

There remains no record by which we can discover whether this treaty was ever made the subject of deliberation in the Scottish Parliament, or even in the privy council; but, fortunately for the peace of the country, it was unknown to the people for many hundred years after the conference. Meanwhile David and his queen remained at the court of Edward, rendered at this time especially brilliant, by the presence of the Kings of France, Cyprus, and Denmark.¹ Amid the splendid entertainments, in which this weak prince endeavoured to forget his kingdom, and to silence and drown reflection, one is worthy of notice. Sir Henry Picard, a wine-merchant, gave a feast, in his own mansion, to his royal master, Edward the Third. He invited, at the same time, the Kings of France, Scotland, Cyprus, and Denmark, with the personal suites of these monarchs, the sons of Edward, and the principal barons of England, who were all welcomed with princely magnificence. Whilst these guests were feasting in the hall, his wife, the Lady Margaret, received, in her own apartments, the princesses and ladies of the court. A simple citizen of London, entertaining five kings in his own house, affords a remarkable picture of the wealth of the capital.

Amid such secret treachery and public rejoicings, the Scottish commissioners continued their negotiations for peace; and, after long debate and delay, re-

¹ Barnes's Edward III. p. 633. *Rotuli Scotiæ*, vol. i. p. 884, 38 Ed. III.

turned to Scotland. David also repaired to his kingdom, and a parliament was summoned to meet at Perth, for the purpose of reporting to the three Estates the result of the deliberations on the projected treaty between the two countries.¹ This great council met accordingly on the 13th of January, 1364, and nothing could be more wise and independent than their conduct. The embarrassment of the nation, resulting from the immense expenditure of public money, and the increasing anxiety caused by the great portion of the king's ransom, which was yet unpaid, are apparent in their deliberations; and they were willing to make every sacrifice in order to extricate the country from the difficulties which surrounded it, to be freed from the payment of the ransom, and to obtain an honourable and lasting peace. For the accomplishment of this end, they declare themselves ready to restore the disinherited lords, meaning by this the Earl of Athole, the Lords Percy, Beaumont, Talbot, Ferrers, Godfrey de Ros, and a few others of inferior note, to the estates which they claimed in Scotland;² and to settle upon the youngest son of the King of England, the lands in Galloway which were the inheritance of Edward Baliol, and the Isle of Man. The annual income of this island is rated at a thousand merks; and it is stipulated, that if the Earl of Salisbury should claim the property of the island, an annuity of one thousand merks sterling should be

¹ Robertson's Parliamentary Records, p. 101.

² Robertson's Parl. Rec. 101. Leland Collect. vol. i. pp. 552, 553.

paid to the prince, until lands of the same value are settled upon him, provided always that he is willing to hold the same as the sworn vassal of the King of Scotland. In the event of such conditions being accepted by England as an equivalent for the ransom, they declare themselves ready to show their sincerity as allies by an invasion of Ireland, conducted by the king in person, and directed against that part of the coast where the landing is likely to be most successful.

The anxiety of the parliament for peace is strongly marked in the next article in their deliberations. If, say they, these conditions, which we are ready to make the basis of our negotiation, are not accepted by England, still, rather than renounce all hopes of a just and lasting peace, we have unanimously agreed that the ransom shall be paid, provided that moderate intervals between each term of payment are allowed; and in the understanding that a perpetual union and alliance takes place between the two nations, if not on terms of a perfect equality of power, at least on such conditions as shall in no degree compromise the freedom and independence of Scotland. In these conditions the Estates declare themselves willing to include the articles regarding the disinherited lords, the provision to the son of the King of England, and the invasion of Ireland, provided the talents and industry of those to whom the negotiation has been intrusted are unsuccessful in obtaining a mitigation of the same. A proportional deduction from the large

¹ Robertson's Parl. Rec. p. 101.

sum of the ransom was of course to be made, if such conditions are accepted by England.

It became, in the next place, a subject of grave consideration with the parliament, what conduct ought to be pursued, if, by such sacrifices, they were yet unable to procure the blessing of peace; and in their deliberations upon this subject, we are introduced to a view of the great efforts which the country was ready to make, and of the mode in which the three Estates proposed to raise money for the payment of the ransom, which is important and instructive.

Of the original sum which had been stipulated, namely, one hundred thousand merks sterling, twenty thousand merks had been already paid; although, owing to the instalments not having been regularly transmitted at the appointed periods, there had been an accumulation of a considerable sum in the form of penalty for non-payment. It was accordingly proposed by the parliament, that England should agree to a truce for twenty-four years, upon which they were ready to pay down annually, during the continuance of that period, five thousand merks sterling, till the sum of a hundred and twenty thousand merks was completed, being the whole accumulated ransom and penalty. Should the English council refuse a cessation on such terms, two other schemes are suggested. The first is the payment of a hundred thousand pounds, at the rate of five thousand merks yearly, exclusive of the twenty thousand merks already received by England; and if this should fail to be accepted, they declare themselves willing, rather than

renounce the hopes of a truce, to pay down in ten years, at the rate of ten thousand merks annually, the full sum of a hundred thousand merks, as stipulated in the first treaty regarding the ransom of the king.

The manner in which this enormous sum was to be raised became next the subject of consideration. It was determined that an annual tax, or custom, of eight thousand merks was to be levied upon the whole wool of the kingdom, and that certain tried and faithful burgesses should be appointed to receive it in Flanders in English money ; but the precaution was added, that it would be necessary to have some experienced person to attend in the weighing-house upon the part of the king, to superintend the annual payments, and watch over the interests of his master. In this manner, eight thousand merks were to be paid annually, according to the conditions of the first treaty.

In addition to this, it was enacted in the same parliament, that a general annual tax should be levied throughout the kingdom of six pennies in the pound upon every person, without exception. Out of this general sum, two thousand merks were to be yearly appropriated to make up the ten thousand merks of the redemption money, and the residue was to remain in the hands of the chamberlain for the necessary expenses of the king.

The lords and barons assembled in parliament solemnly engaged to ratify and approve of any treaty of peace or truce, which the plenipotentiaries who managed the negotiation might conclude with the King of

England and his council, and to adhere to, and carry into effect, the above-mentioned ordinance for the payment of the ransom strictly and faithfully. They agreed, also, that they would not, secretly or openly, for themselves or for their dependents, demand the restoration of any lands, which, during the time stipulated for the payment of the ransom, should happen to fall in the king's hands by ward, relief, marriage, fine, or escheat, but allow the same to remain entire in the custody of the chamberlain for the use of the king; and it is added, that they have adopted this resolution, because the non-fulfilment of these conditions might lead to an utter abrogation of the treaty already in the course of negotiation; an event which could not fail to bring both disgrace and loss upon the king, the prelates, and the nobility, and destruction upon the rest of the kingdom.

