

## CHAPTER XXVII.

Death of Margaret of Scotland.—Statute of the Confirmation of the Charters.—Claimants for the Scottish Crown.—Conferences near Norham Castle.—Claims of king Edward to feudal superiority.—John Balliol king of Scotland.—English Invasion of Scotland, 1296.—Balliol resigns the Crown.—William Wallace.—Insurrection of 1297.—Battle of Falkirk.—Warfare prolonged by Wallace.—Demands of the Pope.—Parliament of Lincoln.—Siege of Stirling.—Capture and execution of Wallace.—Robert Bruce slays Comyn.—He is crowned king.—The feast of the Swans.—Death of Edward I.

DURING the absence of Edward I. from England, from 1286 to 1289, the public events of the kingdom were not of great importance. There was an insurrection of the Welsh, in 1287, which was subdued by the king's justiciary; and the English people suffered greatly from the rapacity of judges, sheriffs, and other officers. Much of the plunder which they had extracted from the king's subjects the king compelled them to disgorge, in the form of fines to himself. It is not recorded that he made compensation to those whom his rapacious satellites had defrauded. Whilst Edward was in Gascony, Alexander III., king of Scotland, had died. He had married Edward's sister, who, some years before, had died, leaving two sons, and a daughter, Margaret, who married Eric, king of Norway. The two sons of Alexander of Scotland died young; and Margaret, his grandchild, was the heir-apparent to the Scottish throne. Her right had been solemnly acknowledged in 1284, at Scone. In 1290, Edward I. successfully negotiated a marriage for his son, Edward Prince of Wales, with this young heiress of the Scottish crown. The maid of Norway, as she was called, set sail for England, but the voyage was too exhausting. She was compelled to land on one of the Orkney islands, and there died, in October of that year. Had this marriage been accomplished, it is not improbable that some of the fierce national contests and the terrible border-feuds of three centuries might have been spared. There were no distinctions of race and language, at the end of the thirteenth century, to have prevented that more intimate union of the two countries which would have resulted from

such an alliance as that contemplated by the politic king of England. The great nobles of each nation were essentially of the same Norman blood. Some had possessions in both countries. The strong national feeling of the Scotch was carefully provided for in this treaty of marriage, by which it was declared that the laws and liberties of Scotland should be inviolably observed, and that the kingdom should remain free and without subjection. But, nevertheless, Edward introduced a clause, saving to himself the rights which existed before the date of the treaty, by which clause he strove to maintain his claim to feudal superiority. Still a gradual course of friendly intercommunication might have produced, even under the feudal system, a real union between countries so essentially connected by nature and social interests. An attempt was made to effect that union by sudden conquest; and the attempt alienated England and Scotland for many generations. The perfect amalgamation of the two countries was the work of four centuries. Institutions effected what despotic power could not accomplish. But the long fight of Scotland for national independence had the consequence of making the alliance of the two kingdoms more complete and enduring when it was ultimately perfected. The Englishman who now reads of the deeds of Wallace and Bruce, or hears the stirring words of one of the noblest lyrics of any tongue, feels that the call to "lay the proud usurpers low," is one which stirs his blood as much as that of the born Scotsman,—for the small distinctions of locality have vanished, and the great universal sympathies for the brave and the oppressed stay not to ask whether the battle for freedom was fought on the banks of the Thames or of the Forth. The mightiest schemes of despotism speedily perish. The union of nations is accomplished only by a slow but secure establishment of mutual interests and equal rights.

King Edward had past his fiftieth year when the third great struggle of his life was coming on. He was in the prime of youthful manhood when he won the battle of Evesham. He was past the middle term of his days when he subjected Wales to his dominion. His war against the independence of Scotland endured till he sank under its fatigues and anxieties, an aged man. But at every stage of his existence he was a prince of indomitable energy; with an ambition not ill regulated, but aspiring to great ends by courses which we now think cruel and unjust. Hatred as some of his acts seem, they were in accordance with the spirit of his age. Possessing the strong will which distinguished so

