of St Andrews, the Chancellor Evandale, and the Earl of Argyle ; but, for the present, it was impossible for them to make any effectual stand against the power of Albany, and they fled precipitately to their estates. Evandale was in consequence deprived of the chancellorship, which was conferred upon Laing, Bishop of Glasgow ; whilst Andrew Stewart, an ecclesiastic, and brother to the Earls of Athole and Buchan, was presented to the bishopric of Moray, and promoted to the office of keeper of the privy seal.

A parliament now assembled at Edinburgh, and all was conducted under the control of the Duke of

¹ Rymer, vol. xii. p. 161.

² Lesley's Hist. of Scotland, p. 50.