The proceedings of this important parliament concluded by an oath, taken by the prelates, lords, and commons who composed it, with their hands upon the holy gospels, that they would, with their whole power, pursue and put down any person whatsoever who should infringe, hinder, or speak evil against any of the resolutions above mentioned; that they would regard such person as a public enemy, and a rebel against the crown, and, under the penalty of being themselves accounted perjured and traitorous persons, would compel him or them to the due observance of the stipulated agreement.¹ The Steward

¹ Robertson's Parliamentary Records, p. 101, 102. The original

of Scotland, with his eldest son, John, Lord of Kyle, afterwards Robert the Third, the Earl of Ross, and Keith, Lord Marischal, were the chief of the higher barons who sat in this parliament. A pilgrimage to the shrine of St Thomas à Becket¹ detained the powerful Earls of March and Douglas in England; but the attendance of the bishops and abbots, of the minor barons and the representatives of the royal burghs, was full and respectable, and the resolutions may be regarded as a very fair criterion of the feelings and wishes of the kingdom.

In consequence of such resolutions, a farther negotiation took place at London, between the English and Scottish commissioners, in which the heads of a new treaty of peace were debated and drawn out.² Of this treaty, the principal articles consisted in a proposed truce, for twenty-five years, between the two kingdoms, and an engagement, upon the part of Scotland, to pay into the English treasury a hundred thousand pounds sterling, in full of all demand for ransom, and of all penalties for non-payment at the stated period. In the mean time, until this long truce should be finally settled, a short one of four years was certainly to take place, during which the negotiations for a just and final peace were to proceed; and if, after the lapse of this probationary period, either country preferred war to peace, in that

record, which has never been published, will be found in the Appendix, letter F. It is dated 13th January, 1364.

¹ Rotuli Scotiae, vol. i. pp. 878, 879.

² Rymer's Fœdera, vol. vi. p. 464.

event, half a year's warning was to be given, previous to the commencement of hostilities, by letters under the great seal.¹ It was stipulated also, upon the part of the King of Scotland, that, in the event of a declaration of war by Edward after the four years' truce, all the sums already paid, during this interval of peace, are to be deducted from the sum of eighty thousand merks of ransom money, which the king has bound himself to pay by letters under his great seal. On these conditions, Edward prorogued the truce from the 20th of May, 1365, for the space of four years,²—anxious to employ this interval of peace in renewed intrigues for the subjugation of the country.

In less than a month after this prorogation, a parliament was held at Perth, in the hall of the Dominican convent, in presence of the king, where the result of the latest conferences between the Scottish and English commissioners, regarding an ultimate peace, was anxiously debated.³ It was attended by the Bishops of St Andrews, Dunkeld, Moray, Brechin, and Quhit-hern, the Steward of Scotland, the Earls of Dunbar, Moray, and Douglas, John de Yle, Keith the Marshal, Sir Robert Erskine, Sir Henry de Eglynton, Sir William de Haliburton, Sir Roger Mortimer, Sir David Flemyng, John of Argyle, Lord

¹ Robertson's Parliamentary Recor. p. 102. The letter of David upon this projected treaty, is dated at the castle of Edinburgh, 12th June, 1365.

² Ibid. p. 103. 20th June, 1365. ³ Ibid. p. 104. 24th July, 1365.

of Lorn, and Gillespie Campbell. In this parliament many of the nobility and lesser barons do not appear to have sat; and the circumstance of sixty-five of the principal Scottish merchants having received safe-conducts for travelling into England during the course of the preceding year,¹ will probably account for the absence of the representatives of the burghs from the same assembly. It would appear, from the fragment of an ancient record of its proceedings, which is all now left us, that Edward, as one of the bases of a final peace between the two countries, had insisted that Scotland, in the event of England being invaded, should assist her ancient enemy with a subsidy of forty men-at-arms and sixty archers, to serve within England, and to be paid by that country. This obligation was to be binding upon Scotland for ever; or, in the event of its not being accepted by England, it was proposed, as an alternative, that David should assist Edward in his Irish war with a body of Scottish troops, who were to serve in Ireland for five years, but only for the space of three months each year. If, on the other hand, Scotland should be invaded by foreigners, an English subsidy of two hundred men-at-arms, and three hundred archers, were promised by Edward for the assistance of his ally, to be supported by Scotland. A reference was finally made to the resolutions drawn up, as the basis of a final peace, in the former parliament, which was

¹ *Rotuli Scotiæ*, p. 885. The safe-conducts are dated the 4th November, 1364, and lasted for a year.

held at Perth in the preceding year ; and it was unanimously determined, that rather than renounce the hope of a lasting and honourable peace, every article contained in these resolutions should be conceded to England, provided that the talents and industry of the commissioners to whom they had intrusted the negotiation did not succeed in obtaining some mitigation of the conditions.¹

The extraordinary sacrifices which the Scottish parliament and the nation were ready to consent to for the sake of peace, encouraged Edward in the hope that the country was at length exhausted by its long struggle for freedom, and that its ultimate reduction under the power of England was not far distant ; and the political measures which he adopted to secure this great end of his ambition, were far more likely to succeed than open force or invasion. The country had been reduced to the lowest pitch of impoverishment in every branch of national wealth ; and in this condition, by the encouragement which he extended to its merchants,² the security and protection which were given to the vassals and labourers who lived upon the lands in Scotland subject to himself or to his nobles, and the privileges bestowed on the religious houses which had come under his peace,³ he contrived to make them feel, in the most lively manner, the blessings of peace as contrasted with the com-

¹ Robertson's Parliamentary Records, p. 104.

² Rotuli Scotiae, vol. i. p. 897. 16th Oct. 1365. Ibid. vol. i. p. 891.

³ Ibid. vol. i. p. 894. 26th May, 1365. Ibid.

p. 887, 906.

plicated miseries of war. The minutest methods of engaging the affections and good wishes of the people were not neglected; and the conqueror at Cressy did not disdain to grant his royal letters to a Scotch tile-maker, that he might improve himself in his mystery by a residence in London.¹

It is impossible now to discover the secret practices, by which he succeeded in corrupting or neutralizing the patriotic principles of the higher classes of the nobility; but the fact is certain, that an almost uninterrupted but secret correspondence took place between the English and Scottish kings;² that several of the greater barons embraced his interests; and that numbers of the knights and gentry of Scotland were detached from their country, either by entering into the service of foreign powers,³ by engaging in pilgrimages to holy shrines in England, or by permitting themselves to be seduced from their severer duties at home by the chivalrous attractions of the splendid court of Edward.

David and his queen paid repeated visits to the shrine of St Thomas of Canterbury; the powerful Earl of March repaired to England upon the same pretence;⁴ John Barbour, Archdeacon of Aberdeen,

¹ Rotuli Scotiæ, vol. i. p. 905.

² Rotuli Scotiæ, vol. i. p. 896. 15th Aug. 1365.

³ Dillon's History of Peter the Cruel, vol. ii. p. 50.