many of the Norman kings, he had a constant desire to exercise it in endeavouring to rule in England by prerogative rather than by law. But he had always the good sense to yield at the proper moment, when that will was resisted by a power as strong as his own,—that of the parliament, which now, to some extent, spoke the voice of the commonalty, as well as that of the aristocracy and the church. The designs of the king upon Scotland, maturing at the time when he had disputes with Philip of France, could not be carried through without the imposition of heavy taxes. Edward had several times endeavoured to escape from the obligations of the Charters, and had refused to confirm them, such confirmation at that period being thought necessary to their validity. It was in 1297, when the Scots were in arms against the claims of the king of England, that his subjects exacted from him the Statute of the Confirmation of the Charters. This famous law went, however, much further than the previous charters, in placing the liberties of the country upon a solid foundation. The king's prerogative of levying tallage from his towns and tenants in demesne had not been adequately resisted. He had imposed a large duty on the export of wool, the great produce of the land. The growers of the country and the merchants of the ports were alike interested in setting limits to this power. It could no longer be exercised after the passing of this statute but "by the common assent of the realm."\* There were two eminent men at that time who fought this great battle of the constitution—Humphrey Bohun, earl of Hereford and Essex, and Roger Bigod, earl of Norfolk. These men were, to the age of Edward I., what John Hampden was to the age of Charles I. When these sturdy patriots called upon the sheriffs to levy no more taxes till the Charters were confirmed without any insidious reservation of the rights of the crown, the Plantagenet, imperious and bold as he was, felt that it was true wisdom to yield. The Stuart perished upon the scaffold, because he would never yield in his own cause, which he thought the only "good cause." There was a time when the exactions of Edward upon the church and the laity were very nearly exciting another civil war, such as he had witnessed under De Montfort. He was stripping the clergy of their possessions; he was not only taxing wool and hides at an unprecedented rate, but seizing merchandise and agricultural produce without present payment, in the most wanton exercise of pur-

\* The statute "De non tallagio concedendo," is a sort of summary of the same enacting clauses in the "Confirmatio Chartarum."

veyance. Bohun and Bigod then openly resisted the king's commands that they should sail with a reinforcement of troops to his army in Gascony. The king assembled the clergy and the people at Westminster. He lamented that he had been compelled to impose heavy burthens upon them, for the sole purpose of protecting them against the Welsh, the Scots, and the French, who sought *his* crown whilst they thirsted for *their* blood. The king sailed for Flanders. The barons then rose in arms, but they strictly preserved the peace of the kingdom. The young prince Edward was surrounded by a council; and by their advice the famous Statute of the Confirmation of the Charters was agreed to, and sent to the king abroad. From that day, the 10th of October, 1297, the sole right of raising supplies has been invested in the people. But this most salutary power, which is the greatest of the many distinctions between a limited and a despotic monarchy, would never have been obtained if the king had not been encompassed with present difficulties and apprehended future danger. The parliament demanded his signature to their Act by the 6th of December. The Scots had obtained a great victory at Stirling; Edward was opposed in Flanders by a superior force of the French king. On the 5th of November, at Ghent, he signed the Act which was never reversed, although he often struggled hard to violate it. The resistance of Scotland to oppression had thus a powerful influence upon the liberties of England. The Letters Patent of the king, which accompanied the Confirmation of the Charters, granting a full pardon to Humphrey de Bohun, Roger Bigod, and others, "for certain disobediences," and "certain alliances and assemblies of armed people, made against our will and prohibition," show how strong a necessity existed that Edward should set aside, as he expressly does in this remarkable document, "all manner of rancour and indignation" which he "had conceived against them."\* With these connecting observations, let us proceed in the narrative of that great contest which commenced at Norham in 1291, when king Edward claimed to be "sovereign lord of the land of Scotland."

The danger which was impending upon Scotland, through the unexpected death of Margaret of Norway, is strongly expressed in a letter from the bishop of St. Andrew's to king Edward. The prelate says, that there has gone forth a mournful rumour that their lady is dead; that the kingdom is consequently disturbed,

\* Statutes of the Realm, vol. i. p. 124.

and the community divided; that civil war and great slaughter will ensue unless the king devises a remedy. Robert de Brus and John de Balliol are mentioned in this letter, and De Brus is pointed at as one whose determinations are doubtful.\* When the rumour was confirmed, there arose abundant competitors for the crown of Scotland. Thirteen of these claimants appeared; but the pretensions of ten of the number were so frivolous, that the old historians of Scotland have made it a charge against Edward that he listened to their claims merely to embarrass the proceedings, with reference to the three who had real grounds for their demands. These three were the descendants of David, earl of Huntingdon, the brother of William, king of Scotland, the predecessor of Alexander II. and of Alexander III., whose direct line was extinct by the death of the young Margaret. David had three daughters. From the first daughter was descended John Balliol, David's great-grandson; from the second daughter Robert Bruce, David's grandson; from the third daughter, John Hastings, David's great-grandson. The representative of the elder daughter was remote by one degree; the representative of the second daughter was nearer by one degree; the third claimant was inferior to both the others as representative, and was inferior to one in his remoteness of degree. In a matter so clear, according to our recognised law of descents, it seems difficult to imagine how the claim of Balliol could have been disputed. But the question was complicated by the pretensions of Hastings, who held that the kingdom was partible amongst the descendants of the three daughters of David, earl of Huntingdon. The states of Scotland referred the decision to Edward, king of England.

