parliament. Wallace, Fraſer, and the garriſon of Stir­ling, were ſummoned to appear: They appeared not, and ſentence of outlawry was pronounced againſt them.

Edward now prepared to beſiege the caſtle of Stir­ling; and, foreſeeing that the reduction of this place would be attended with conſiderable difficulty, he ſtripped the abbey of St Andrew’s of the lead which cover­ed it, in order to employ the metal in bullets for his battering machines. Oliphant was ſolemnly ſummoned to ſurrender; but in vain. Edward drew out all his artillery, and battered the walls with ſtones of 200 pounds weight. The beſieged, however, defended them­ſelves with obſtinacy, and killed a great number of the Engliſh but at laſt they were obliged to ſurrender: and Edward, looking upon the conqueſt of Scotland as now complete, ſet out for York, and from thence to Lincoln.

Though Edward had thus met with all the ſucceſs he could deſire in his expeditions againſt the Scots, he could not but perceive that his dominion over them muſt be very precarious, as long as he held them in the ſubjection of a conquered people. He reſolved therefore once more to renew his attempts for an union of the two kingdoms. He began with taking into fa­vour the biſhop of Glaſgow, Robert Bruce, and John Mowbray, who, next to Bruce and the Cummings, was amongſt the greateſt of the Scottiſh nobility. To them he recommended the ſettling the affairs of their country, but in ſuch a manner as to leave it in his power to ef­fect the propoſed union with England. This ſcheme, however, was by no means agreeable to Bruce; who had now no other competitor for the crown but Cum­ming, who was in a great meaſure incapable of oppoſing his deſigns; neither indeed could it ever be made agreeable to the bulk of the nation; and therefore came to nothing at laſt. Scotland, however, was ſubdued. Its inhabitants had renounced every idea of aſſerting their liberty, and only ſtrove to make their court to the conqueror. Wallace alone remained an exception. Ed­ward, who had received into favour thoſe who had pro­ved traitors over and over again, ſhowed a mean revenge againſt the only man who diſcovered a ſteady and ho­nourable ſpirit, and whoſe friendſhip ſeemed worth the courting. Ralph de Haliburton, a priſoner, offered his aſſiſtance for diſcovering Wallace; and for this purpoſe he was granted a temporary liberty: but what he did in this very diſhonourable employment is unknown. Certain it is that Wallace was diſcovered, and betrayed into the hands of the Engliſh, by Sir John Menteith, as is commonly ſuppoſed; who is alſo ſaid to have been the intimate friend of Wallace, though without any juſt foundation. Be this as it will, however, this celebrated and heroic patriot was arraigned at Weſtminſter as a traitor to Edward, and as having burnt villages, ſtormed cailles, and ſlaughtered many ſubjects of England. Wallace denied his ever having been a traitor, and in­deed with truth; for he had always been the avowed enemy of Edward, and had not at any time owned al­legiance to him. But whatever his defences might have been, they were of no avail with a judge who had re­ſolved on his deſtruction. Wallace was condemned to die a traitor’s death, and the ſentence was executed with the utmoſt rigour! In his laſt moments he afferted that independency which a degenerate nation had re­nounced. His head was placed on a pinacle at Lon­**don, and his mangled limbs were diſtributed over the kingdom.**

After the death of Wallace, Edward thought of no­thing but ſettling the affairs of Scotland as a conquered country; however, he took care to preſerve the ancient forms as far as was conſiſtent with the dependent ſtate of the nation. It has been ſaid, indeed, that Edward abrogated all the Scottiſh laws and cuſtoms, and endea­voured to ſubſtitute the Engliſh in their ſtead; but this is denied by others. Lord Hailes gives us at length the record with reſpect to theſe laws, in the following words. “And, with reſpect to the laws and uſages of the government of Scotland, it is ordained, that the *custom of the Scots and the Brets* ſhall for the future bc prohibited, and be no longer practiſed. It is alſo or­dained, that the king’s lieutenant ſhall forthwith aſſemble the good people of Scotland: and that, at ſuch aſſembly, ſhall be read over the ſtatutes made by David king of Scots, and alſo the additions and amendments which have been made by other kings; and that the lieutenant, with the aſſiſtance which he ſhall then have, as well of Engliſhmen as of Scots, ſhall amend ſuch of theſe ſtatutes and uſages as are plainly againſt the laws of God and reaſon, as they beſt may in ſo ſhort a ſpace, and in ſo far as they can without conſulting the king; and as to matters which they cannot undertake to cor­rect of themſelves, that they be put in writing, and laid before the king by the lieutenant, and any number of commiſſioners, with parliamentary powers, whom the Scots ſhall think fit to chooſe. That they ſhall meet with commiſſioners appointed by the king, and finally determine as to the premiſſes.”

This is the record by which it is generally ſuppoſed that the law of Scotland was abrogated. But Lord Hailes is of opinion, that *the uſage of the Scots and Brets* here mentioned was ſomething, different from the com­mon law of the land. “We know (ſays he), from our ſtatute-book, that the people of Galloway had certain uſages peculiar to themſelves; *Stat. Alex.* II. c. 2. One was that cauſes were tried among them without juries [Quon*. Attach.* c. 72. 73. placed in ſome ancient MSS. among LL. David I. c. 15.], and this may probably have been the uſage which Edward aboliſhed. The people of Galloway were ſometimes diſtinguiſhed by the name of *Scots:* thus the *wild Scot of Galloway* is an expreſſion to be found in ancient inſtruments, and is pro­verbial even in our own days. *The uſage of the Brets,* I take to be what relates to the judge called *brithibh,* or *brehon;* in Ireland, *brehan;* and conſequently, that the thing here aboliſhed was the commutation of puniſhments by exacting a pecuniary mulct.”

An indemnity was now granted to the Scots upon certain conditions. Various fines were impoſed, from one to five years rent of the eſtates of the delinquents. One year’s rent was to be paid by the clergy, excluding the biſhop of Glaſgow; two by thoſe who were more early in their ſubmiſſions than Comyn; three by Co­rnyn and his aſſociates, and by the biſhop of Glaſgow; four years rent was to be paid by William de Baliol and John Wiſheart; and five by Ingelram de Umfraville, becauſe they had ſtood out longer. Three years rent was alſo paid by the vaſſals of Baliol, Wiſheart, and Umfraville. Theſe fines were to be paid in moieties. The perſon taxed was to pay half his income annually: and thus Umfraville, taxed in five years rent, was al-