⁴ From the extreme frequency of these pilgrimages, and the abruptness with which the rage for them seems to have seized the Scots, I suspect they were political missions under the cloak of religion. The first of them is in 1357, 12th March. Rotuli Scotiæ,

a name famous as the metrical historian of Bruce, obtained a safe conduct to proceed with six knights upon a foreign pilgrimage ;¹ and we may form some idea of the extent to which these religious expeditions were carried, and the important advantage they gave to Edward in crippling the power of Scotland, from the fact that, in the end of the year 1365, a band of twenty-two Scottish pilgrims, most of them knights and soldiers, having in their company a body of a hundred horsemen, left their own country upon pilgrimages to different shrines in England, Europe, and Asia.² Another hold of Edward over the Scottish barons, was their needy circumstances, and the debts which they had left in England. David himself and his queen did not venture to come into England without a special protection from arrest for his person, his suite, and his whole establishment ; and from the sums expended during their captivity or in their ransom, and in support of the hostages, many of his barons were undoubtedly in the same situation ;³ exposed to the annoyance of an arrest if they thwarted the views of Edward, or treated with indulgence and lenity if they promoted the objects of his ambition.

p. 882. In the year 1363, the Earls of March, Douglas, and Mar, successively visited the shrine of St Thomas a Becket.

¹ Rotuli Scotiæ, p. 897. 16th Oct. 1365. ² Ibid. vol. i, p. 901.

³ Ibid. vol. i. p. 900. 18th March, 1365-6, and p. 901, *salvi conductus, cum protectione ab arresto, pro Rege et Regina Scotiæ, et pro comite Marchiæ limina Sancti Thomæ visitaturis.* See also Rotuli Scotiæ, vol. i. p. 882.

At this time, the English king carried his arrogance so far, as to designate Robert Bruce as the person who had pretended to be the King of Scotland; nor did he deign, in his various dispatches and letters of protection, to give David the royal title, calling him his dear brother and prisoner, and affecting to consider Scotland as part of his own dominions.¹ This was not altogether a vain boast; various parts of that country, and some of its strongest castles, were in his hands, or in the occupation of his subjects; he possessed large tracts on the Marches, in Annandale, Tynedale, Teviotdale, and Liddesdale, whilst the religious houses of Kelso and Melrose, and in all probability other abbeys or monasteries, whose names do not appear in the record, had submitted to his authority, and enjoyed his protection.² Yet although the secret negotiations between the two countries continued, and David and his queen, from the frequency of their visits, seemed almost to have taken up their residence in England, the spirit of the country was in no degree subdued, and Edward found himself compelled to issue orders to Henry Percy, with the barons Lucy, Clifford, Dacres, and Musgrave, to keep themselves in readiness to repel a meditated invasion of the Scots.³

The Scottish parliament which met at Perth in the summer of the preceding year, had expressed a hope that the commissioners, to whom they intrusted the

¹ *Rotuli Scotiae*, vol. i. p. 900. 15th March, 1365-6.

² *Ibid.* vol. i. pp. 794, 875, 877, 880, 887, 894, 896, 902, 908. *Rymer's Fœdera*, vol. vi. p. 594.

³ *Rotuli Scotiae*, p. 896. 20th Aug. 1365.

negotiation of a peace, might succeed in obtaining some mitigation of the rigorous conditions proposed by Edward. In this expectation they were disappointed. That monarch, as was to be expected, increased in the insolence of his demands; and in an assembly of the Scottish council, which took place at the monastery of Holyrood on the 8th of May, when David was, as usual, absent in England,¹ the spirit of the nobles who remained true to their country, seems to have gathered courage from despair. They announced, in the strongest possible language, that the propositions of Edward with regard to the homage, the succession, and the demembration of the kingdom, could not for a moment be entertained; that they involved a submission which was altogether inadmissible and intolerable; and that, in the event of the probable rejection of all overtures of peace, the Scottish people, rather than consent to such degrading terms, were willing to make still greater sacrifices in order to pay off the ransom of their king. For this purpose, they declared themselves ready to submit to an additional tax upon the whole lands in the kingdom, both lay and ecclesiastical; and it was enacted by the same order of council, that directions should be given to the sheriff of each county, to appoint certain days for the appearance of the richest proprietors within his jurisdiction, at which time certain persons deputed by the king or the chamberlain should attend, to mark the precise sum which each

¹ Robertson's Parliamentary Records, p. 104. *Rotuli Scotiæ*, vol. i. pp. 900, 901.

was willing to contribute within three years, towards defraying the ransom of the king, and to collect the same, so that, at the end of the four years' truce, the whole ransom money may be ready to be delivered to England.¹

The Order of Council, from which these facts are extracted, is a mutilated document, and unfortunately contains no further information; but enough of it remains to evince the temper of the Scottish people; and any further attempts at negotiation only served to show the vanity of all expectations of a final peace, and to widen the breach between England and the well affected part of the nation. Preparations for war, orders to the lords marchers to put the Borders in a state of defence, to command an array of all fighting men between sixteen and sixty, and to strengthen and victual the castles on the marches,² succeeded to these abortive attempts at negotiation; and it seems to have been confidently expected in England that the Scots would break or renounce the truce, and attack the Border counties. Meanwhile a Parliament was convoked at Scone on the 20th of July,³ which was fully attended by the bishops, abbots, and priors, by the high lords and lesser barons, as well as the representatives of the royal burghs.

¹ Robertson's Parliamentary Records, p. 104. The fragment of the Order of Council will be found in the Appendix, letter G. Its date is the 8th of May, 1366.

² Rotul. Scot. 906. 908, 909, vol. i. The castles of Berwick, Lochnaben, and Roxburgh, were then in the hands of Edward.

³ Robertson's Parliamentary Records, p. 105. 20th July, 1366.

The expenses which had been contracted by the incessant and wasteful visits of David and his queen to the court of Edward; the heavy sums due by the Scottish commissioners, who had been so long and so fruitlessly engaged in negotiations for peace; and the very large balance of the ransom which still remained unpaid; formed altogether a load of debt, the payment of which was a subject of ceaseless anxiety, and called for new sacrifices. Three years of the short truce had now expired; yet peace appeared now even more distant than before, and war and bankruptcy were fast approaching. In these circumstances, it was resolved to make a last attempt at negotiation; and to intrust its management to the same commissioners, the Bishop of St Andrews, Sir Robert Erskine Wardlaw, Archdeacon of Lothian, and Gilbert Armstrong; with directions that the articles, already drawn up in the former parliament at Perth,¹ should be the basis of their negotiation. If their efforts failed to procure a final peace, they were directed by the Parliament to obtain, if possible, a prolongation of the truce for twenty-five years, on condition that Scotland paid annually four thousand pounds in extinction of the remainder of the ransom. An exact estimate of the actual value of the whole lands in the kingdom, as distinguished from that denominated the ancient extent, was appointed to be taken. In this census were included the lands belonging to the church, the estates of the nobles and lesser barons,

¹ Held on the 13th January, 1364.