On the 10th of May, 1291, a solemn assembly was held near Norham in Northumberland. Edward came with many of his nobles, according to a summons issued on the 16th of April, to meet him there "with horses and arms and all the service they owed." † There was a calm deliberation in the king's proceedings which sufficiently shows that his course was regulated by the most settled policy. From the 10th of May to the 13th of June there were ten solemn conferences, the particulars of which are recorded by a notary, Master John de Cadamus, with all the precision of a modern protocol. ‡ These conferences, as the notary informs us, were held in a green meadow, under the sky, opposite the castle of Norham, on the Scotch bank of the river of Tweed. The poet of

\* The letter, in Latin, is given in "Fœdera," new edit., vol. i. part ii. p. 741.

† Ibid. p. 752.

‡ Ibid. p. 752.

chivalry has painted "Norham's castled steep" of another period; but "the battled towers" never looked upon a more important scene than when the barons and prelates of Scotland met in that green meadow—with the Tweed "broad and deep" sparkling in the summer sun, and "Cheviot's mountain lone" closing in the distance—to hear Edward of England, by his chancellor, demand their recognition of his superiority and dominion over them.

At the first meeting of the 10th of May, Roger de Brabançon, chief-justice of England, addressed the assembly in the French language, setting forth that Edward, king of England, was come, as superior and direct lord, to do justice to the claimants to the crown of Scotland; but that he first required the assent of the states to his own claim to superiority and direct dominion. The answer was postponed till the next day; and then a further adjournment of the meeting was required. On the 2nd of June, Robert Burnel, bishop of Bath and Wells, and chancellor of England, made a long harangue, also in French, in which he stated that no answer having been given to the king's demand that his superiority should be acknowledged, he should ask Robert Bruce, lord of Annandale, whether he was willing to receive judgment from the king of England, as sovereign and direct lord of Scotland; to which Robert Bruce answered that he did so acknowledge the king of England, and, as such, he was ready to submit to his decision. The same question was put to each of the other candidates present, and the same answer was given. John Balliol was not in attendance, but he subsequently gave in the same acknowledgment. In another assembly, king Edward stated that he did not exclude himself from any claim to the kingdom of Scotland by hereditary right. Finally, a solemn instrument of the recognition was drawn up and signed; and commissioners were appointed from both nations to assist in taking evidence as to the claims to the crown. In these proceedings it is difficult to regard the pretensions of Edward to be the feudal lord of Scotland as a new claim arising out of his own tyrannous and unscrupulous nature. The kings of Scotland, from the earliest times, had done homage to the English sovereigns, either in their character of Scottish monarchs, or as holders of fiefs in England. The precise nature of that homage has now become a mere antiquarian problem. It was debated at one time with all the fury of national partisanship. The Scottish nobles, who so readily admitted the claims of Edward, looked at this question with a more intimate knowledge of the nice limits between feudal submission

and national independence than we can possess. They were not the less patriots because they acknowledged the right of Edward, as superior lord, to decide who should fill their vacant throne. When the question of right was resolved into one of might, by the king of England going beyond the just boundaries of his feudal claims, they nobly asserted the independence of their country. As duke of Gascony, Edward himself was a vassal of the crown of France; and had acknowledged the French king's claims to superiority, with great reluctance. We have repeatedly seen how the kings of England were in arms against their feudal superior; and how the independent dominion of territory after territory had been surrendered by them. What Edward had submitted to he was, of all men, the most likely to enforce. When, after a long course of deliberation, the commissioners had reported in favour of John Balliol, and the king of England had confirmed the decision, he resigned the castles which had been put into his hands pending the inquiry. But he required Balliol to do homage to him as his "liege man for Scotland," saying "which kingdom I hold, and ought of right, and claim to hold by inheritance, for myself and my heirs, kings of Scotland, of you and your heirs, kings of England." Had Balliol not made this submission he would have violated the solemn act done in the green meadow opposite Norham Castle. The whole question assumed a different character when the theory of feudal submission was attempted to be converted into a practical enforcement of humiliating services.