the property of the burghers and merchants, and even the goods of the husbandmen or labourers. From this estimate of property, a special exception is made as before in favour of the "white sheep," which were to pay nothing to the general contribution; and it was directed that, on a certain day,¹ the returns should be given in at Edinburgh to the council; after which, on summing up the whole, a contribution of eight thousand marks was to be levied upon the gross rental of the kingdom, to defray the expenses of the king's visits; to pay off the debts which he had contracted in his own kingdom; and to cover the charges of the commissioners. As to the L.4000 annually due as ransom money, it was agreed that, until the return of the commissioners, this should be paid out of the great custom which had been set apart for that purpose in a former parliament. After their return, it was deemed advisable by the parliament that this sum of L.4000 should be taken out of the produce of the general tax upon the property of the kingdom, and that L.2000 out of the same fund be employed to relieve the king from debt, to pay his expenses, and the charges of the commissioners. This last sum was required without delay. It was therefore borrowed from the barons, clergy, and burgesses, in the proportions of one thousand from the first, six hundred from the second, and four hundred merks from the last order; Sir Robert Erskine and Walter Big-

¹ *Infra festum nativitatis beatæ virginis. "Proximo futurum apud Edinburgh," viz. 8th September. Robertson's Parliamentary Records, p. 105.*

gar, the chamberlain, becoming surety to the burghesses that the debt would be duly paid as soon as the general tax was levied upon the property of the kingdom.

Such being the unexampled sacrifices which were cheerfully made by the whole nation, for the relief of the king, and the support of the crown, it was natural and just that some reciprocal favours should be granted for the protection of the people. Accordingly, at the request of the three Estates, it was expressly proclaimed, that justice should be administered to the lieges of the realm without favour or partiality, and that whatever writs or letters had been directed from the Chancellery or other court, in the course of the prosecution of any cause or plea, should not be liable to be recalled by the sealed writ of any other officer; but that the ministers to whom such are addressed were bound to give them full effect, and to return them endorsed to the parties litigant. It was also solemnly stipulated, that no part of the sums collected for the ransom and the expenses of the king, or of his commissioners, should be applied by gift, remission, or otherwise, to any other use; that the church should be protected in the full enjoyment of their rights and immunities; and that all opponents to the regular levying of the tithes should be compelled to submit peaceably to their exaction, under the penalty of excommunication, and a fine of ten pounds to the king. Nothing was to be taken from the lieges for the use of the king unless upon prompt payment; and, even when paid for, the royal officers and pur-

veyors were bound to exact only what was due by use and custom, and not to make the necessity of the king or their own will the rule of their proceeding. The parliament resolved in the next place, that the rebels in Argyle, Athole, Badenoch, Lochaber, and Ross, and all others who had risen up against the royal authority in the northern parts of the kingdom or elsewhere, should be seized forthwith, and compelled to submit themselves to the laws, and to contribute their share in the general contribution; besides being otherwise punished, as appeared best for securing the peace of the community. This brief notice in the Parliamentary Record is the only account which remains of what appears to have been a very serious rebellion of the northern lords, who were encouraged by the present calamitous and distressed state of the kingdom, to throw off their allegiance, at all times precarious, and to refuse to pay their proportion of their contribution for the relief of the kingdom. The principal leaders in this commotion were the Earl of Ross, Hugh de Ross, John of the Isles, John of Lorn, and John de Haye, who positively refused to attend the parliament, and remained in stern independence upon their own estates.

All sheriffs and inferior magistrates, as well within as without burgh, were commanded to obey the chamberlain and other superior authorities, under the penalty of a perpetual removal from their offices. It was specially directed that no barons or knights,

¹ Robertson's Parliamentary Records, p. 105.

travelling through the country with horse or attendants, should permit their followers to insist upon quarters with the inferior clergy, or the farmers and husbandmen, so as to destroy the crops and meadows and consume the grain; that they should duly and justly pay their expenses to the inns where they baited or took up their residence; and that the chamberlain shall take care that, in every burgh, such inns be erected and maintained according to the wealth of the place. No prelate, earl, baron, knight, or other person, lay or clerical, was permitted to ride through the country with a greater following or suite than became their rank; and, under pain of imprisonment, such persons were enjoined to dismiss their bodies of spearmen and archers, unless due cause for the attendance of such a force was shown to the king's officers. All remissions for crimes or offences granted by the king were declared to be null and cancelled, unless the fine was paid within the year from the date of the pardon; and it was finally directed, that these regulations for the good of the state should be reduced to writing under the royal seal, and publicly proclaimed by the sheriffs in their respective counties.¹

In consequence of the resolutions in this Parliament, an attempt appears to have been made to procure a peace, which, as usual, concluded in disappointment, and only entailed additional expense upon

¹ Robertson's Parliamentary Records, pp. 105, 106. The whole record of this parliament, which has never been published, will be found in the Appendix, letter H.

the country.¹ It was followed by warlike indications upon the part of England. Orders were issued to the Bishop of Durham to fortify Norham, and hold himself in readiness to resist an invasion of the Scots; Gilbert Umfraville was commanded to reside upon his lands in Northumberland; an array was ordered of all fighting men between the ages of sixteen and sixty;² and Henry Percy was enjoined to inspect the state of the castles upon the Marches, and in the Anglicised part of Scotland.

It happened, unfortunately for that country, at a time when unanimity and a combination of their utmost strength were absolutely necessary upon the part of the Scottish nobles, that their petty feuds and jealousies should again break out with renewed strength and virulence. During the long captivity of David, and the consequent wild and disorganized state of his dominions, the pride and power of these feudal barons had proceeded to a pitch, destructive of all regular subordination,—they travelled through the country with the pomp and military array of sovereigns; affected the style and title of princes; and, at their will and pleasure, refused to attend the parliament,³ or to contribute their share to the relief of the king and the people. If offended, they retired to their own estates and castles, where, surrounded by their vassals, they could easily bid defiance to the autho-

¹ *Rotuli Scotiæ*, vol. i. p. 909. 8th February, 1366.

² *Ibid.* vol. i. pp. 909, 910, 911.

³ Robertson's *Parliamentary Records*, pp. 106, 108, 116.

urity of the laws ; or they retreated into England, to occupy their time in attending tournaments, or in visiting holy shrines ; or travelling, with an array of knights and squires, to various parts of Europe ; where they lavishly wasted, in the service of foreign powers, or adventures of knight-errantry, the blood and treasures which ought to have been spent in securing the independence of their country.¹ Of this idle and unworthy conduct of the Scottish nobility, the Scottish rolls of the Tower furnish us with repeated examples. The Earl of Douglas, one of the most powerful nobles in Scotland, along with the Earl of March, who held the keys of the kingdom on the Borders, and the Earl of Ross, a baron of the most formidable strength in the north, proudly absented themselves from parliament ; and soon after, Douglas, with a retinue of four-and-twenty horse, obtained a safe-conduct from Edward to travel into England, and beyond seas ; whilst his example in deserting his country was imitated by a body of thirteen Scottish clerks and barons, attended by a body of seventy-five horse.² In the battle of Nagera in Spain, fought a short time before this, between Edward the Black Prince, and Peter the Cruel, against Henry of Transtamarre, many Scots were in the army of Henry ; and we have already seen that, some time before the same period, there appear to have been frequent emigrations of

¹ *Rotuli Scotiæ*, vol. i. p. 924. 16th October, 1368.

² *Ibid.* vol. i. pp. 915, 916. 16th and 26th October, 1367.

Scottish adventurers to join the Teutonic knights in Prussia.¹

These, however, were not the only distressing consequences attendant on the long captivity of the king. The patrimony of the crown had been grievously dilapidated during the period of misrule and confusion, which, notwithstanding all the efforts of the Steward, succeeded the battle of Durham. It was no longer what it had once been. Its rents and customs; its duties and its fines; its perquisites and privileges, had been gradually disused, or silently encroached upon; and in some instances, its lands had probably been seized, or made the subject of sale or gift; so that, from the actual want of funds, the king found it difficult to live in Scotland, or to support, as it became him, the expenses of his royal establishment, without a constant and oppressive taxation; and this, perhaps, is the best excuse, although a very insufficient one, for his frequent visits to England, and long residences in that country. As far back as 1362, we find that David's first queen had been under the necessity of pawning her jewels for debt; and, only four years after, her royal consort was compelled to adopt the same painful expedient.²

This defalcation in the royal revenue amounted at length to a serious grievance; and a parliament was summoned at Scone, on the 27th of September,

¹ Dillon's History of Peter the Cruel, vol. ii. p. 50.

² *Compotum Camerarii Scotiæ*, pp. 395, 464.

1367,¹ for the purpose of taking the subject into consideration. It was determined that, to defray the expenses of the royal establishment, and to enable the king to live without oppressing the people, the patrimony of the crown must be restored to the condition in which it stood in the time of Robert the Bruce and Alexander the Third; and that all the rents, duties, payments in kind, customs, perquisites and emoluments, with all the reversions, and debts, or fines, which, having accrued to it in the interval between the death of these monarchs and the present day, had been grievously dilapidated, should be forthwith reclaimed. It was declared, with that shortsighted and sweeping spirit of legislation which marks a rude age, and a gross contempt of the rights of third parties;—that if these rents or duties belonging to the crown had been disposed of, by grant, farmed out upon lease, for a tract of years; or, under certain conditions or limitations, had been entirely abolished; or, if the crown-lands had been let, either by the king or his chamberlain, still, such was the urgency of the case, that every thing was, by the speediest possible process, to be restored to it, as if no such transaction had ever taken place; all such leases, limitations, gifts, or private contracts, were pronounced null and void, and the whole patrimony was restored full and entire,

¹ Robertson's Parliamentary Records, p. 108. 27th Sept. 1367. The record of this parliament will be found printed in the Appendix, letter I.

with its ancient servitudes and privileges, into the hands of the king. All lands in ward, all the feudal casualties, due upon the marriage of crown vassals, with the escheats and fines or perquisites of courts, were to remain in the hands of the chamberlain for the king's use ; and if the sovereign was anxious to promote or reward any individual, this was directed to be done out of the movable property of the crown, and with the advice of the privy council. All deeds or charters, by which such dilapidations of the property of the crown had been made, either in the time of Robert Bruce, or of the present king, were ordered by the parliament to be delivered into the exchequer at Perth, to remain in the hands of the chancellor and the chamberlain, and any such deeds not so delivered upon the appointed day, were abrogated, and declared to be of no force or effect in all time coming.¹

In the same parliament, a wise and salutary regulation was introduced with regard to those lands and estates in Scotland, which, as has been already mentioned, were at this time in the hands of the enemy. It was declared, that, as several large districts in the different counties of the kingdom had long been, and still were, "under the peace" of the King of England, in which there were diverse lands holding in capite of our lord the king, and of which the rightful heirs have remained in Scotland his faithful and liege subjects, it was deemed expedient by the parliament,

¹ Robertson's Parliamentary Records, p. 108.

as soon as the regular forms have been complied with, and such persons found by a jury to be the true and lawful heirs, that they should be entitled to receive letters of sasine to be directed to the sheriffs of the counties where the lands lay, which officers were commanded to give sasine to the true proprietors in their respective courts. Such sasine was pronounced to be in every respect as valid to themselves and their heirs, as if the feudal ceremony had taken place upon the lands themselves; nor was their possession by the enemy, for however long a period, to operate to the loss or prejudice of their true proprietors.¹

Still clinging eagerly to the hopes of peace, and well aware from experience, of the evils of a protracted war, the parliament recommended a renewal of the negotiations on this subject, and empowered the king and his privy council to choose commissioners, and to impose a tax for the payment of their expenses, without the necessity of calling a new parliament, and obtaining its sanction for their proceedings.² The greater the anxiety, however, which was manifested by the Scots, the less likely was Edward to listen to their representations, or to indulge them so long as they asserted their independence, with any hopes of a permanent peace. Two attempts at negotiation, which were made within the space of a few months, by the same commissioners who had hitherto been so eminently unsuccessful in all their diplomatic under-

¹ Robertson's Parliamentary Records, p. 109. ² Ibid. p. 109.

takings, ended in new and more intolerable demands upon the part of Edward, and a determined refusal by the Scottish parliament to entertain them for a moment.¹ This, however, did not prevent the king and his consort from setting out on their usual visit to England. With a retinue of a hundred knights, and a splendid and numerous body of attendants, they travelled to the shrine of St Thomas of Canterbury, and in this foolish parade of pleasure and devotion, incurred a deeper load of debt, at the very time that their poverty had become the subject of parliamentary inquiry, and when they could not venture to visit England without a royal protection from arrest.² The sums thus idly thrown away, on their return had to be wrung out of the hard-earned profits of the commercial and labouring classes of the community, in a country already wasted and impoverished by a long war; and it is difficult to find terms sufficiently strong to reprobate such unworthy conduct upon the part of a sovereign, who already owed so much to his people.

The state of Scotland, and the relations between that country and England, at the present period, were of a very extraordinary nature. There was a perpetual amicable correspondence between the merchants of both countries; and a commercial intercourse of unexampled activity, especially upon the part of Scot-

¹ *Rotuli Scotiæ*, vol. i. p. 916, 28th Oct. 1367, and 917; 22d Jan. of the same year. Robertson's Parliamentary Records, p. 112.