Edward was not slow in the application of his notions of what constituted "faith and loyalty" in a royal vassal of Scotland. It may probably be attributed as much to the anomalies of the feudal system as to the individual character of the man, that we find Edward, in 1293, summoning Balliol to his court at Westminster to answer to charges of mal-administration, and refusing himself, in 1294, to appear at the court of the king of France, to answer for the alleged misconduct of some of the people of Gascony. Balliol goes to Westminster, and is treated with some indignity. Edward refuses to go to Paris, and his fiefs in France are declared forfeited. A war ensues. Edward renounces his fealty to France, and raises a large army to assert his independence. The Welsh take the opportunity of rising; but they are defeated when Edward postpones his French expedition to put himself at the head of his troops in Wales. The revolt was very serious, and the king himself was besieged in Conway Castle, and reduced to the extremest necessity.

His gallant bearing in sharing the last flagon of wine with his few brave men is recorded by the chronicler, Henry Knyghton. Conway was at last relieved; and Edward pursued his stern career of punishing revolters and building castles. At last, having subdued the Welsh, he began to make his dominion felt in Scotland. The Scottish barons now understood what the feudal submission of their king really implied; and they incited Balliol to assert the independence of their country. He resigned the conduct of the war which was impending to twelve guardians of the realm; and a secret treaty was concluded between Scotland and France. In 1296, Edward was on his march to Scotland. The great question was to be brought to issue by a stronger instrument than that of a citation to Westminster.

According to writs which were sent out in December, 1295, a large force assembled at Newcastle-upon-Tyne, on the 1st of March, 1296. There is a very curious narrative of this invasion of Scotland, written by a contemporary, which, however brief the details, presents an authentic chronicle of those events of twenty-one weeks which so materially affected the future of the two kingdoms.\* On the 28th of March king Edward crossed the Tweed, with five thousand horsemen and thirty thousand foot. On the 30th he "took the town of Berwick-upon-Tweed by force of arms, without tarrying." This little phrase, "by force of arms," means that this important place—a free port whose customs amounted to a fourth of those of all England—a commercial emporium, full of the wealth which belongs to a large interchange with foreign countries—that this second Alexandria, as it was termed, was taken by assault; its inhabitants, to the number of many thousands, massacred; and the whole place given up to pillage.† The king and his host remained there a month, "every man in the house that he had gotten." Many of the Scotch nobles, amongst others, Robert Bruce, sided with Edward. Whilst the king was at Berwick, a messenger arrived with a letter from Balliol, renouncing his fealty, and refusing to obey the summons of Edward to appear before him. "The felon fool," exclaimed the king, "since he will not come to us we will go to him." Whilst at Berwick, the king dispatched a portion of his army to Dunbar, which was in the hands

\* "The Voyage of King Edward into Scotland," with observations by Sir N. H. Nicolas. "Archæologia," vol. xxi.

† Hemingford, a chronicler who died in 1347, is the authority for this statement. The narrative in the Archæologia says nothing of the slaughter.

of the Scottish forces. A great battle ensued between the English and Scotch, in which Sir Patrick Graham and ten thousand men were slain. Edward himself arrived at the castle, which was surrendered on the 29th of April. Onward went the "ruthless king," capturing Roxburgh Castle, on his way to Edinburgh, where he arrived on the 6th of June. He immediately commenced a siege of the castle, "having caused there to be set up three engines casting into the castle day and night." The siege was not finished on the eighth day, when the king went forward, leaving "the engines casting still before the castle." On the 14th of June Stirling surrendered without resistance, the garrison having "run away, and left none but the porter, which did render the keys." The king proceeded to Montrose, which he reached on the 7th of July, where he remained till the 10th; "and there came to him king John of Scotland to his mercy, and did render quietly the realm of Scotland, as he that had done amiss." Fordun, the Scottish historian, describes the ceremony as one in which the humiliated monarch, putting off his royal ornaments, and holding a white rod in his hand, resigned, with his crown and sceptre, all the right he had, or might have, in the kingdom of Scotland, into the hands of the king of England. This important act having been accomplished, Edward proceeded to Aberdeen, "a fair castle and a good town on the sea." He probably went farther north, as far as Elgin. Before he returned, he sent the bishop of Durham, and other of the military leaders, "to search the country;" and he himself went into desolate places, such as Interkeratche,— "where there was no more than three houses in a row between two mountains." It is unnecessary to trace the victor's course southward. He returned to Berwick, having "conquered and searched the kingdom of Scotland, as is aforesaid, in twenty-one weeks without any more." At Berwick the king of England held a parliament, and there he received the homage of the bishops, barons, and knights of Scotland. He appointed John Warenne, earl of Surrey, regent of the subjected kingdom; and moved on to London, with the crown and sceptre which John Balliol had surrendered, and with the sacred stone, "the stone of destiny," on which the Scottish kings were seated at their inauguration. Castles, hostages, regalia were the king of England's. But the heart of the people was not his. The conquest was not accomplished.

Towards the end of the fifteenth century there was living a Scotch minstrel, whom John Major, the historian, saw when he

was a boy. This minstrel was Blind Harry, whose spirited poem on the deeds of William Wallace contains some portions of authentic history intermixed with much fable. The Scotch poet, blind from his birth, collected many of the legendary tales which the more ancient minstrels used to recite in hall and castle; and as the stirring theme for several centuries was the independence of Scotland, the favourite hero was the man who had excited a national resistance to the English power, when the whole country was apparently prostrate at the feet of the First Edward. William Wallace was essentially the hero of the people. There was scarcely a Scottish noble who had not sworn fealty to the English king, and exhorted his countrymen to submission. One man, not of noble birth, was hiding in the mountains with a few followers; and out of the partisan warfare which he carried on was engendered the spirit which finally made Scotland free. The early life of William Wallace belongs to legend rather than to history. At the time that Balliol surrendered his crown to Edward, Wallace is supposed to have been about twenty-five years of age. He is said to have been the younger of two sons of Sir Malcolm Wallace of Ellerslie, and his paternal residence was in the neighbourhood of Paisley. The youthful deeds of Wallace, as reflected in tradition, mark him from the first as a hater of oppression. He is fishing in the river of Irvine, near Ayr, and some English soldiers attempt to seize his well-filled basket. He kills one of the rude warriors with the butt-end of his fishing-rod, and puts the others to flight. Another tradition is that he slew the son of the English governor of Dundee, who had offered him some insult. A third legend connects his patriotic career with an outrage upon his dearest affections. Walking with his wife in the town of Lanark, an Englishman ridicules his gay garments, and a quarrel ensues, which ends in the death of the man who insulted Scotland in Wallace's person. He flies to a wild bushy glen called the Cartland-crags; and there hears that his house has been burnt, and his wife and children put to death, by the ferocious English governor. He collects a band around him; and descending upon the town of Ayr fearfully revenges an act of treachery committed by another English governor. The fame of his exploits goes through the land. Nobles flock to the standard of the obscure man; and Wallace, the outlaw, became the commander of a great army. He was joined by Sir William Douglas, Sir John Graham, and ultimately by Robert Bruce, the grandson of the Bruce who competed

with Balliol for the crown. A general revolt against the English authority broke out in the spring of 1297. Edward was in Gascony. But two powerful armies were formed in Scotland; and that on the western coast, under Henry Lord Percy, and Sir Robert Clifford, came in presence of the Scots near Irvine. The high-born who had joined Wallace when danger was afar off, deserted him when the army of England was in their front. Bruce, and Douglas, and other nobles, agreed to acknowledge Edward as their sovereign lord. Sir William Wallace,—for he then bore the title which belongs to knighthood—and Sir Andrew Moray, with a considerable body of adherents, retired to the north. The national spirit soon gave him the means of compensating for the desertion of the proud nobles, who dreaded the loss of their estates. Wallace had only honour to lose. But the tenants of many of the Scottish chiefs were secretly encouraged to join the insurgents. After various successes, Wallace met the English army near the town of Stirling. His position was on the north side of the Forth. The English approached the river on the southern bank. Warenne, the guardian of the kingdom appointed by Edward, offered pardon to Wallace and his followers if they would lay down their arms. The offer was indignantly rejected. The English, on the morning of the 10th September, began to cross the river by a narrow bridge; and when a portion of the army, horse and foot, had passed, Wallace poured down from the hills upon the separated force, and nearly all the English on the north bank perished by the sword or in the stream. The treasurer of Edward, Cressingham, was one of the slain. The chief loss on the side of the Scotch was Sir Andrew Moray. Warenne retreated rapidly into England. Every place of strength was abandoned; and Wallace, with the son of Moray, at the head of the army, which they proclaimed to be that of John, king of Scotland, crossed the Tweed, and, for several weeks, made fearful ravages upon Northumberland and Cumberland. It was at this moment that the English barons obtained the Confirmation of the Charters. The Scottish army penetrated as far south as Newcastle. At Hexham, on the 7th of November, a protection of the prior and convent of that place was granted by Andrew Moray and William Wallace, commander-in-chief of the army of Scotland, in the name of king John, and by consent of the community of the said kingdom. John Balliol was then in the Tower of London. This Andrew Moray was a worthy successor of the friend of Wallace, who fell at the battle of Stirling-bridge.