² *Rotuli Scotiæ*, vol. i. p. 917.

land, which was encouraged and protected by Edward; pilgrimages to holy shrines, emigrations of Scottish students to the universities of the sister country, perpetual embassies and negotiations regarding a final peace, appeared to indicate the utmost mutual anxiety to preserve the truce, and an earnest desire that the amity should continue. But much of this was hollow. Orders to the English wardens to strengthen the castles on the marches, to summon the vassals who were bound to give suit and service, to call out the array of all who were able to bear arms between the ages of sixteen and sixty, and repeated commands to the lords marchers to be ready to repel the enemy at a moment's warning, occur in the midst of these pacific and commercial regulations, and give ample proof that a spirit of determined hostility still lurked under all these fair appearances. Yet Edward, from the calamitous circumstances in which the country was placed, had a strong hold over Scotland. The king's extreme unpopularity with the people, the load of personal debt contracted by himself and his queen, and the constant irritation and jealousy with which he continued to regard the High Steward, whom he still kept in prison,¹ rendered any lengthened residence in his own dominions peculiarly unpleasant; and in this manner not only did the breach between

¹ Fordun a Goodal, vol. ii. p. 380. Chamberlain's Accounts, vol. i. p. 498. From these curious and authentic documents we learn, that the expenses of the Steward's maintenance in prison for three weeks, were 5 lb. 13 sh. and of his son Alexander, 21 shill. Ibid. p. 524.

the sovereign, and the barons who supported the cause of independence, become every day wider, but David's anxiety to reside in England, and his unnatural desire to favour the intrigues of Edward, grew into a confirmed passion, which threatened the most fatal effects.

The nation had already been weighed down by a load of taxation which it was little able to bear; some of the strongest castles and most extensive districts on the marches were possessed by English soldiers; the northern parts of the kingdom were in actual rebellion; many of the islands in the western seas were occupied and garrisoned by the English;¹ and Edward possessed the power of cutting off the only source of Scottish wealth, by prohibiting the commercial intercourse between the two countries. We are not to wonder, then, at the sanguine hopes which this able monarch appears to have entertained, of finally completing the reduction of Scotland, but rather to admire the unshaken perseverance with which, under every disadvantage, this country continued to resist, and finally to defeat, his efforts.

In a parliament held at Scone in the summer of the year 1368,² whose spirited rejection of the conditions of subjection and dependence proposed by Edward, has been already alluded to, the rebellion of the northern parts of the kingdom, and the most effectual methods of reducing these wild districts to obedience, were anxiously considered. John of the

¹ Robertson's Parliamentary Records, p. 116. ² Ibid. p. 112.

Isles, one of the most powerful of the refractory chiefs, had married a daughter of the Steward of Scotland,¹ who was considered, therefore, as in some measure responsible for his son-in-law; and David, probably not unwilling to implicate this high officer as a disturber of the peace of the kingdom, addressed him in person, and charged him, with his sons the Lords of Kyle and Menteith, to defend his liege subjects within the territories over which their authority extended, and to put down the rebellion which had arisen, that in the event of war, the estates of the kingdom might there have a safe place of retreat; an expression strongly descriptive of the desperate conjuncture to which the affairs of the country were reduced.² John of the Isles, Gillespie Campbell, and John of Lorn, were commanded to present themselves before the king, and to give security for their future pacific conduct, so that they and their vassals should no longer alarm and plunder the land, but, along with their equals and neighbours, submit to the labours and the burdens imposed upon them by the laws.

There is something striking and melancholy in the tone of the parliament, where mention is made of the feuds amongst the nobility; and a hopelessness of relief appears in the expressions which are employed, evincing, very unequivocally, how far above the reach of parliamentary remonstrance or command these petty sovereigns had raised themselves. They are

¹ Robertson's Parliamentary Records, p. 115. ² Ibid. p. 112.

addressed in the language of advice and entreaty; the absolute necessity of providing for the defence of the kingdom is insisted on; and they are earnestly and somewhat quaintly admonished to compose their feuds and dissensions, or at least to satisfy themselves by disquieting each other in the common way of a process at law. The king is recommended to hold a council with the Earls of March and Douglas, the wardens of the east marches, although, it is added, these barons are little disposed to labour for the common weal. The chamberlain, assisted by a committee of four knights of soldierly talent and experience, was directed to visit, in the first place, the royal castles of Lochleven, Edinburgh, Stirling, and Dumbarton, and to give orders for their being completely repaired, garrisoned, victualled, and provided with warlike engines and other necessaries for defence; after which, the remaining castles in the kingdom were to be carefully surveyed, and put into a state of effectual resistance.¹ But the strength and activity in the royal authority, which was absolutely requisite to carry these wise regulations into effect, were at this time pre-eminently wanting in Scotland; and, nine months after this, when the great council of the nation again assembled,² the rebellion in the north was still only partially extinguished. John of Lorn and Gillespie Campbell had indeed submitted

¹ Robertson's Parliamentary Records, pp. 112, 113. The record of this parliament, which met at Scone on the 12th June, 1368, will be found in the Appendix, letter L.

² Ibid. p. 113. 6th March, 1368.

themselves, and again made their appearance among the higher nobility ; whilst the Earls of Mar and of Ross, with other northern barons, alarmed at last by a sense of the public danger, joined in the deliberations for the national security, and solemnly engaged, for themselves and their vassals, to administer justice, put down oppression, and assist the royal officers and collectors of the revenue within their territories and estates, to the utmost of their power and ability. The Steward of Scotland, also, who attended the parliament in person with his two sons, came under the same obligation for the divisions of Athole, Strathern, Menteith, and other lands in the northern parts of the kingdom ; but John of the Isles proudly refused to submit, and, in the wild and inaccessible domains over which his authority extended, defied the royal power, and insisted that his islanders were not bound to contribute their portion to the public burdens. The truce was now within a single year of its expiry ; and many districts of the country, by the ravages of Border war, and by long neglect of culture, were unable to pay the contributions, upon which its continuance could alone be secured. To prevent the misery of a famine in some places, Edward permitted the distressed inhabitants to purchase the common necessaries of life in England ; and, to such a height had the dearth proceeded, that it was found necessary to import from that country, under a royal license, the most ordinary supplies which were required for the use of David's household.¹ Yet, in the midst

¹ Rotuli Scotiæ, vol. i. pp. 924. 930.

of this unexampled distress, it was resolved by parliament to make a last effort to discharge the remaining sum of the ransom, by imposing a tax of three pennies in the pound, to be levied generally over the kingdom; and, at the same time, the Bishop of Glasgow and Sir Robert Erskine were dispatched upon a mission to England, for the purpose of negotiating a prorogation of the truce.¹

It was at this moment, when Scotland seemed to be rapidly sinking under her accumulated distresses, that Providence, by one of those events which alter and over-rule the destiny of nations, again inspired life and hope into the country. Edward, irritated at the contempt evinced by Charles the Fifth for the most solemn articles in the treaty of Bretigny, again plunged into a war with France, in which the successes of Du Guesclin soon convinced him, that a concentration of his whole strength would be absolutely required to restore his affairs in that country to any thing like their former prosperity. Peace to him became now as necessary as to the Scots; and the imperiousness of his demands experienced an immediate relaxation. There was now no longer any mention of those degrading terms of subjection and dismemberment, which had been so indignantly repelled by the Scottish parliament; and the English monarch at last consented to a treaty, by which the truce between the kingdoms was renewed for the space of fourteen years.² Fifty-six thousand merks of the

¹ Robertson's Parliamentary Records, p. 114. Rotuli Scotiae; vol. i. p. 928, 6th April, 1369.

² Robertson's Parliamentary Records, p. 116. From 2d Febru-

king's ransom remained still unpaid; and it was agreed that the country should annually transmit to England the sum of four thousand merks till the whole was defrayed. As to the estates in the county of Roxburgh, which were then in possession of English subjects, who claimed them as their lawful inheritance, and the inhabitants of which had come under the peace of the English king, a regulation was made, by which one-half of their rents was to be received by the Scottish proprietors, who had been dispossessed by the superior power of England; while at the same time the lands, with their tenantry and vassals, were to remain in the same state of fealty and obedience to Edward and his heirs in which they now were, and to be justly and loyally governed by the advice and consent of a council of English and Scottish subjects.¹

Some time before affairs took this favourable turn, the condition of the northern districts, and the conduct of John of the Isles, again called for the serious and immediate interference of government. The Steward had solemnly engaged to reduce the disaffected districts; but, either from want of power or inclination, had failed in his attempt; and David, incensed at the continued refusal of the Islands to contribute their share in the general taxation, and as-

ary to the 24th August, or Purification of the Virgin, 1369; and from that date for fourteen years.

¹ Robertson's Parliamentary Records, p. 116. The letter of the prelates and barons of Scotland, containing the conditions of the truce, is not dated; but it seems to have been written a few days before the 1st of August, 1369. See *Rotuli Scotiae*, vol. i. p. 934.

suming an unwonted energy of character, commanded the attendance of the Steward, with the prelates and barons of the realm, and, surrounded by this formidable body of vassals and retainers, proceeded against the rebels in person. The expedition was completely successful. The rebel prince, John of the Isles, with a numerous train of those wild Highland chieftains who followed his banner, and had supported him in his attempt to throw off his dependence, met the king at Inverness, and submitted to his authority. He engaged in the most solemn manner, for himself and his vassals, that they should yield themselves faithful and obedient subjects to David, their liege lord; and not only give due and prompt obedience to the ministers and officers of the king in suit and service, as well as in the payment of taxes and public burdens, but that they would coerce and put down all others, of whatever rank or degree, who dared to raise themselves in opposition to the royal authority, and would either compel them to submit, or would pursue and banish them from their territories: for the fulfilment of which obligation, the Lord of the Isles not only gave his own oath, under the penalty of forfeiting his whole principality if it was broken, but offered the High Steward, his father in law, as his security, and delivered his lawful son Donald, his grandson Angus, and his natural son, also named Donald, as hostages for the strict performance of the articles of the treaty.¹

¹ Robertson's Parliamentary Records, p. 115. The submission of John of the Isles, dated the 15th of November, 1369, will be found printed in the Appendix M.

It is stated, by an ancient historian, that in reducing, within the pale of regular government, and obedience to the laws, the wild Scots and the islanders, who had long resisted all regular and legitimate authority, David employed artifice, as well as force, by holding out high premiums to all those who succeeded, either in slaying, or making captive, their brother chiefs. In a short time, the expectation of reward, and the thirst-for power and distinction, implanted the seeds of disunion and war amongst these rebel chiefs, and they gradually wrought out their own destruction; so that, the leaders of the rebellion being cut off, their dominions were easily reduced into a state of quiet and subjection.¹

Soon after the king's return from an expedition which he had undertaken in the depth of winter, and conducted with great ability and success, a parliament was assembled at Scone, for the purpose of taking into consideration the state of the kingdom, the expenses of the royal household, and the administration of justice to the lieges. In the parliament which had been held at Perth in the preceding year,² an expedient had been adopted, apparently for the first time, by which part of the community of Estates were allowed to absent themselves, after they had chosen certain persons amongst the prelates and barons, who might deliver judgment in the pleas of law, and consult upon the general business of the nation. In this parliament, the same measure was

¹ Fordun a Goodal, vol. ii. p. 380.

² Robertson's Parliamentary Records, p. 113.

repeated, with greater formality and distinctness. A committee, consisting of six of the clergy, amongst whom were the Bishop of Brechin, the Chancellor, and the Chamberlain John de Carrie, fourteen of the barons, and seven of the burgesses, was appointed to deliberate, and give their judgment, upon all such judicial questions and complaints as necessarily came for decision before the parliament. To a second committee, including in its numbers the clergy and the barons alone, was intrusted the management of certain special and secret affairs touching the king and the nation, which it was not deemed expedient, in the first instance, to communicate to the parliament at large: a dangerous and somewhat despotic innovation upon the freedom of the great council of the nation; indeed had this change been introduced earlier in the present reign, it would have placed an instrument in the hands of the king, and the corrupted part of the nobility, which might have been directed with fatal success against the independence of the country. This second committee consisted of six of the clergy and eleven of the barons, with such other members as the king chose to select; and it was specially ordained, that no person whatever, however high his rank, should be permitted to introduce into the council of parliament, or the privy council, any member as his adviser or assessor, unless such as had been chosen by the general vote of the parliament.

The necessity of this secrecy as to the affairs which came before the committee intrusted with the consideration of the king's debts, was soon apparent, and the object of excluding the representatives of the

royal burghs from this committee could not be mistaken. It was declared, that all the debts of the king, throughout the whole realm, which had been contracted up to the period of the Exchequer Court, held at Perth, at the Epiphany, in the year 1368, were remitted and cancelled; that from this date, and in all time coming, whatever was borrowed for the ransom or the royal expenses should be promptly paid; and that no customs, services, or perquisites, should be levied by the king's officers for the aid of the crown, but according to the ancient and established practice of the realm. In this manner, by the very first public act of this partial and unconstitutional committee, were the great principles of good faith most wantonly sacrificed, and the rights of the mercantile classes, who had advanced their money, or sold their goods, for the royal use, trampled upon and outraged, by an act which was as mean as it was unjust.

In the next place, as to the public burdens, an attempt was made, in consequence of the northern parts of the kingdom having been reduced under the king's authority, to equalize the taxation over the whole country. To pacify the dangerous murmurs of the Lowland districts, which produced wool, and paid on every sack a heavy tax to the crown, it was determined, that in those upper counties where this tax was not collected, because sheep had not been introduced,¹ but which abounded in agricultural produce,

¹ Robertson's Parliamentary Records, pp. 109, 113. The exemption in favour of "white sheep" in the taxation by the parliament

the chamberlain should either lay an annual tax upon the crops and farm stocking for the support of the king's household, according to ancient usage, or that the king, at certain fit seasons, should remove his person and court to these Highland districts, and, during his residence there, assess them for his support. The extensive estates, or rather dominions, of John of Lorn, John of the Isles, and Gillespie Campbell, with the territories of Kintyre, Knapdale, and Arran, were the lands where the new regulation was enforced.