Just before this invasion of England, a letter was addressed in the names of Moray and Wallace to the authorities of Lubeck and Hamburg, stating that their merchants should now have free access to all the ports of the kingdom of Scotland, seeing that the kingdom, by the favour of God, had been recovered from the power of the English. After his return from the invasion of England, we find that, in 1298, as appears in a charter, dated on the 29th of March, "William Walleys, miles," is styled "Custos regni Scotiæ,"—he is guardian of the kingdom in the name of king John.

The elevation which Wallace had now attained was not of long endurance. The nobles said, "We will not have this man to rule over us." When Edward, having hurried from France, was once again in Scotland, which he entered in the June of 1298, the attachment of the humbler classes of the people was not powerful enough to sustain the great popular leader in his triumphant course. The nobles kept aloof. He had a numerous army of enthusiastic followers; but these partisans were chiefly on foot. The knightly horsemen were hiding from the wrath of the English king. Edward came on with his mailed chivalry and his terrible bowmen. At Falkirk, the unequal forces met. The king, now in his sixtieth year, had lost nothing of his youthful energy, or of that personal courage which especially marked the great leader in the times when it was the business of a commander to possess the sturdy arm as well as the directing head. Advancing to this field of Falkirk, Edward was thrown from his horse, and broke two of his ribs. Regardless of the injury, he led his cavalry forward to meet the whole Scottish army, standing in close array. Wallace knew that the only safety was in the most desperate resistance; and he said to his men, "I have brought you to the ring, now let me see how you can dance." Matthew of Westminster, who is full of fury against the Scottish leader—which appears to have been excited by the atrocities which his followers committed in the north of England—tells this anecdote, adding—"and so fled himself from the battle, leaving his people to be slain by the sword." Wallace was not a man to fly. He fought in that field of Falkirk, in which his spearmen long stood up against the English knights, till his friends, Stewart and Graham, and thousands who have left no name, had fallen. All was finished. Wallace, according to tradition, hid himself in an oak in the adjoining forest, of which Sir Walter Scott saw the roots when he was a boy. There is another Wallace Oak

near Paisley, which is connected with the early life of the hero, whose adventures are still associated with many a glen and woody covert. For seven years after the fatal battle of Falkirk, we hear little of Sir William Wallace. He was deprived of his office of guardian of the kingdom. The war was continued; but Bruce, and Comyn, and the bishop of St. Andrews, were joint guardians, in the name of Balliol. Wallace carried on his former system of desultory warfare, which had first roused a general resistance to Edward. Legendary history tells of his mighty deeds; and, though the poetical spirit may exaggerate his physical prowess and his loftiness of heart, Wallace was still animating his countrymen to a resistance, of which he did not witness the triumph, but of which his example set forth the first great sustaining principle. That the career of Wallace was one of patriotism, in the loftiest sense of the word, may be doubted; nor was it upheld by those high social considerations by which the opposition to injustice becomes a great moral effort, as in the instance of Washington. It was probably excited originally by the hatred that belongs to race. Wallace was a native of the old kingdom of Strath-Clyde, where the British language and British traditions lingered through many generations; and the spirit that inspired "the land of Wales," and which all the changes of modern civilisation cannot wholly eradicate, was probably the source of much of Wallace's resistance to the Anglo-Norman rule. To dress him up in the fanciful garb of pure heroism, as romance, and even history, have attempted to do, is to falsify the character of his age. He was cruel, as all men of that time were cruel. He shrunk not from private slaughter, or general massacre, as few did in the days when ferocity appeared to be an ingredient of courage. The great vindicator of Scottish independence who came after him commenced his career with a murder. Edward the king, though politically lenient and merciful, coolly ordered many butcheries in open warfare, and sanctioned many atrocious revenges upon those who resisted his domination. We must judge all such men with impartiality. We must not exalt them into patterns of virtue, or degrade them into monsters of brutality. The system under which they were born and lived made their actions a perpetual struggle for ill-defined power. Their contemporaries were not in a condition to view these actions through a just medium. In the eyes of the monk of Westminster, William Wallace was "a robber, a sacrilegious man, an incendiary, and a homicide." Posterity has set aside all this prejudice. But the

opinion of modern times has not surrendered itself to the belief that the spirit which animated king Edward and his English in their dealings with Wales and Scotland was that of unmitigated tyranny and mere hatred of freedom. There was sound statesmanship in those days, which knew that a small country, physically united as Britain is, could not be safe or prosperous under a divided government. The mistake of that policy was the usual one of endeavouring to anticipate the natural processes of union, by the disturbing influences of conquest.