It was ordained in this parliament, that no native subject or foreigner, of whatever rank he may be, shall export money, either of gold or silver, out of the country, always excepting such sums as are necessary for the travelling expenses of those who have been permitted to leave the realm, unless he pay forty pennies upon every pound to the king's exchequer; and with regard to those who make a trade of purchasing horses, cows, or other animals for exportation, they were commanded to pay a duty of forty pence upon every pound of the price of the horse, and twelve pence upon the price of all other animals; for which tax the sheriffs and bailies of burghs shall be responsible in their accounts to the king's exchequer. In the event of any contravention of the regulations as to the export of the coin, the person so offending was fined twenty shillings upon every penny of the duty which he had eluded; a strict investigation was

of 20th July, 1366, (Robertson's Parliamentary Records, p. 105) was intended probably, as an encouragement to the introduction of a new breed.

ordained to be made of all such defaulters, in order that the quantity of coin which had been carried out of the kingdom might be accurately determined; and they were directed to be tried by indictment before the Justiciar: as grievous complaints had proceeded, from every county in the kingdom, against the malversation and extortion of the mairs, sergeants, and other officers of the crown; and such grave and weighty accusations had even been made to the king in person, it was judged expedient to adopt some decided measures against this evil. Accordingly, orders were given to the justiciars and chamberlains, in their several counties, to cause all persons who, since the period of the king's captivity, had enjoyed these offices, whether they held their situations by fee, or as substitutes, or for a limited time, to appear before them on a certain day, previous to the conclusion of the present parliament, when an investigation was to be made, before the three Estates, of the exact amount of the loss which the king had sustained by their malversation. All who were in this manner detected of such base practices, were ordered to be imprisoned, and to lose their offices for the whole period of their lives.¹ The justiciars, sheriffs, and other inferior judges, were strictly commanded not to give execution to any mandate under any seal whatever, not excepting the great or the privy seal, if such mandate is contrary to the law of the realm: an order indicating a very corrupted state of public justice; and the merchants and burgesses

¹ Robertson's Parliamentary Records, pp. 117, 118.

were enjoined not to leave the kingdom without license from the king or the chamberlain.

Such were the only important regulations which were passed in this parliament, the last which was held by David the Second.¹ The same year was rendered remarkable by the divorce of the queen; an incident, of which the private history is involved in much obscurity. She was beautiful, and apparently fond of admiration. The little we know of her private life proves her to have been expensive, and addicted to costly pilgrimages, in which she was accompanied with a gallant retinue of knights and attendants; expeditions, in those times, undertaken for the purposes of pleasure and intrigue, rather than devotion. She appears, also, to have been ambitious to interfere in the public affairs of the kingdom; and we have seen that, not long before this, her influence persuaded the king to cast the Steward and his sons into prison. Nothing, however, can be more dark or unsatisfactory than the only notice of this singular event which remains to us; and, unfortunately, the public records throw no light upon the transaction. The sentence of divorce was pronounced in Lent; but the queen, collecting all her wealth, found means to convey herself and her treasure, with great privacy, on board a vessel in the Forth, in which she sailed for France, and carried her appeal in person to the Papal Court then at Avignon. Her gold obtained for her a willing ear with his holiness; nor was the king,

¹ 18th February, 1369.

who sent his envoys for the purpose to the court of the Pope, able to counteract the favourable impression. The cause disturbed the kingdom; and was so bitterly contested, that an interdict began to be threatened, when the fair appellant died herself, on her journey to Rome.¹ What became of the process, or what judgment was ultimately pronounced, cannot now be discovered; but, so late as the year 1374, Robert the Second considered the cause of such moment, that he dispatched an embassy to Charles the Fifth of France, soliciting that prince to use his influence, with the Pope and cardinals, to obtain a favourable decree.²

Immediately after the divorce, the High Steward and his sons were liberated from prison, and restored to favour; while the king, whose life had been devoted to pleasure, began to think of his sins, and, in the spirit of the age, to meditate an expedition to the Holy Land. For this purpose, he assembled at his court, and in every way favoured and encouraged, the bravest knights of his time, declaring it to be his intention to appoint a regency, and depart for Palestine, with the purpose of spending the

¹ Fordun a Goodal, vol. ii. p. 380.

² Robertson's Index to the Charters, p. 100. No. 4. When at Avignon, Margaret Logy borrowed 500 merks from three English merchants, one of whom was William of Walworth,—in all probability the same person who afterwards became mayor of London, and stabbed Wat the Tyler. *Fœdera*, vol. vi. p. 727. She is mentioned as the quondam Queen of Scotland in the Chamberlain's Accounts, vol. i. p. 521.

remainder of his life in war against the Infidels. But, in the midst of these vain dreams of chivalry and superstition, a mortal illness seized upon him, which baffled all human skill, and he died in the castle of Edinburgh, on the 22d of February, 1371, in the forty-seventh year of his age, and the forty-second of his reign.

It is painful to dwell on the character of this prince; who was, in every respect, unworthy of his illustrious father. It happened, indeed, unfortunately for him, that he was promoted to the throne when almost an infant; and not only lost the advantage of paternal instruction and example, but, by the early death of Douglas and Randolph, was deprived of the only persons who might have supplied the place of a father; whilst his long exile in France, and a captivity of eleven years, rendered him almost a stranger to his people. Had there, however, been any thing great or excellent in David Bruce, he would have surmounted these disadvantages; yet we look in vain for a noble, or even a commendable, quality; whilst the darker parts of his disposition are prominently marked. He was uniformly actuated by a devotion to his own selfish pleasures, and a reckless disregard of all those sacred and important duties which a king owes to his people. His understanding was one of very limited and moderate power; and, while he formed his opinions upon hasty and superficial views, he was both obstinate in adhering to them when evidently erroneous, and capricious in abandoning them before they were proved to be ill-founded. The bat-

tle of Durham, with his own captivity, and the long train of calamities which it entailed upon the nation till the conclusion of his reign, were the fruits of his obstinacy; the inconsistent wavering and contradictory line of policy, which is so strikingly discernible in his mode of government after his return, was the fatal effect of his passion and caprice: personal courage and intrepidity he undoubtedly possessed. It was the solitary quality which he inherited from his father; and of this he gave a memorable proof, in his proposal to alter the order of succession in favour of an English prince,—a measure of singular baseness and audacity.

It is this that forms the darkest blot upon his memory. His love of pleasure, and devotion to beauty, will find an excuse in many hearts; his extravagance may be called kingly, even when supported by borrowed money: but it can never be palliated or forgotten, that he was ready to sacrifice the independence of the kingdom to his love of his own personal liberty, and his animosity against the Steward,—that the most solemn oaths, by which he was bound to his people, were lightly regarded, when brought in competition with these selfish and sordid passions. Such a monarch as this, who, at the mature age of forty-seven, evinced no real symptoms of amendment, was little likely to improve in his latter years; and it is humiliating to think, that the early death of the only son of Robert the Bruce must have been regarded as a blessing, rather than a calamity, by his country.