Whilst Wallace was carrying on his desultory warfare, the new regents followed up a measure which the previous government had originated, in appealing to the interference of the pope to protect Scotland from the aggressions of the English king. The envoys of Bruce and Comyn demanded this interference upon the ground that Scotland was a realm which belonged of right to the see of Rome. In June, 1299, the pope, Boniface, set forward this pretension in a letter addressed to Edward, and demanded that every controversy between England and Scotland should be referred to the decision of the pontiff. The delivery of the letter was delayed for more than a year; and upon its arrival Edward returned for answer that he should submit the matter to his parliament. On the 20th of January, 1301, a parliament was accordingly assembled at Lincoln. The sagacity of the king was never more strikingly exemplified than in this proceeding. In the first burst of his passion he vowed that if he heard more of these inordinate pretensions he would exterminate the Scots from sea to sea. The independence of England was threatened in these papal proceedings; and Edward wisely called together the representatives of the nation to speak the nation's voice. To this parliament of Lincoln there came upwards of three hundred persons—prelates, abbots, barons, knights, and burgesses. The pope received an answer which was worthy of a great representative assembly. He was told that "it is, and by the grace of God shall always be, our common and unanimous resolve, that with respect to the rights of his kingdom of Scotland, or other his temporal rights, our aforesaid lord the king shall not plead before you, nor submit in any manner to your judgment, nor suffer his right to be brought into question by any inquiry, nor send agents or procurators for that purpose to your court." The English representatives, whether or not they thought their king had just claims as regarded Scotland, showed a spirit which would not brook that insolent assumption of temporal power which the popes

had so often attempted to exercise. It is impossible not to respect those bishops and abbots who spurned the pretensions of their spiritual head as boldly as knight or baron or sturdy tradesman. We note the burgesses as tradesmen; for in that parliament sat Stephen Stanham, a merchant of Lincoln, who dealt in sugar and figs and herrings and stockfish, in company with two archbishops, eighteen bishops, and eighty-nine knights and barons.\* The pontiff was not in a condition to visit Edward and his parliament with any ecclesiastical penalties. There arose a controversy, in which the king traced back the superiority of his predecessors over Scotland to the days of Brute, the Trojan; and the Scottish envoy replied that they cared not for Brute or his institutions, for they were sprung from Scota, the daughter of Pharaoh. The quarrel, as far as the pope was concerned, evaporated in these learned researches. Edward, in the meantime, had concluded a truce with Scotland, which lasted for ten months of the year 1302. He had been negotiating a peace with France, but a demand was made that Scotland should be included. To this demand the English assent was refused, and the war was renewed at the beginning of 1303. Stirling Castle was taken by the Scots; and the English army was defeated at Roslin. Edward had now made peace with France, and obtained the restoration of Gascony. He was thus ready to carry his personal vigour to the Scottish war. He soon enforced an unwilling submission; and concluded a treaty with Comyn, and the other leaders, on the 9th of February, 1304. Wallace was not included in the capitulation; but it was said that he might, if he pleased, give himself up to the king's will and grace. He was afterwards summoned to appear before a parliament of nobles of the two nations; but he continued contumacious, and was pronounced an outlaw. The reduction of Scotland was completed in the summer of that year, by the surrender of Stirling. Edward himself conducted the memorable siege of this important castle. Sir John Oliphant defended the fortress for three months, with a garrison of only a hundred and forty men. The king in the first month had exhausted his stores of warlike missiles, and had to command his English sheriffs to buy up and send him fresh supplies of cross-bows and quarrels. Famine at last compelled a capitulation. There were women in that devoted castle who shared the sufferings of their husbands and brothers. At length the gates

\* See Article on "The Parliaments of Lincoln," in "Proceedings of the Archaeological Institute," 1848.

were opened, and a sad procession of Oliphant and twenty-five of his men was moving down the hill of Stirling, each barefoot and with a halter round his neck, to kneel before the king. Edward, say some, turned aside to wipe the tears from his eyes, and granted their lives.

Wallace, the most constant of the leaders who had fought in this great war of independence, was at length taken prisoner near Glasgow. He was conducted to Dunbarton Castle; and as the noble outlaw mounted the rocky stair which led to his dungeon, he must have felt that nothing was left for him but to die bravely as he had lived. His two-handed sword was hung up in the keep of Dunbarton, never again to be drawn against tyrannous Anglo-Norman or treacherous Scot. An attempt has been made to disprove the tradition that he was betrayed by Sir John Menteith, who was governor of Dunbarton under Edward; but a document has been discovered by which it appears that various large sums were given to persons who had watched Wallace and assisted in his capture, and that land to the value of one hundred pounds was assigned to Menteith.\* Strongly fettered, he was hurried on the road to the south on the 5th of August, 1305. On the 22nd he arrived in London, and was lodged in the house of a citizen, William de Leyse, in Fenchurch-street. On the next day he was conducted on horseback to Westminster Hall, surrounded by the mayor, sheriffs, and aldermen. The undaunted man, crowned with a garland of oak, as a king of outlaws, was arraigned as a traitor to the English crown. "Traitor I could never be, for I was not a subject of king Edward," was the reply. His execution was determined on before this mock-trial. Sentence of death was pronounced against him. He was dragged at the tails of horses through the streets to a gallows standing at the Elms at Smithfield. The horrible barbarities of an execution for treason having been gone through, his head was struck off, and placed upon a pole on London-bridge. His body was divided into four quarters. William Wallace, thus betrayed and outraged, was never so dangerous to the power of King Edward as when his mutilated arms and legs were exhibited to the Scottish people on the public places of Newcastle, Berwick, Perth, and Aberdeen. Sir Simon Fraser, one of the brave adherents of Wallace, was also executed in the same year, and his head was placed on London-bridge beside that of his great leader. There was exultation in London over the fate of these brave men.

\* "Documents Illustrative of the History of Scotland." Palgrave.



There was wailing in Scotland; but the lament was smothered in a passionate desire for revenge. In four months Robert Bruce was in arms.

John Balliol, the king John of Scotland, was dead. His son was in captivity in London; and the name of Balliol was held in scorn. Robert Bruce, the grandson of the competitor for the crown, was now twenty-three years of age. He had vacillated between submission to Edward and adherence to the cause of independence. Scotland had been apparently settled by the pacific policy of Edward; and young Bruce appeared to be in his confidence. John Comyn, the son of Balliol's sister, was an object of jealousy to the King of England, for he in some degree represented the rights of the Balliol family, with a boldness which might have been dangerous. Bruce came to Scotland. In the choir of the church of the Minorites, in Dumfries, Bruce and Comyn met in private conference. According to Fordun, the ancient feud between the two families was the cause of the fatal result which ensued from this meeting. Bruce plunged his dagger into the breast of Comyn, and hurried out of the church. The attendants of Bruce completed the murder. The guilt of blood was upon Bruce; and the old Scottish historians have surrounded the mysterious transaction with alleged circumstances of treachery on the part of Comyn, calculated to remove some portion of the odium from the memory of their great patriot. It was an age when human life was held at a cheap rate; and the violation of a sacred place by murder was considered a greater crime than the murder itself. But the deed, whether rash or premeditated, admitted of no hesitating policy. Bruce immediately assumed the title of king, and he was crowned as king Robert of Scotland, at Scone, on the 27th of March. Edward was now failing in health; but at a solemn festival in London, he conferred the degree of knighthood on his son prince Edward, and on many of the young nobility; and at a great banquet, when two swans were placed on the table of the regal hall, the king swore, before God and the swans, that he would revenge the murder of Comyn, and punish the rebels who had thus defied him. Such were the vows of chivalry, which were often thus taken at the feast of the peacock. The feast of the two swans was probably held to be even more important than that of the bird of bright plumage. The prince departed with a large company of knights the next morning. The king, who, apprehensive of his approaching end, had begged that his body might remain unburied

till his vow was accomplished by his son, slowly followed. Aymer de Valence, earl of Pembroke, was in the neighbourhood of Perth, when the army of king Robert attacked him. The result was defeat. Bruce escaped with a small band of his followers; and for several months the fugitives wandered amidst the Grampian hills, sustaining many severe privations. During their leader's retreat the more important of his followers were imprisoned or executed. Amongst the prisoners was the wife of Bruce, to whom Edward assigned a suitable residence. The sister of Bruce, and the countess of Buchan who placed the crown on his head at Scone, were confined for several years at Berwick and Roxburgh. In the spring of 1307, king Robert came forth from his retreat. He was again joined by many adherents, and he obtained some successes over the earl of Pembroke and the earl of Gloucester. On the 3rd of July king Edward, with a large army, set out from Carlisle on horseback. His impatience to take the field against the insurgents would no longer endure the restraint which was demanded by his bodily weakness. The effort was fatal. Edward I. expired at Burgh-on-the-Sands, on the 7th of July.